

**LAXEY VILLAGE COMMISSIONERS**  
**Mid Monthly Meeting**

Wednesday 18<sup>th</sup> November 2015 at 10.00am.

**Meeting Minutes**

**Present:** Mrs R.Bate (Vice Chairman), Mr J James, Mr P Kinnish, Mr AJ Moore (Chairman),

**In Attendance:** Mr P. Burgess, Clerk, Member of public.

**Apologies:** Mr P Hill Deputy Clerk, Mrs J. Pinson.

**89/15 Policing in the Parish** –Meeting with Superintendent Kevin Willson to discuss policing in the parish. The Clerk advised that Superintendent Willson had email at 7.14am to advise his flight back to the island had been cancelled and he was unable to attend.

It was Resolved to note Superintendent Willson apology, Clerk to reschedule the meeting.

**90/15 Planning Matters**

**Planning Applications**

a) Planning Application No 15/01240/B of 05.11.15 in respect of erection of a dwelling at Chris's Cottage, Old Laxey Hill, Laxey, IM4 7BS. [LVC ref: 3737].

A discussion took place and the Board unanimously Resolved to refuse the application on the grounds outlined below.

1. The development is over intensive for the site in question,
2. It has an adverse impact on the visual amenity of the surrounding area and properties therein,
3. The amount of parking provision proposed is inadequate for the size of property, therefore the proposal fails to meet the requirements of Laxey and Loan Area Plan Order 2005, policy L/CP/PR/2.
4. The Development does not comply with or meet the criteria of the Isle of Man Strategic Plan, 6.2 – Development within land-use zones General Policy 2 in that;
  - (b). it doesn't respect the site and surroundings in terms of the siting, layout, scale, form, design and landscaping of buildings and the spaces around them;
  - (c). does affect adversely the character of the surrounding landscape or townscape;
  - (g). does affect adversely the amenity of local residents and the character of the locality.

**Approval Notices (DEFA Planning Committee)**

c) None.

**Refusal Notices (DEFA Planning Committee)**

d) None.

**Appeal Notices (DEFA Planning Committee)**

e) Planning Appeal Notice 15/00508/B of 28.10.15 confirming decision to refuse permission to enclosure of yard area to form an attached garage with patio area above at The Craig, 16, New Road, Laxey. [LVC Ref: 3717].

It was Resolved to note planning appeal notice 15/00508/B.

**Planning Enforcement (DEFA Planning and Building Control)**

f) None.

**Planning - other Correspondence**

g) None.

**91/15 Approval of Minutes**

The minutes of the monthly meeting held on Wednesday 2015 4<sup>th</sup> November were examined for accuracy and it was unanimously Resolved that they represented a correct statement of events.

*Proposed by JJ, Seconded by: RB.*

**92/15 Matters arising out of the minutes 4<sup>th</sup> November 2015.**

**a) Services of Reembrace - Meeting ref 88/15, item b).**

**PK** reported he had attended the remembrance concert at Laxey Working Mens Institute on the evening of Saturday 7<sup>th</sup> November and the Royal British Legion, Laxey and Lonan Branch, Remembrance Service at Christ Church on Sunday 8<sup>th</sup> November. **AM** reported he had attended the National Service of Remembrance at St Johns. **PK** asked for it to be noted as public record that the Working Mens Institute is an excellent community facility, a great asset to the village and a credit to the management committee. **PK's** comments were seconded by **AM**. It was Resolved the Clerk write to WMI Management Committee congratulating them on their efforts.

**b) Works and Amenity - Meeting Ref 85/15, item j).**

It was resolved to note the Verbal report provided by the Clerk.

**93/15 General Correspondence**

**a) Invitation to attend a Celebration of Christmas.** Port St Mary Commissioners email dated 05.11.15. Port St Mary Commissioners are holding their annual Celebration of Christmas on Friday 4 December 2015 in our Town Hall at 7.30pm.

A discussion took place and it was Resolved no one was available to attend.

**b) Community Bulk Gas Storage Facility - Callin Wild letter of 3<sup>rd</sup> November acting on behalf of Manx Gas regarding the requested renewal of the lease dated 1<sup>st</sup> December 1995 in respect of Land off Glen Road, Laxey. They wish to renew this Lease for a further 21 years.**

The Clerk recommended to seek legal advice on the lease and rent valuation. A discussion took place and it was resolved the Clerk instruct the Commissioners Advocate to review to lease and Chrystal's Commercial to carry out a rent valuation.

**c) Remembrance Wreath - Royal British Legion letter of November 2015 requesting payment of £20.00 for the provision of the Wreath at the Remembrance Service this year. The letter seeks consideration that a payment of a higher amount as a donation would be appreciated.**

A discussion took place and it was resolved to make a donation of £40.00.

**d) Laxey & Lonan Heritage Trust Notice of AGM - Thursday 26<sup>th</sup> November 2015 at 1930 hours at the Working Men's Institute.**

A discussion took place and it was Resolved – **RB** and **PK** to attend.

**e) Trees at Henry Bloom Noble Recreation Ground - Laxey Association Football Club writes on 2<sup>nd</sup> November 2015 regarding Health and safety issues in connection with the walkway to the school and overhanging trees. They ask if the Commissioners have carried out a review of the condition of these trees from a Health and safety perspective and whether or not they have the appropriate insurance cover in place should they fall onto the Football Club Buildings, pitch or elevated ramp. Please reply to Mike Murley.**

A discussion took place and it was noted that the correspondence should have been from the Laxey and Lonan Sports and Community Facilities as they are the lease holder. It was Resolved the Clerk make contact the Northern Forestry Officer and seek advice and copy L&LSCF ltd on any correspondence.

**f) Royal Artillery Association Invitation of 09.11.15 to a celebration of the anniversary of St Barbara, their patron Saint, on Sunday 6<sup>th</sup> December 2015 at 1100 hours at St Thomas's Church, followed by a Buffet lunch at the Douglas Old Friends Club. RSVP.**

It was Resolved no one was available to attend.

**g) Laxey Campsite Shower Block - Ellis Brown Architect emails 06.11.15, forwarding email from Pegasus Safety Consulting Ltd in respect of Asbestos survey.**

1. You currently have a management survey. The asbestos regulations 2012 states that any area that requires any refurbishment / alterations will need a refurbishment survey. Section 6.2 of the report excludes the sampling of roofing materials. Therefore unless IDG have removed all ACM's from the areas that will be disturbed by the proposed works? (It doesn't appear so from

their clearance certificate?) I believe that the survey will need to be upgraded to a “refurbishment survey”, within the specified areas prior to commencement of works.

**In Private.**

2. Ferncroft have come back with a revised quote based on only Surveying that areas that are due to be disturbed (as specified in your previous email. Ferncroft will issue a formal revised quote. A discussion took place and it was Resolved to instruct Fencroft to undertake the required Asbestos survey.

h) **Draft Traffic Order to make reserved Police parking bay outside Commissioners Office into Disabled parking bay.**

Department of Infrastructure emails on 10.11.15. Please find attached a draft copy of an Order for disabled parking on New Road which the Department is proposing to make and which will be advertised in the local press advising the public that this draft copy will be available for inspection at your offices. Could you please ensure that this is done and that a copy is brought to the attention of your Commissioners. Any objections to the proposal which you may wish to make should be sent to Highway Services Administration, Department of Infrastructure, Sea Terminal, Douglas, Isle of Man, IM1 2RF on or before Thursday 26 November 2015.

i) Department of Infrastructure traffic officer email dated 13.11.15 - At the Northern TMLG held on the 20<sup>th</sup> October Mrs Bates requested that the bay be marked out disabled, there was no mention of a proposed loading bay, bearing in mind these meetings may have overlapped. However, it is felt it would be more beneficial for all users, including deliveries that this is made a public space rather than designated to either loading only or disabled only. There will of course be a time limit on the bay to ensure constant turnover which will greatly assist all businesses and visitors alike which would appear to be what is being requested.

I can therefore arrange for the police bay to be marked out for use by all, please could you let me have the views of all commissioners before a draft is drawn up.

A detailed discussion took place and it was reported that a number of business owners had approached Commissioners requesting that the police bay is turned into loading only bay. It was unanimously Resolved the Clerk contact the Department and request the police parking bay is made a loading/unloading only bay.

**AM** declared a conflict of interest in the matter.

**94/15 Reports**

a) **Garff Joint Initiative Committee meeting 11.11.15** – Minutes circulated to meeting.

**RB** reported on the meeting that the Clerks had been asked to discuss staff hours and proposed employment structure for the new authority and report back to the Committee and the draft standing order circulated for consideration. A discussion took place with respect the civic regalia. **RB** advised the proposal was for the Chairman chain kept for display and that the lady’s chain would be used for the Garff chain. A discussion took place with respect to cost savings and appointment of members on Committees. **PK** suggested that Laxey Commissioners should be putting forward their own proposals to Garff in respect staffing, in particular with reference to Works and Amenity. A discussion took place with respect to storage of files.

**95/15 Any Other Business**

a) **Welcome to Laxey Signs** – **PK** proposed additional welcome to Laxey sign located on Ballacollister Road, Baldhoon Road and Ballaragh Road. A discussion took place and it was Resolved the Clerk produce a proof.

b) **Consultation on Local Government and Building Control (Amendment) Bill** – Department of Infrastructure email dated 10.11.15 - The main effects of the Bill are summarised as follows – (1). Amend the Local Government (Miscellaneous Provisions) Act 1984 and or the Building Control Act 1991 to — modify the circumstances where action can be taken (regarding unsightly land only) so that it is set to a lower standard than at present; add new provisions that apply to statutory notices

(regarding both unsightly land and dilapidated buildings) so as to ensure the owner or occupiers not only have to undertake works to *remedy* the detriment but also to *prevent any recurrence*; add new powers to allow local authorities, who are responsible for enforcing the legislation, to take prompt enforcement action (regarding both unsightly land and dilapidated buildings) by means of Fixed Penalty Notices (“FPN’s”). This could allow local authorities to avoid the requirement to commence lengthy and costly summary proceedings and, or carry out default works. (2). Amend the Local Government Act 1985 - to allow authorised officers of a local authority or the Department to issue FPNs if it appears to that officer that a person has contravened a byelaw made by the authority or the Department (and where specific FPN provision is not otherwise made in other legislation); and by increasing the level of fine from £2,500 to £5,000 if a person fails to carry out the works within the time provided in the statutory notice and increasing the daily fine from £40 to £50 for each day the default continues. **Your authority is invited to submit their comments on the draft Bill no later than the 30<sup>th</sup> November 2015. However, if you have any queries regarding the Bill’s provisions you are welcome to contact me at any time.**

**AM** proposed the Board accept amendments as they would provide additional weight to the existing legislation, seconded by **RB**. It was Resolved to note the consultation on Local Government and Building Control (Amendment) Bill. **PK** referred to the Stoneycroft cottages, Lhergy Grawe and asked if the proposed amendments would assist with dealing the issues raised previously. **AM** stated that the owner had complied with the request to make Stoneycroft secure and carry out repairs to the roof, unfortunately the legislation only allow for a request to carry out works, you cannot give direction as to how this work should carried out, as a result Stoneycroft now looked worse that it did before the works were carried out and maybe it should have been left as it was.

- c) **Land Along New Road Queens Hotel to South Cape** – **AM** enquired in respect of ownership of the land. A discussion took place and it was identified the parcel of land from Keyll Lhiarjee, extending along new road to the junction of New Road and the track to Axnfell belong to the Commissioners and that this section was covered in mostly deciduous trees. A discussion took place and it was resolved the Clerk contact the Forestry Officer and arrange a site meeting to discuss options for managing the trees.

Meeting Closed at 11.47pm

Date of next meeting - Wednesday 2<sup>nd</sup> December 2015, 10.00 am.