

LAXEY VILLAGE COMMISSIONERS

Mid Monthly Meeting

Wednesday 19th November 2014 10.00 am

Meeting Minutes

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

In Attendance: Mr P. Burgess, (Clerk), Mr J. Bate, (Campsite Warden), Mr W. Taylor.

Apologies: Mr P Hill, (Deputy Clerk).

85/14 Planning Matters

Planning Applications

- a) Planning Application No 14/01189/A of 16.10.14 in respect of approval in principle for erection of a dwelling addressing siting and means of access at land adjoining Ard Reayrt, (behind Wayside, Ramsey Road) located at j/w Ard Reayrt). [LVC ref: 3691]. Submissions before Friday 14th November 2014.

Letters of Objection received. Advice from Advocate received, ref 88/14, item b).

A discussion took place with respect to the advice provided by the Authorities Advocate and AM invited Mr Taylor to address the meeting. WT expressed concerns in respect of the breach of the covenant covering the land that the proposed access road was to be built over and possible issue with connection to services on the Ard Reayrt access road. It was resolved to object the proposed development on the grounds the construction of the access across the Commissioners owned land would clearly breach Burden 3 of the Title deed, which states - 'No building or development as defined in the Town and Country Planning Act 1934 (as amended) shall be undertaken on the plots.'

Further clarification can be found in section 6(1)(d) of the Town & Country Planning Act 1999, which states:

the following are engineering operations constituting development —

(i) the material alteration of any existing means of access to land from a road;

(ii) the provision of a new means of access, and

(iii) the execution of any road works preliminary or incidental to the erection of a building;

It was Resolved the Clerk write to the applicants agent and advise the same.

- b) Planning Amendment Notice 14/00335/B of 29.10.14 in respect of erection of a detached dwelling with associated parking on land adjacent to Cliff Cottage, Back Shore Road, Laxey. [LVC Ref: 3670]. DoI have established that part of the application is on their land and matter now being dealt with by the Independent Planning Inspector.

Resolved to Note Planning Amendment Notice 14/00335/B, Approved by LVC 15.10.14.

- c) Planning Application No 14/01245/B of 30.10.14 in respect of enlargement of two existing windows and installation of replacement windows to south east elevation of dwelling at The Cliffs, Fairy Cottage, Laxey, IM4 7BR. [LVC Ref: 3694]. Submissions before Friday 28th November 2014.

Resolved to approve Planning Application 14/01245/B.

- d) Planning Application No. 14/01270/B of 06.11.14 in respect of replacement of existing shop front at 1, New Road, Laxey, IM4 7AZ. [LVC Ref: 3695].

Resolved to approve Planning Application 14/01270/B.

- e) Planning Application No. 14/01281/B of 07.11.14 in respect of installation of replacement windows to side elevation at Sea Bank, The Promenade, Laxey, IM4 7DD. [LVC Ref: 3696].

Resolved to approve Planning Application 14/01281/B.

Approval Notices (DoLGE Planning Committee)

- f) Planning Approval Notice No 14/01127/B of 30.10.14 in respect of installation of replacement windows and door to dwelling at Cranford, Breeze Hill, Laxey. [LVC Ref: 3688]. Approved by LVC.

Resolved to note Planning Approval Notice 14/01127/B.

Refusal Notices (DLGE Planning Committee)

- g) Nil.

Appeal Notices (DLGE Planning Committee)

- h) Planning Appeals Office letter of 31.10.14 regarding PA 14/00349/B in respect of replacing Public House with four detached dwellings with associated parking at the New Inn, New Road, Laxey, to say that the hearing will now be on Wednesday 3rd December 2014 at 5 1100 hours instead of 11th November. [LVC Ref: 3671].

Resolved to note.

Planning Enforcement (DLGE Planning and Building Control)

- i) Nil.

Planning - other Correspondence

- j) Nil.

86/14 Approval of Minutes

The Minutes of the Monthly Meeting held on 5th November 2014 were examined for accuracy, and it was unanimously resolved they represented a correct statement of events.

Proposed by RB, Seconded by JJ.

87/14 Matters arising out of the minutes 5th November 2014.

- a) Meeting Reference 83/14 a). Laxey Campsite.

AM welcomed John Bate to the meeting. **JB** briefed the Commissioners on this year's Camping season stating the takings had continued to increase on last year. The Clerk reported the Campsite takings had increased by over 300% since **JB** took over as Warden. **JB** advised the Board that while the number of showers met the minimum standards in terms of numbers per pitch, due to the number of campers now using the site the facilities were struggling to cope, particularly during the TT and the festival of Motor Cycling. A discussion took place in respect extending the Amenity block, timescales and type of building required. It was resolved that the Clerk would arrange for **JB** and **AM** to meet with an Architect on site to discuss options, with the view to having plans prepared and consulting with the planning department. **PK** raised the matter of grass at the Campsite stating it needed top dressing over the winter. **JB** stated the campsite grass was in better condition now than it had ever been. A discussion took place and it was Resolved to investigate obtaining some sandy soil and borrowing a spreader which **PK** offered to loan from the football club.

PB

88/14 General Correspondence

- a) Steve Taggart emails on 06.11.14 at 1252hrs, with information on small recycling banks and detail of splits of materials collected from the kerbside scheme in Douglas, Braddan and Onchan. **PK** proposed that small recycling bin should be provided for paper and glass on a trial basis and located at the Laxey Fire Station Coach park. Resolved - Clerk to contact the department for advice, and possible loan of bins for the trial. A discussion took place with respect to the recommendation to undertake a waste audit and it was resolved the Clerk contact Douglas Borough Council and establish a cost carrying out this work.

PB

- b) Mark Humphrey's emails on 06.11.14 at 1818hrs, in respect of Land at Ard Reayrt and legal advice sort by the Commissioners -

Please see below a reproduction of section 6(1)(d) of the Town & Country Planning Act 1999

the following are engineering operations constituting development —

- (i) the material alteration of any existing means of access to land from a road;
- (ii) the provision of a new means of access, and
- (iii) the execution of any road works preliminary or incidental to the erection of a building;

I don't think there can be any doubt therefore that a new access drive constitutes development under the Act.

I should add that I act for the owner of the plot concerned but I don't think on the face of your enquiry there is any conflict of interests in setting out the above.

Clerk note: The building of an access road across the Commissioners owned land would clearly breach Burden 3 of the Title deed, 'No building or development as defined in the Town and Country Planning Act 1934 (as amended) shall be undertaken on the plots.'

See meeting minute 85.14, item a).

- c) Port St Mary Commissioners e-mails at 1617 hours on 11.11.14 - Port St Mary Commissioners are holding their annual Celebration of Christmas on Friday 5 December 2014 in the Town Hall, Port St Mary starting at 7.30pm. A fireworks display will be held prior to the start of the service. The doors will be open from 6.30pm to allow the public to shop at the local stalls which will be present in the hall. There will be refreshments served after the carol service. Our Chairman, Mrs B McCabe wishes to extend a cordial invitation to your Chairman and a guest to attend the event, where chains of office are encouraged to be worn. We would be grateful if you could indicate whether or not your Chairman is able to attend. We look forward to sharing our Christmas celebration with you.

Resolved – Clerk to respond advising the Chairman is unavailable.

- d) Resident e-mails at 2055 hours on 12.11.14 with objection to proposed double yellow lines in Ramsey Road near Minorca Crossroads.

A discussion took place and it was resolved the Clerk write to the Department advising a number of issues had been raised and request the matter is placed on the agenda for the next agenda for the next Northern Traffic Management Liaison Group meeting.

89/14 Reports

- a) **AM** advised he had attend the National Service of Remembrance at St Johns on Sunday 9th November and that **RB** had attended the Laxey and Lonan Branch, Royal British legion Service at Laxey Methodist Church, both on Sunday 9th November. A discussion took place with respect to Mrs Joan Lace, a retired Laxey Commissioners employee who had recently passed away. **JP** proposed a memorial and suggested a tree could be planted somewhere in the village in memory of Joan and possibly Bernard Cowley.

90/14 Any Other Business

- a) Local resident writes to express concerns at the present policy being implemented by the Planning Department in respect of accessibility and notifications.

A brief discussion took place and it was resolved the Clerk write to advise that planning lists and planning applications can be viewed at the Commissioners office.

- b) The Guild of Silk Painters writes on 12.11.14 regarding the Celtic Kingdom Festival Town Banners at the House of Manannan. Isle of Man Stamps and the Museum have asked if the banners can remain on display due to public interest. Please let them know if you agree to the retention of them but if you want them they will remove them.

Resolved – Clerk to write and confirm permission.

- c) Peter Kinnish emails on 17.11.14 requesting the Campsite grass is discussed at the meeting.

See Minute reference 87/14, a).

- d) Department of Infrastructure provides details of hedges and gullies, timings and associated costs, in respect of proposed transfer of a number of services to Local Authorities.

The Clerk reported this matter was discussed at the Garff Joint Initiative meeting 13.11.14, when the Minister for Infrastructure was present. The Clerk advised the Commissioners in attendance Resolved to recommend this proposal in principle at this meeting. The Clerk stated the proposal to freeze the EFW charge for one year would provide the budget for discharging the service and sort clarification from the Commissioners as to whether this should be part of a fixed charge or be part of the Village rate. A discussion took place and it was Resolved the Board unanimously support the proposals laid out by the minister in his letter dated 15.10.14 and that the cost of transferred services should be added to the village rate.

- e) **JJ** reported he had viewed a section of fence erected on the old river walk in the valley gardens. For health and safety reasons this footpath is currently closed, however erection of a fence along it's full

length will allow it to be opened. Resolved – Commissioners to view fence and report back to meeting 03.12.14.

- f) Meeting Reference 79/14 a). Projector.
JP she had been able to purchase a Christmas light projector. This was given to the Clerk with a view to trial it somewhere in the Village.
- g) **JP** reported the meeting minutes for October were not on the Commissioners website and requested the Clerk update.
- h) **JP** enquired when the Promenade building snagging works would be completed. The Clerk advised a list had been provided to the project manager and would chase the matter.
- i) A discussion took place in respect of the BMX track and the fact that the skate ramps were being used by bikes. **RB** reported holes had been dug on parts of the course to create puddles. Clerk to arrange for overgrown brambles to be cut back. **RB** proposed the Commissioners speak to Gary Mazzone to seek advice on repairs/maintenance of the track.

Meeting Closed at 12.25pm

Date of next meeting - Wednesday 3rd December 2014, 10.00am.