

# Lonan Parish Commissioners

## Statutory Meeting

Tuesday 14<sup>th</sup> April 2015 at 1830 hours at Laxey Commissioners Office.

### MINUTES

**Present:** Mr S. Clucas, Mr M. Burgess, Mr N. Dobson, Mr P. Hill.

**Apologies:** Mr J. Faragher, Mr S. Clague. **Chair:** Mr S. Clucas. **Clerk:** Mr P. Hill

The Meeting commenced at 1845 hours.

#### 01/15 Minutes of the Statutory Meeting of 17<sup>th</sup> March 2015.

Action

The Minutes of the Statutory Meeting of 17<sup>th</sup> March 2015 were examined for accuracy, and it was agreed that they represented a correct statement of events.

**Proposed by: ND. Seconded by: MB.**

#### 02/15 Matters Arising out of the Minutes.

- a) **PH – 103/14(b - 3)** – Advised the Board that he had received a quotation for ten million pounds public liability. A discussion took place and it was agreed to proceed. Proposed by **ND** and Seconded by **MB**.

PH

#### 03/15 Private Sessions.

#### 04/15 Planning Applications.

- a) Planning Application No 15/00301/B of 18.03.15 in respect of alterations and erection of an extension to rear elevation of dwelling at 4, Baldrine Park, Baldrine, IM4 6DE. *Approved.*
- b) Planning Application No. 15/00316/B of 23.03.15 in respect of construction of a first floor balcony at The Spinney, Baldrine Hill, Baldrine, IM4 6DS. *Approved.*

PH

PH

#### 05/15 Correspondence.

- a) Consultation on the compulsory micro-chipping of dogs. Currently it is a requirement of the Dogs Act 1990 that owners of dogs pay an annual duty for a dog licence. The full rate of duty is £20.00 and a reduced duty of £10.00 is payable for dogs that are neutered, dogs owned by persons over the age of 60 and dogs fitted with a micro-chip. Some dogs are specifically exempt from the licence duties. The proposal will lead to the demise of the licensing system and will require that all dogs be micro-chipped. Submissions before Friday 1<sup>st</sup> May 2015. *A discussion took place and there was unanimous support for the proposals.*
- b) Invitation to the Armed Forces Day – Sunday 28<sup>th</sup> June 2015 - Dear Clerk, Please see attached invitation letter from Brigadier N A Butler CBE, Chairman Isle of Man Armed Forces Day Committee. Kind regards, Elaine. "I am writing as Chairman of the Isle of Man Armed Forces Day Committee to invite yourself and Members of your Commission to join us for our celebrations at the Villa Marina on Sunday 28 June 2015. The show starts with a march from Regent Street to the Villa at 3.00pm. Some members will be marching as veterans and perhaps the best place for others to watch is from the walls of the Villa. A Service follows at 3.45pm - please be seated by 3.35pm. This is followed by tea and an evening's entertainment. Seats will be reserved for the Commissioners in middle of the Circle beside the Members of Tynwald. In the event of heavy rain the march would be cancelled but the rest of the programme would proceed as advertised. I would be grateful for an

PH

MB/JF  
/PH

indication of probable numbers. Please contact Mrs E Caley on 685708 or [elaine.caley@cs0.gov.im](mailto:elaine.caley@cs0.gov.im) if you wish to attend no later than am Friday 19 June. *MB/JF to attend.*

- c) Dear Mr Hill, In January 2015 I wrote enquiring if you would consider a contribution towards funding for the Mobile and Family Libraries. Some of the other Commissioners have responded but I have not heard from you yet. I provided more information for those who did ask and used the Census statistics to suggest a contribution based on population in each district. This would be £1533 for Lonan. I know you are not allowed to give donations to charity but you are allowed to provide a library service. As the Mobile does provide a library service you could contribute towards this service. We do understand if you cannot afford the full amount but would be grateful for any contribution you feel you could make. Please could you reply one way or another? (Previously considered on 20<sup>th</sup> January 2015 – 87/14(p), but without financial information and charity status). *PH explained the reason why this matter had been brought back to the Board, however they still believed that given the fact that they contributed to the HBN Library in Douglas, and that there was a poor take up, there was no basis to support an additional Library, however worthwhile. Budgets had been set for this year, but they would review the matter next year.* PH
- d) Department of Infrastructure letter requesting permission to erect Road Safety Banners at Church Road and Baldrine Park on the occasions of the TT and Festival of Motorcycling. (This is an annual request and permission has always been granted). *Noted and permission granted.*
- e) Mr Gawne writes on 24.03.15 regarding the Transfer of Services and states that the transfer will now go ahead in respect of hedge cutting, street sweeping, gully emptying and weed spraying, verge trimming and tidying. He adds that he will be contacting the Local Authorities in the next few weeks to invite them to a series of meetings to discuss and agree future relationship between local and central government in relation to waste management, housing and other highways matters, administration and any other matters. He foresees a fairly intense nine month period of discussions ahead of the 2016 election with the hope to reach agreements prior to December in respect of additional service transfers. *Noted.*
- f) Douglas Corporation Costings for Garff. Street Cleaning, Gully Emptying, and Hedge Cutting. Minimum twelve month period and subject to review. Requires written contract for the service and subject to approval by the relevant Service Committee.
- g) Maughold e-mails at 1505 hours on 12.04.15 - Hi All, The Maughold Board have asked me to circulate the two attached estimates from contractors. Both have experience of hedge cutting in Laxey, Lonan and Maughold. Prices across the three areas would seem to be estimated as follows: Douglas has only indicated a daily rate, so you may wish to return to them for an estimate of the time the tasks would take. Please do not hesitate to contact any of the three clerks if any further clarification needed. *Noted and matter deferred to Garff Joint Initiative Committee Meeting on 15<sup>th</sup> April.*
- h) Department of Infrastructure Letter of 31.03.15 enclosing the Transfer of Services to Local Authorities Contract. *A discussion took place and the Transfer of Services was signed by the Chairman, but retained for ratification at the Garff Joint Initiative Committee Meeting on 15<sup>th</sup> April.*
- i) Report from Rob Collister of Onchan - Thank you Chairman, I would like to take a moment to thank Board Members for giving further consideration towards my report into the costs for Disposing of Waste at the Energy from Waste Plant and the escalating gate fees, which were introduced from April 2013. I would remind Members that our duties as elected Members, and that of this Board is towards the ratepayers of Onchan and not on behalf of the general taxpayer or Central Government

and its departments. Mr Chairman, in addition to my report I would like to bring to the Board's attention a Motion brought before the Tynwald Court on 18th February 2010 by Mr. Shimmin, the then Minister for Local Government and the Environment. The Motion brought before the Court was as follows: 'That Tynwald (1) approves the removal of the 90% subsidy on domestic waste disposal charges approved by Tynwald in June 2003, and (2) approves the introduction of a domestic waste disposal charge of £29 per tonne with effect from 1st April 2010.' More importantly Mr. Chairman, Mr. Shimmin went on to say, and I quote; "The gate fee is £29 per tonne and that is what we will levy. No subsidies. Any attempt to introduce any changes from the gate fee would have to come back and get Tynwald approval" Mr. Shimmin also stated that; "I would repeat, Mr President, the gate fee is the processing cost. No capital costs are included in disposing of waste at the facility. We believe it is appropriate" Mr. Chairman, to the best of my ability I have reviewed Hansard again for all Tynwald Court sittings between February 2010 and April 2013, and I am unable to find any further Motions being brought before the Court whereby the increased Gate fees were debated, not to mention the transfer of ANY government Capital costs onto the ratepayer. This again raises further questions as to whether due process has been followed and if the Department of Infrastructure should have obtained Tynwald approval before introducing the "Escalating Gate Fees" from April 2013. This evening we have an opportunity to look at these events in some detail on behalf of the ratepayer of Onchan. Personally, I don't believe Local Authorities should pay Government Capital Projects, and this amount alone will save Local Authorities around £68 per tonne in disposal costs. Between April 2013 and April 2018 Onchan District Commissioners are expected to take on over £600,000 of costs from the Department of Infrastructure. Mr. Chairman, I believe there is sufficient evidence within my report and the details given here tonight, in order to try and save around £300,000 (or 42p) being put onto Onchan's rates by April 2018. I hope the Board will support my Waste Report.

*Noted.*

- j) **Re: Isle of Man Government Preservation of War Memorials Committee**, Please see attached a list of all Isle of Man deceased members of the Armed Forces post World War II. The list contains the detailed information the Committee has been able to ascertain to date. The Committee wishes to locate the next of kin of those named on the list and would be most grateful if would notify the Committee of any next of kin you can identify residing within your Authority. *Noted.*
- k) Western Civic Amenity Site writes on 25.03.15 to complain about the height restriction at the Eastern Civic Amenity Site as more people from the east are now using their Site at a cost to the Western Rate payers. They say that out of 25% of vehicles from outside the West, 18% are from the East. Mr Matthew Wadsworth continues by saying that it would also be in the interests of the rate payers in the East to have the barrier removed. *ND provided an overview of the reasons why the barrier was erected which was to prevent the Commercial use of the site and it was unlikely that this would be removed, but ultimately it was a matter for the Committee.*
- l) Consultation on Proposed Non-Resident Traders (Licence Fees) Regulations 2015 - The Isle of Man Office of Fair Trading (OFT) is seeking your views in relation to the fee payable for the issuing of a Non-Resident Traders licence. The fee shall be such an amount as is prescribed by regulations made under the Non-Resident Traders Act 1983 and is subject to approval by Tynwald. Please find attached a copy of the consultation paper which sets out the OFT's proposals together with the draft Non-Resident Traders (Licence Fees) Regulations 2015. Comments should be submitted in writing by post, fax or email no later than 5.00pm on **Friday 15 May 2015**. Additional copies of this document can be obtained from the OFT by telephoning (01624) 686567. Electronic copies are also available at [www.gov.im/ofc/consultations.gov](http://www.gov.im/ofc/consultations.gov). If you have any additional queries, please do not hesitate to contact me. *Noted.*

m) Consultation on Draft Highways (Amendment) Bill 2015 - Good afternoon everyone, The Department of Infrastructure is seeking feedback on proposals to update the Isle of Man's highway legislation. The draft Highways (Amendment) Bill 2015 proposes a series of amendments to the Highways Act 1986, with the aim of improving road safety and providing greater clarity on matters such as the making up of private streets. Please find attached a copy of the draft Bill which includes an explanatory memo detailing the clauses; an Impact Assessment and a consultation letter which details the main items the Department feel would be of interest to the public and how to respond to the consultation. *Noted.*

n) Letter of 6<sup>th</sup> April 2015 from Bishop Patterson regarding All Saints Church, which details issues facing its future and gives notice that it is their intention to close the Church for public worship. Also attached was the Diocese of Sodor and Man letter of 13.04.15 enclosing Lonan Pastoral Scheme 2015 to close All Saints Church. **Objections before 15<sup>th</sup> May 2015.** *The matter was discussed and it was agreed that the manner with which the Church Commissioners had dealt with this was unsatisfactory. It was resolved that Hon Steve Rodan should be supported in his attempts to try and save the Church.*

o) Municipal Association AGM Invitation - The Annual General Meeting of the Isle of Man Municipal Association will be held on Thursday 28th May 2015 at Port St Mary Golf Pavilion Restaurant at 7.00pm for 7.30pm prompt. Castletown Commissioners are host authority this year and they have chosen Mr Kevin Weir as President of the Municipal Association for the coming year. *All Commissioners to attend.*

PH

**06/15 Enforcement Matters.**

a) *No new matters.*

**07/15 Special Agenda Items.**

a) *None notified.*

**08/15 Any Other Business.**

a) *There were no matters.*

**There being no further business, the Meeting closed at 1930 hours.**

**The next Statutory Meeting of the Authority will be on Tuesday 19<sup>th</sup> May 2015 at 1830 hours and will be incorporated into the Annual General Meeting.**