

Lonan Parish Commissioners

Statutory Meeting

Tuesday 20th October 2015 at 1830 hours at Laxey Commissioners Office.

MINUTES

Present: Mr N. Dobson, Mr J. Faragher, Mr S. Clague, Mr S. Clucas, Mr M. Burgess, Mr P. Hill. **Apologies:** Nil.

Chair: Mr J. Faragher. **Clerk:** Mr P. Hill.

The Meeting commenced at 1835 hours.

59/15 Guest Speaker – Inspector Andrew Kneen of the Isle of Man Constabulary. *Did not attend and no apologies were received.* Action

60/15 Minutes of the Statutory Meeting of 15th September 2015.

The Minutes of the Statutory Meeting of 15th September 2015 were examined for accuracy, and it was agreed that they represented a correct statement of events.

Proposed by: SEC. Seconded by: JF.

61/15 Matters Arising out of the Minutes.

a) There were no matters arising.

62/15 Minutes of the Extraordinary Garff Meeting of 1st October 2015.

The Minutes of the Extraordinary Garff Meeting of 1st October 2015 were examined for accuracy, and it was agreed that they represented a correct statement of events.

Proposed by: SC. Seconded by: JF.

63/15 Matters Arising out of the Minutes.

a) There were no matters arising.

ND arrived at 1836 hours.

64/15 Private Sessions.

65/15 Planning Applications.

a) Planning Amendment Notice 15/00997/B of 28.09.15 in respect of alterations, erection of a two storey extension, creation of access and additional parking provision to dwelling at Baljean Cottage, Baldhoon Road, Lonan, IM4 7QL. (Original approved by LPC). *Approved.* PH

b) Planning Application No. 15/01081/REM of 21.09.15 in respect of reserved matters application relating to PA 13/91346/A for erection of a dwelling, addressing siting, design, external appearance, internal layout, means of access, landscaping at land adjacent to Westdene, Croit-e-Quill Road, Lonan, IM4 7JJ. (Original application refused by LPC and went to appeal). *A detailed discussion took place and it was resolved that their objections to development on this site remained. That in respect of the proposed dwelling, in summary they found it to be too large and obtrusive in the setting it was placed and there were a number of other issues that were not satisfactorily explained in the application such that an informed decision could be taken. Concerns were expressed about the proposed point of access onto Croit e Quill Road.* PH

MB arrived at 1850 hours.

c) Planning Amendment Notice No 15/01014/B of 08.10.15 in respect of conversion of existing PH

outbuildings into two holiday cottages and extension of garage to form log store, workshop and implement shed at Close Mooar Farm, Glen Roy, Lonan, IM4 7QF. *Approved.*

66/15 Correspondence.

- a) German Parish Commissioners Invitation to their Civic Service on Sunday 25th October 2015 at 1100 hours at St Johns Methodist Church. *JF to attend.* **JF**
- b) **Eastern Area working group Terms of Reference – Housing.** Please find attached the draft Terms of Reference for the eastern working group, which I should be grateful if you could please progress through your Boards. *A discussion took place and it was resolved that ND would represent Lonan at this Working Group.* **ND**
- c) Public Consultation – Amendments to Access and Eligibility Criteria for Older Persons’ Housing in the Public Sector - The Department of Infrastructure is today launching a public consultation on Access and Eligibility criteria for what was previously referred to as sheltered housing. The intention is to introduce criteria for determining eligibility and priority for allocation for Older Persons’ Housing which reflect those currently used for access to general public sector housing stock. The provision of similar eligibility requirements and a pointing system will ensure that allocations are made to those in most need on a fair and objective basis. The proposed change supports the Government’s national priority of protecting vulnerable members of the community by ensuring that accommodation is provided to those who need it most. The revised process would result in a broader initial assessment of eligibility for entry onto the waiting list, with allocation being prioritised on the basis of income and assets, as well as health and wellbeing. The criteria for Older Persons’ Housing is currently based mainly on residency rather than an applicant’s financial circumstances or true need. The modernisation of the system would help to better target Government resources to promote greater sustainability. The Department welcomes your views on the proposed amended criteria and would be grateful if you could complete the attached survey which should be read alongside the Draft Criteria (Annex A). Please return the completed survey by post or email as detailed in the consultation document. Alternatively, you can complete the survey online at www.surveymonkey.com/r/G6FW7SZ. The consultation period ends at **5pm on Wednesday 11th November 2015.** *A discussion took place and in principle they supported the intentions of this consultation believing that selection should be based on need and for the benefit of those persons in the relevant locality.* **PH**
- d) E-mail regarding Local Authority Elections 2016. Letter states that this will take place on Thursday 28th April 2016 and training for Clerks will be given. *Noted.*
- e) Laxey Fire Station letter of 09.10.15 requesting continued financial support for their fireworks on 5th November this year. (Last year Lonan donated £325.00). *A discussion took place and it was resolved to contribute £325.00 to this Public Event. Proposed by ND and Seconded by SC. Unanimous.* **PH**
- f) Steve Rodan e-mails regarding All Saints Church - Dear All, At our last meeting on 22nd September, it was agreed that the next step should be an invitation to the Archdeacon, Andrew Brown, for a discussion about the finances, and possible formation of a Friends of All Saints. I have agreed a date with the Archdeacon - THURSDAY 22 OCTOBER at 11am. Laxey Commissioners Boardroom, as before. I hope you are free to attend. Regards, Steve Rodan. *ND, SEC, JF to attend with SC extending his apologies.* **ND
SEC
JF**
- g) Order Form from DEFA for Christmas Tree and price list. *A discussion took place and it was agreed to order the same size tree as previously.* **PH**

- h) Carlos.Phillips@gov.im e-mails at 1127 hours regarding Consultation on Draft Marriage (Same Sex Couples) Bill 2015 - *Dear Clerks to Commissioners, Borough Council Clerk*, I should like to draw your attention to the *Isle of Man Government Consultation Document on the draft Marriage (Same Sex Couples) Bill* The document is attached for your information together with a copy of the Marriage Act 1984 as it would appear if amended by the draft Bill. The closing date for comments is **13 November 2015**. *Noted.*
- i) Letter regarding the Consultation on Town and Country Planning (Amendment) Bill 2015 and the Town and Country Planning (Constitution of the Planning Committee) Order 2015. The purpose of this is to put the appointment of the Planning Committee on a secure statutory footing. It is a single stand-alone Bill and therefore is separate to any future review of the 1999 Act. *Noted.*
- j) Local Government and Building Control (Amendment) Bill - Dear Clerk, Please find attached a copy of the above Bill. The Department will be issuing the Bill for public consultation (together with some additional background information) in the near future but in view of the time restraints within this year's legislative timetable, it would like to ensure that local authorities are able to study the Bill at the earliest opportunity. **However, the Department requests that authorities do not publicly comment on the Bill until the Department launches its public consultation.** 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 — (a). modify the circumstances where action can be taken (regarding unsightly land only) so that it is set to a lower standard than at present; (b). 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*; (c). 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 – (a). 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 (b). 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 30th November 2015. However, if you have any queries regarding the Bill’s provisions you are welcome to contact me at any time.** *Noted.*
- k) Please find attached a letter from the Chief Constable, Gary Roberts inviting you to review his Strategic Plan 2015-2018. http://issuu.com/isleofmanconstabulary/docs/strategic_plan. *Noted.*

67/15 Enforcement Matters.

- a) *No new matters.*

68/15 Special Agenda Items.

- a) **Gully Clearing and Road Sweeping Quotation from Kinrade Bros Haulage.** *{Origin: GJIC – 14.10.15}*.
A Private discussion took place.

PH

- b) **To Approve the Garff (Local Government District) Order 2015.** *{Origin: GJIC – 14.10.15}*.
A detailed discussion took place where all points of view were expressed both for and against. At the conclusion of which **ND** proposed that the Order be approved and that Lonan Parish Commissioners should amalgamate with Laxey and Maughold to form one new Authority. Seconded by **SEC** and agreed by **MB**. **SC** and **JF** believed that the time was not right but that the legislation was as good today as any day and could be implemented if the circumstances changed. They believed that they were delivering the services required and could continue to do so under the current working practice that had worked well for over a decade; but were open to change if there was a need. The motion was carried.

69/15 Any Other Business.

- a) **SC** – Referred to the annual Christmas Meal and it was resolved that it would take place at the Liverpool Arms on Saturday 19th December 2015 at 1900 hours.
- b) **SEC** – Commented on the footpath opposite the Baldrine Methodist Church in that it had been re-surfaced but asked that efforts continue to get the railings painted and that the matter of Green Gables be progressed. **PH** stated that he had written to the owner and was awaiting a response.
SEC departed at 1930 hours.
- c) **ND** – Informed the meeting that he was on the Waste Management Committee and currently there were two matter to discuss, firstly a domestic waste survey and secondly, the Bring Bank Scheme. He informed the meeting that he had requested the Clerks to produce the information requested by the Survey but there had been objections to this raised by other Authorities. **PH** stated that the Garff Clerks had not completed it as they were concerned that it sought commercially sensitive information and also sought information on Commercial Waste Collection when it was supposed to be about Domestic Collection. He would be happy to complete the form excluding this type of information. It was resolved that the survey would not be completed in its current format. Moving onto the Bring Bank Scheme he asked whether they were satisfied with the current situation, did they want more of them and would they want to become responsible for them. A discussion took place and it was agreed that the current scheme worked well and did not need altering.

There being no further business, the Meeting closed at 1950 hours.

The next Statutory Meeting of the Authority will be on Tuesday 17th November 2015 at 1830 hours