

Lonan Parish Commissioners

Statutory Meeting

Tuesday 22nd April 2014 at 1815 hours at Laxey Commissioners Office.

MINUTES

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

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

The Meeting commenced at 1815 hours.

01/14 Minutes of the Statutory Meeting of 18th March 2014.

Action

The Minutes of the Statutory Meeting of 18th March 2014 were examined for accuracy, and it was agreed that they represented a correct statement of events.

Proposed by: SC. **Seconded by:** ND.

02/14 Matters Arising out of the Minutes.

- a) **SC – 123/13(b)** – Asked if there had been any response from the Government to the Refuse Collection Information ordered. **PH** stated that the Garff Committee had sent a response declining to provide commercially sensitive information and that no reply had been forthcoming. **SC** stated that he understood that the Municipal Association was making a response on behalf of all of its members.
- b) **SC – 123/13(e)** – Commented that the Baldrine Resident didn't appear to have attended the Public Meeting. **PH** stated that he had received a letter of support from the Resident for the amalgamation of Laxey, Lonan and Maughold.

03/14 Private Sessions.

04/14 Planning Applications.

- a) Planning Application No 14/00354/B of 21.03.14 in respect of creation of driveway and vehicular access at 22 Ballacannell Estate, Lonan, IM4 7HH. **PH**
Approved.
- b) Planning Application No 14/00384/B of 17.03.14 in respect of creation of field access at Field 612727, Baldrine Road, Baldrine, IM4 6EG. **PH**
Approved with caveat that the gate should open into the field.
- c) Planning Application No 14/00398/A of 28.03.14 in respect of approval in principle for conversion of existing stone outbuildings to a dwelling at Barns, Ballaragh Old Farmhouse, Ballaragh, Lonan. **PH**
Approved.
- d) Planning Appeal rebuttal Notice N0 13/91346/A of 15.04.14 in respect of approval in principle for the erection of a detached dwelling on land adjacent to Westdene, Croit-e-Quill Road, Lonan. **PH**
Noted; no rebuttal considered necessary.
- e) Planning Approval Notice No 13/91354/B of 17.04.14 in respect of erection of a replacement dwelling with garage block and remedial work to existing barn and outbuilding at Baldromma Christian, Ballamenagh Road, Baldrine, IM4 6AG. {Planning Committee}. **PH**
Noted.
- f) Planning Application No 14/00454/B of 10.04.14 in respect of amendments, (Not stated), to **PH**

approved application 10/01130/B at Plot 2, The Spinney, Baldrine Hill, Baldrine. (Original approved by LPC). *Approved.*

05/14 Correspondence.

- a) Bill Malarkey e-mails at 1115 hours on 20.03.14 - The draft budget for operation of the Eastern Civic Amenity Site for 2014.15 had been circulated. Attention was drawn to the £81,450 increase in the line “Agencies and Contract Services)” which was due mainly to the scheduled rise in disposal costs through the Energy from Waste Plant and resulted in an overall cost to be borne by the Authorities of £534,300. As a consequence of the Department’s proposed amendments to the minutes of the last meeting, the figures had been recalculated to add the additional rental charge of £70,000 and £10,000 for disposal of TV and PC monitors; (the Department’s letter of 6th December indicated that the latter charge would be £20,000). The overall figure then was £614,300. The Chairman advised that both the Southern and Western Sites intended to pass on the TV and PC monitor charge to users, and the Joint Committee considered that option. While there would be some administrative costs, it was agreed that they should be recovered along with the disposal costs, and a charge of £6.00 or £8.50 per unit, depending on size, would be appropriate. The provision for this element could therefore be removed from the budget. The cost of green waste disposal was also considered. At present it is disposed of at Ballanevin at a cost of £22.00 per tonne, but there are considerable haulage costs in taking it there. The Joint Committee asked Mr. Donnelly to investigate alternative disposal routes that might effect a saving. It was agreed: 1 That with effect from 1st April, 2014, a charge of £6.50 or £8.00 per unit, dependent on size, be payable for disposal of TV and PC monitors at the Eastern Civic Amenity site; 2 That the budget for operation of the Site for 2014/15, including an increase of £81,450 in tipping charges and £70,000 Site rental, be approved, the respective authorities to contribute as follows: **Lonan £15,530.**

This is historical and ND outlined the rationale behind the decision. Noted.

- b) Paul Cowin e-mails at 1557 hours on 27.03.14 - At its last meeting, the Joint Committee for the Eastern Civic Amenity Site agreed to charge £6.50 and £8.00, including VAT, for disposal of PC Monitors and TV sets to offset the cost that will be charged by the Department from 1st April. Those charges will be £4.00 and £5.50 exclusive of VAT – equating to £4.80 and £6.60 with VAT. There has been considerable correspondence by e-mail today relating to standardising the charges across all Sites. West and South suggest the charges we have approved are too high and there seems to be a consensus around charging £6.00 and £8.00 inclusive of VAT. There is a need to reach a conclusion quickly to enable implementation from next Tuesday, 1st April. Could you please indicate your Authority’s concurrence with the minor variation of the charge for PC Monitors from £6.50 to £6.00? It will of course be placed before the Joint Committee at its next meeting, in May, for ratification.

Noted; see above.

- c) Deputy Clerk of Tynwald writes on 28.03.14 regarding Select Committee on the Domestic Rating System (Petition for Redress by Buttery on 06.07.09). This is a Consultation in which the Local Authorities are asked, (1). Does your Local Authority believe that the current domestic rating system is fair? (2). If your Local Authority were in a position to design a new system starting from a blank piece of paper what system would it wish to put in place? (3). What other comments would your Local Authority wish to make to the Committee about the issues raised by Mr Buttery’s petition? Subs by Monday 28th April 2014, preferably by e-mail to j.king@tynwald.org.im. *A discussion took place and it was agreed that they would not make a submission, but would await details of the proposals that will come out of the consultation.*

- d) Jo Dudley calls at 1130 hours with request for help in connection with the Island Flower Festival from Thursday 3rd July until Wednesday 9th July. Help can be provided by setting up a display or

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assisting others so to do; provide support such as stewarding or service of teas/coffee. Please RSVP with details of any offer to P. Skillicorn on pskillicorn@hotmail.com or by phone to 481908, or post to Geay Varrey, Ballacollister Road, Laxey, IM4 7JR. *A discussion took place and it was with regret that they were not able to offer any assistance.*

- e) Onchan District Commissioners invitation to their Civic Service on Sunday 18th May 2014 at 1435 hours at School Road for service at 1500 hours at St Peters Church. *JF to attend.* JF/PH
- f) Howard Parkin e-mails at 1626 hours on 03.04.14 - Please find attached a letter, which I would ask that you initially please bring to the attention of your Clerk and ultimately your members The letter is basically asking that your authority, when considering the replacement or erection of new street lights does so bearing in mind the considerable cost saving that can be made by installing new style LED full cut off lighting As well as saving your authority (and ratepayers) considerable expense, such action will also help to enhance the IOM's Dark skies status. *Noted.*
- g) Consultation on 14 – 16 Qualification Reform. GCSE are being reformed in England. These reforms have been rejected in Wales and Northern Ireland. The Isle of Man has a choice to make and three possible ways forward have been identified. The Consultation will gather responses on some key principles. *Noted; no submission.*
- h) Juan.Watterson@gov.im e-mails at 1433 hours on 10.04.14 - I hope you will excuse the formality of the greeting, but I am trying to contact all the interested parties to consult on my Private Member's Bill on the Preservation of War Memorials. The consultation document and the draft Bill are attached. For the sake of clarity, this is being promoted by me personally, not the Department of Home Affairs, Communications Commission or Council of Ministers. I am happy to field any questions. I appreciate that Easter is in the way, but this is the only way of ensuring that the Bill gets a substantive second reading debate by the end of the legislative session in June. I would like to have this Bill complete its passage in time to be the War Memorials Bill 2014, I am sure you will appreciate the significance of the date. (**Summary** - The reasons for moving the bill are: there is no compulsion for anyone to preserve the memorials we have. Most local authorities act in good faith and use the powers in the 1927 Act to preserve their memorials, but if one fell into disrepair there would be no compulsion to maintain or restore it. **This Bill would seek to place an obligation on the landowner, local authority or church where the memorial was sited to maintain it**). I would be grateful if I could receive any comments back by 23rd May. *A discussion took place and there was general agreement with the proposals made by Mr Watterson.* PH
- i) LVC e-mails at 1335 hours on 10.04.14 - Further to a meeting of Laxey Village Commissioners on Wednesday 2nd April 2014, I am directed to formally approach Lonan Commissioners with a view to entering into discussions in respect of the Isle of Man Bank and a proposal in principle to purchase the building in partnership with Lonan Commissioners. Please could you present this proposal to your Commissioners and seek their views. *A discussion took place and it was considered that at this time it would not make financial sense to invest in this property due to the current arrangements, the amount of work needed to bring the building to an occupational standard, the lack of support that would be given by the Residents to such outlay and the matter as to why, in view of the Garff Board discussions, Maughold had not been invited to participate in the scheme.* PH
- j) Invitation to an event being held on Sunday 11th May 2014 between 1100 hours and 1630 hours by the Groule Glen Railway. For further details go to www.ggr.org.uk. *Noted.*
- k) The Annual General Meeting of the Isle of Man Municipal Association will be held on Thursday 22 PH

May 2014 at Vagabonds Rugby Club in Braddan at 7.00pm for 7.30pm prompt. All Councillors, Commissioners and Clerks are warmly invited to attend. Should you wish to invite your MHK to the event please do so. It is sincerely hoped that as many as possible will attend what has always been a very interesting and enjoyable evening. Following the business of the meeting, the buffet will be served at approximately 8.30pm. After the meal, and a raffle (donations of prizes would be much appreciated), we shall welcome our guest speaker who this year is Mr Kit Gawne. The meal will be a hot and cold buffet (which caters for vegetarians) and the price is £16.50 per person.

SC/MB/JF/ND/SEC to attend.

1) Minutes of Municipal Meeting – 27.03.14.

Noted.

06/14 Enforcement Matters.

No new matters.

07/14 Special Agenda Items.

a) **Offer of Land for Recreational Purposes.** *{Origin: Statutory Meeting – 18.03.14 – 126/13(a); ND.*

ND – outlined an offer made by a local land owner in respect of a strip of land located in Baldrine, in that he wished to bequeath it to the Local Authority for Recreational purposes. A discussion took place and it was unanimously agreed that this was a very generous offer that needed more consideration. It was decided that they would examine the land as part of this year's Parish Inspection, and that the Land Owner should be thanked and advised.

ND
PH

b) **Garff Joint Initiative Committee** – *{Matters arising out of the meeting of 26th March 2014.}*

ND – outlined the matters that had arisen from the last Garff Meeting and steps that he had taken to obtain advice as to what actions were required to form a single Authority. A discussion took place based on the documents before them and matters involving assets, reserves, rates equalisation and sovereignty were covered. **ND** confirmed that in relation to rates equalisation, maintaining a separate rate was not a legal option, but equalisation could take place over a ten year period. The Board agreed that making a final decision would depend on the responses by the other Boards to the seven essential questions needed to be addressed as part of the information required to progress the formation of a single Authority. **ND** was requesting to contact them after the next Garff Meeting, (23rd April 2014), and a decision or recommendation would then be made. During this discussion **JF** raised the matter of the future of All Saints Church, which was under consideration for closure and that if this happened then the responsibility for maintaining the graveyard could fall to the Local Authority. A discussion took place and it was agreed that this should be discussed in detail as a Special Agenda Item at the next meeting. He added that the closure of this Church would have a very adverse impact on the Parish.

ND

PH

08/14 Any Other Business.

a) **SC** – enquired if the alleged problems at Cooil Roi had been resolved. **ND** replied that there had been a combination of misunderstandings and errors by both the Department and the Association which had now been resolved. In answer to a further question by **SC**, **ND** added that the letter sent by Minister Quayle, was in the circumstances, unjustified.

b) **SEC** – stated that whilst he was satisfied with the work of the Clerk, he was concerned at his actions in refusing to disclose the name or names of those persons who had complained about his Company

PH

in relation to Clay Head Road, and believed that he had no right to refuse to disclose when asked to do so. (*See XGM – 04.02.14 – 106/13(b)*). A discussion took place during which **PH** stated that he had acted at the request of the complainant or complainants and to have disclosed any details would have compromised his own position of confidentiality and trust. He suggested that if they were not satisfied with this then perhaps they should make a resolution to refuse to deal with anonymous complaints, but this could be counter-productive. The discussion continued and it was resolved to make this a Special Agenda item at the next meeting.

- c) **PH** – reminded the Board about setting a date for the Annual General Meeting and Statutory Meeting. A discussion took place and it was resolved that the AGM would take place on Thursday 15th May 2014 at 1815 hours and the next Statutory Meeting would take place on Tuesday 20th May 2014 at 1815 hours. **PH**
- d) **JF** – requested that the Statutory Meetings during the summer period revert to Wednesdays as he was committed elsewhere on Tuesdays. This was agreed and would commence with the June meeting.

There being no further business, the Meeting closed at 1940 hours.

The next Meeting of the Authority will be the Annual General Meeting on Thursday 15th May 2014 at 1815 hours.

The next Statutory Meeting of the Authority will be held on Tuesday 20th May 2014 at 1815 hours.