

# Lonan Parish Commissioners

## Statutory Meeting

Wednesday 22<sup>nd</sup> October 2014 at 0930 hours at Laxey Commissioners Office.

### MINUTES

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

**Apologies:** Mr N. Dobson for delayed attendance. **Chair:** Mr S. Clucas. **Clerk:** Mr P. Hill.

The Meeting commenced at 0930 hours.

#### 58/14 Minutes of the Parish Inspection Meeting of 10<sup>th</sup> September 2014.

Action

The Minutes of the Parish Inspection Meeting of 10<sup>th</sup> September 2014 were examined for accuracy, and it was agreed that they represented a correct statement of events.

**Proposed by: MB. Seconded by: JF.**

#### 59/14 Matters Arising out of the Minutes.

a) **PH – 49/14(c)** – informed the Board that the bushes had been cut back, that the two defective benches had been replaced and that the tree near the clock was alive and well.

b) **SC – 49/14(d)** – Asked if the householders on reduced rates were now paying the full amount as the building works had ceased. **PH** stated that he was awaiting confirmation, but would speak to the Department again. **PH**

c) **SC – 49/14(f)** – informed the Board that he had attended the NTMLG and all of the matters raised at Ballaragh were going to be looked at and also the matter of the pedestrian crossing request at Church Road/Pinfold Hill. (**MB** also attended this meeting).

#### 60/14 Minutes of the Statutory Meeting of 10<sup>th</sup> September 2014.

The Minutes of the Statutory Meeting of 10<sup>th</sup> September 2014 were examined for accuracy, and it was agreed that they represented a correct statement of events.

**Proposed by: MB. Seconded by: JF.**

#### 61/14 Matters Arising out of the Minutes.

a) **SC – 51/14(a)** – Stated that at the Civic Service the Vicar had questioned why their noticeboard had been removed from Church Road. **PH** advised the Board that the noticeboard was not the property of the Church, but had been erected as a good will gesture by the previous Board. A discussion took place as to whether it should be restored and replaced, or a new noticeboard be purchased. The Clerk was tasked to produce the noticeboard at the next meeting and research alternative solutions. **PH**

b) **SC – 51/14(b)** – Thanked everyone for their assistance and attendance at the Civic Service.

c) **SC – 52/14(e)** – Stated that he had examined the basis that the Garff Refuse split had been calculated to understand why Lonan was paying more. He appraised the Board and a discussion took place.

*ND arrived at 0940 hours.*

d) **SC – 54/14(e)** – Asked the Clerk if the Contract was being progressed to which **PH** confirmed that he had spoken to the Contractor who was happy with the agreement.

- e) **SC – 54/14(k)** – Asked if this problem had been resolved. **PH** informed the Board that he had attended the Riding Establishment and whilst they took the view that we live in the countryside, etc they were concerned about horse riders galloping on the public highway. They pointed out that there were other riding establishments in the area. He added that he had written to the complainant.
- f) **SEC – 57/14(a)** – Asked about the expenses issue at Cooil Roi, to which **ND** explained that it had been agreed that Board Member expenses would be paid by Cooil Roi as opposed to this Authority.

**62/14 Private Sessions.**

**63/14 Planning Applications.**

- a) Planning Application No 14/01135/B of 30.09.14 in respect of variation of condition 1 of approved PA 12/01254/B to retain marquee and extend time of period of permission. (**All applications** in respect of this development, which was erected without permission, have been opposed by Lonan Parish Commissioners). *The Clerk explained the history behind this application and a discussion took place. The majority agreed that there had been no change in circumstances that would alter their position and recommended that the application should be refused on the grounds that, it dominates the existing dwelling and is a visual scar on the surrounding countryside when viewed from the main road and beyond which is not screened by trees; Continued approval of a temporary structure could allow the applicants to argue the case for a permanent structure as originally applied for and refused. SEC asked to be excluded from this recommendation.* **PH**
- b) Planning Application No 14/01137/B of 30.09.14 in respect of erection of a workshop/garage/store building at Field 613057, Ballamenagh Moar Farm, Ballamenagh Road, Baldrine, IM4 6AJ. *The Board recommended refusal on the grounds that the building is intended for agricultural use and the application should clearly state that; the building should be located near existing agricultural buildings as distinct from a location next to residential dwelling; the plans do not provide enough detail as to finish, style or appearance and impact on the local visual amenity, making an informed decision impossible. SEC declared an interest and took no part in the discussions.* **PH**
- c) Copy of letter from Planning Department to Kay Associates in respect of Planning Application No 13/91534/B of 24.12.13 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. It states that the contents of their letter were discussed at a meeting on 9<sup>th</sup> October, and that they happy that the completion of works is in accordance with the Schedule of External Finishes as set out in their letter of 28<sup>th</sup> May 2014. It is sufficient to satisfy the requirements of Condition 3 of the above approval. *The Clerk stated that they had not been provided with copies of the described correspondence and the matter was noted.*
- d) Planning Application No 14/01187/B of 10.10.14 in respect of erection of a replacement dwelling at Eskadale, King Edward Road, Onchan, IM4 6AB. (See also approved 09/01722/B & 11/00204/B). **ND** declared an interest and took no part in the discussions. *Approved.*

**64/14 Correspondence.**

- a) RBL letter of 10.09.14 requesting assistance for the 2014 Poppy Appeal Collection that will take place between 26.10.14 and 11.11.14. *A discussion took place and it was agreed to pay for the wreath with an additional donation as in previous years. PH informed the Board that last year the Board donated £50.00. SC explained that he was away on Remembrance Sunday and asked for another Commissioner to represent the Authority on his behalf. JF agreed to do so.* **JF**

- b) Legal Aid Committee writes on 18.09.14 regarding a review of how legal representation is provided to those without the means to pay for it themselves. They seek your views on the current system and how it can be improved. Submissions to [legallaidconsultation@gov.im](mailto:legallaidconsultation@gov.im) before **28<sup>th</sup> November 2014** or to Kevan Cubbon, Legal Aid Committee, General Registry, Isle of Man Courts of Justice, Deemsters Walk, Bucks Road, Douglas, IM1 3AR. *Noted.*
- c) Consultation on Police Codes of Practice for consideration by you or one of your officers. The current Police Codes of Practice have been in operation for a number of years but following the modernisation of the Codes in the UK and the Royal Assent to the Criminal Justice, Police Powers and Other Amendments Act 2014 it is necessary to revise them and includes the Codes in relation to drinking in public places and disposal of liquor found in possession of minors. Of these documents, your organisation may find the “Code of Practice on the exercise by police of officers of statutory powers under sections 74 and 76 of the Licensing Act 1995” (attached) of particular relevance. Copies of the Consultation document, draft order and draft Codes can be downloaded from <http://www.gov.im/ConsultationDetail.gov?id=460> I would be grateful for any responses to this consultation **by no later than 5pm on Monday 3<sup>rd</sup> November 2014.** *Noted.*
- d) Woodland Trust, writes on 15.09.14 asking if there is any available land that could be used as a memorial garden to plant trees for persons to have solace. *A discussion took place and it was agreed that the land in Baldrine would be an excellent location. ND to approach the potential benefactor. See PEM – 10.09.14 – 49/14(b).*
- e) Reverend Jo Dudley enquires as to where the Noticeboard in Church Road has gone. *Dealt with at 61/14(a) above.*
- f) Minutes of Garff Meeting – 17.09.14; Garff Rates Comparison; Onchan District Act 1986. *Noted.*
- g) Cooil Roi Letter regarding deficit and cash flow problems. *SC explained the financial situation and a discussion took place.*
- h) To All Municipal Members and Member Authority Clerks: I attach the minutes of our September meeting. Agenda and reports will be sent out on my return to the Island on or shortly after 14 October. *SC provided an overview of the meeting and a discussion took place regarding the matter of Swimming Pool Rates, which Lonan does not contribute to at this time.*
- i) New Driver Proposals Consultation - Please find attached a copy of the consultation paper New Driver Proposals. The paper provides details of issues affecting new drivers and the various solutions that have been proposed, considered or introduced in jurisdictions around the world to deal with the issues. It also includes several proposals for consideration and to encourage discussion; and details how to respond to the consultation. *Noted.*
- j) Laxey School writes on 06.10.14 with letter of thanks for Gift Voucher for singing at the Civic Service. *Noted.*
- k) Mark Cleator, Station Officer, Laxey Fire Station, writes on 9<sup>th</sup> October asking for annual donation towards the fireworks display. Informs the Board that this year they have incurred an additional expense of having to have public liability insurance and their costs have significantly increased as a result. **NOTE:** last year Lonan donated £200.00. *SC read the letter from Mr Cleator and a discussion took place. It was agreed by all to increase Lonan Commissioners contribution from £200.00 to £325.00. Proposed by SC and Seconded by ND.*

PH

l) Attached is a letter from Gawne indicating those services that the Government wants Local Authorities to take over and those that they are keeping. Looking specifically at the services that the Department of Infrastructure currently delivers, **I feel that all of the following services should be transferred to local authorities.** These are services which I feel from discussion with various local authorities would be better delivered at a local level:- Hedge cutting; □ Street sweeping; □ Gully emptying; □ Public toilet provision; □ Minor local road safety matters (as identified by the area traffic liaison committee); □ Minor pavement repairs; □ Weed spraying, verge trimming and tidying; and □ Relevant off street parking. **The Department would retain responsibility for maintenance of the strategic routes** (see attached map) and in these areas we will undertake:- □ Litter sweeping; □ Hedge and verge cutting □ Maintenance of grassed areas and planting □ Gully emptying and jetting □ Weeding and weed spraying. Subs by Monday 17<sup>th</sup> November 2014 for Ministerial reply by Friday 28<sup>th</sup> November 2014. *PH presented each member with a list of proposed questions for Mr Gawne, prepared by the Clerk to Laxey Commissioners, regarding this matter and a discussion took place. The Chairman congratulated the Laxey Clerk for his thoroughness. During the discussion ND informed the Board about concerns about the freezing of the EFW charges and whether this was permanent or just a one off gesture. The discussion continued at 64/14(m) below.*

m) Maughold e-mails at 1326 hours on 20.10.14 - Mr Gawne would like to come to our November Garff meeting. He can attend on the evening of Thursday 13<sup>th</sup> November. The suggestion is to have the meeting with him begin at 7.30, but to have a pre-meeting to discuss matters from 7.00 pm. Should all Members be invited? *Given the gravity of the situation it was unanimously resolved that an interim Garff Joint Initiative Committee should be convened before the meeting of 13<sup>th</sup> November in order that a cohesive approach could be made to Mr Gawne. 30 minutes would not be sufficient. It was suggested that the meeting should take place as soon as possible and preferably Tuesday or Wednesday of the following week. The Clerk was tasked to organise this.*

PH

#### 65/14 Enforcement Matters.

*No new matters.*

#### 66/14 Special Agenda Items.

*None Notified.*

#### 67/14 Any Other Business.

- a) **SEC** – Asked if the properties in Reayrt Ny Glionney were now paying full rates as the building works had ceased. *Dealt with at 59/14(b) above.*
- b) **SEC** – Stated that the property Green Gables was still in a poor condition and that nothing was happening. *PH informed the Board that the matter was still on-going but progress was slow.*
- c) **SEC** – Asked about the state of the Church’s funding to which **JF** provided an update. A discussion took place. **SEC** asked why it was necessary to have catering at the Civic Service and wouldn’t it be sufficient to make a donation to the Church instead. The discussion continued and **SEC** made the proposal to make a donation instead. The motion was not carried and a counter proposal was made that catering should be confined to tea and biscuits with a budget of £700.00 and any surplus to that being donated to the Church. Proposed by **SC** and Seconded by **ND**. Agreed by all.

- d) **SC** – Asked why the scaffolding was remaining in New Road when no works were being carried out. The Clerk was tasked to establish the reason and what action was being taken by the Commissioners to encourage the removal of the said structure. **PH**
- e) **SC** – Expressed his alarm at the new Toilet Tax and the impact that this has because of it being linked to the rateable value.
- f) **SC** – Raised the matter of the Commissioners Christmas celebration and it was agreed that this would take place, subject to confirmation, on Friday 12<sup>th</sup> December 2014 at 1900 hours, at the Liverpool Arms.

**There being no further business, the Meeting closed at 1110 hours.**

**The next Statutory Meeting of the Authority will be on Thursday 27<sup>th</sup> November 2014 at 0930 hours. (SEC tendered his apologies in that he was away on that date).**