

**MINUTES OF THE MEETING OF MAUGHOLD PARISH COMMISSIONERS  
HELD ON Monday 7<sup>th</sup> September 2009, 7.30 PM AT DHOON CHURCH HALL**

**7.30 pm** Meeting of Maughold Parish Commissioners – Public Session

**Present:** Mrs Lace CP, Mrs Fargher, Mr Moughtin; Clerk.

The meeting was declared opened by **HL** at 7.33pm.

**09/48. Apologies:** The clerk reported that Mr Cowley and Mrs Stephens had forwarded apologies.

**09/49. Consideration of the accuracy of the Minutes of the Meeting of 3<sup>rd</sup> August 2009.**

**RM** drew attention to an omission in Section 09.33.b of the minutes. This was amended by hand and signed:

**Resolved: HL** proposed that the minutes of 03.08.09 as amended be accepted as an accurate record of that meeting. Seconded **MF**. The minutes were duly signed and dated by **HL**.

**09/50. Matters Arising from the Minutes of the Meeting of 3<sup>rd</sup> of August 2009.**

a. **Preparations For Civic Service 3.00 pm, Kirk Maughold, 20.09.09.**

**HL** reported that arrangements for the service were taking place. Order of Service and readings to be produced by Reverend Faulds in liaison with **HL**. **HL** advised that arrangements had been made for refreshments following the service.

The clerk reported that all invitations had been sent as indicated on the Invitation List, and that a notice would appear in three papers preceding the event.

b. **Opening of Office Facilities.**

The clerk reported that the office facility was now up and running. Normal opening hours would be 9.30 am to 3.00 pm on Monday, Wednesday and Friday, or by appointment.

c. **Crossags Campsite Licence** – The clerk read communication from the DLGE that advised that the Department were currently redrafting the legislation concerning minimum standards and the issue of licences to operators by local authorities. The Department will contact the Commissioners when this new legislation is introduced.

d. To discuss '**Code of Conduct Document for Local Authority Members**' as circulated following the August meeting.

It was noted that not all those present had received last month's circulation file. It was agreed that acceptance of this document should be reserved until the October meeting. A further copy was placed in to the September circulation file. **RM** requested that the clerk draw up guidelines on Members' Interests for inclusion in Standing Orders. This was seconded by **MF** and

**Resolved.** Clerk to produce a draft of such a document for the October meeting.

**RM** proposed that all members be formally asked by the clerk if they had any interests to declare at the beginning of each meeting. This to be included on subsequent agendas along with confirmation that each Member had received the Summons Agenda at least three days prior to the meeting. This process to be recorded in the minutes. This proposal was seconded by **HL** and **Resolved**.

e. Attendance at **Master Composting Course**, 12<sup>th</sup>/13<sup>th</sup> September, Laxey Glen Gardens. Members noted that Mr Cowley would attend this course.

f. Progress with investigation of **mini-recycling centres**.

The clerk reported that the DLGE were obtaining a price for a mini-recycling-unit. The matter will be investigated further once this is received.

g. Proposal to undertake "**Commissioners' Surgery**".

It was agreed that this was a proposal that should be instigated. The intention is that residents can speak directly with a Commissioner on relevant matters. **RM** proposed that a pro forma be drafted to record consultations that take place.

**Resolved:** It was agreed that the first session should take place at the Dhoon Hall for 30 minutes at 7.00 pm on the 5<sup>th</sup> of October 2009, **RM** to be in attendance with the clerk. Clerk to advertise this service on the website and on the notice boards. Subsequent surgeries to take place 30 minutes prior to the beginning of each monthly meeting.

h. To discuss "**Recommendations of the Select Committee Report on the Affairs of Braddan Commissioners**".

The report had been noted at the August meeting. No further comment was made by Members.

i. **Maintenance of War memorials in the Parish.**

The clerk reported that despite several requests no reply had been received from the company who had committed to provide a quotation for maintenance work on the war memorial in Kirk Maughold church yard.

**Resolved:** The clerk was instructed to contact the newly constituted War Memorials Preservation Committee to seek advice on a way forward in this matter and report back at the October meeting.

**09/51. Matters for Discussion**

a. Consultation on "**The Tynwald Auditor General**", Draft Bill (Response requested by 17<sup>th</sup> September). The clerk's report was noted in regard to this matter. The consensus was that this appointment could bring benefits to the operation of government. It was noted that the proposed Auditor General would be an officer of Tynwald appointed by Tynwald. There followed discussion of how the 'independence' of the role could be ensured. It was suggested that perhaps another body such as the Appointments Commission could be used to appoint to the role.

**Resolved:** The clerk was instructed in reply to the consultation.

b. **IRIS Regional Sewage Treatment Strategy Proposals** approved by Tynwald in July. These proposals, plans and drawings were considered. It was noted that the intention is to install new facilities in various areas of Maughold as follows: a new treatment works will be installed at Coronry. A facility at Ballagorry will pump sewage from Glen Mona to Coronry; a pumping station will be constructed at Booilushag which will forward sewage to a new treatment plant to service Maughold Village; a discrete treatment facility will also be constructed at Gob Ny Rona to service the Port Lewaigue area. The Commissioners have been advised that the Department will contact them to discuss these proposals in more detail in the coming weeks.

c. Consultation on **Housing and Local Government Bill 2009** (Response requested by Friday 18<sup>th</sup> September 2009). A report from the clerk which had been circulated was noted. The creation of powers to allow schemes to assist residents with house purchases, home improvements, and with the preservation of historic buildings was noted. Additional proposals to update legislation regarding the rights of tenants in respect of Landlord's interest and variation of leases were also noted. The consensus was that the proposed changes would generally be in the interest of tenants.

**Resolved:** The clerk was instructed in a reply to the consultation.

d. Consultation on **Proposed Amendments to the Dogs Act 1990** A report from the clerk which had been circulated was noted. There was support amongst Members for the proposals to extend the areas in which dog fouling bye laws can be applied to car parks, cemeteries and church yards. It was noted that the proposed changes to the dog licensing legislation were intended to facilitate a mechanism to allow exemptions for micro-chipped dogs in the future. This proposal met with general support amongst Members. RM proposed that a portion of monies from the licence fee could be distributed to local authorities who have to pay for facilities to enforce bye-laws and empty dog waste bins. It was resolved that this should be included in the response to the consultation.

**Resolved:** The clerk was instructed to reply to the consultation by Friday 18<sup>th</sup> September.

e. Consultation on **A Physical Activity Framework for the Isle of Man** – draft document (Responses requested by 30<sup>th</sup> October 2009). A report from the clerk which had been circulated was noted in regard to this document. The aim is to introduce a strategy for encouraging the opportunities for physical activity amongst the population. The general intention of such a strategy was welcomed, particularly the undertaking to encourage improved planning and redesign of road

schemes to encourage cycling and pedestrians. It was also felt that the cost of implementing the strategy should be closely monitored.

**Resolved:** The clerk was instructed in a reply to the consultation.

- f. **DAFF** - Request for comments on Manx Hedgerow Management prior to forthcoming consultation;  
Correspondence dated 28<sup>th</sup> August 2009.

This correspondence was read to the meeting. A code of Best Practice is being drawn up to advise landowners how they should manage their hedgerows. There are particular implications for the agricultural community as under the Countryside Care Scheme some payments are linked to hedgerow management. The intention is to produce a Code which is practical for landowners to implement whilst ensuring that the valuable wildlife habitat that hedgerows provide is maintained. The Commissioners agreed to discuss the matter further on receipt of the consultation document later in the month.

**Resolved:** The clerk was requested to write to the Department and request that they ensure that the agricultural community is included in the consultation process.

- g. Consultation on the proposed **Sewerage (Amendment) Bill** (Response requested by 16<sup>th</sup> October). These matters concerning entry onto land to enable construction/improvement of sewage disposal works were noted by Members. The clerk was given no instruction.

### **09/52. Correspondence**

- a. **CSO's Office** – Document "Pandemic Flu – A Strategic Plan for Preparing, Coping, with, and Recovering from an Influenza Pandemic in the Isle of Man"

This document was noted by Members and placed in to the circulation file for further consideration.

- b. **Resident of Ramsey** – Copy of letter to MNH regarding the condition of Ballafayle Cairn. This correspondence was noted by Members. **MF** advised that the resident had received a reply from MNH.

- c. **DAFF** – Use of Green Way Roads; Action Plan on the Management of the Upland areas. This report was noted and placed in to the circulation file for further consideration.

- d. **DLGE** – Notification of Audit Fees for Year Ended March 2010; increase to £3,000. Members noted the large increase in audit fees for from around £475.00 for YE 2009 to £3,000.00 for YE 2010. A six fold increase.

**Resolved:** The clerk was instructed to write to the Department to request justification for this increase.

- e. **DTL** – Invitation to Prize Ceremony for Island in Bloom 2009 at the Villa Marina, Tuesday 15<sup>th</sup> September 2009 14.30 – 16.00 hrs.

The clerk was instructed to advise that **HL** and **RM** would attend. Clerk to contact **GS** in regard to inviting members of the 'Dhoon in Bloom' group.

- f. **IOM Municipal Association** – Copy correspondence from Mr Hamer of Michael Commissioners, and from Malew Commissioners regarding changes to Church Parish Boundaries. The possible implications for local authority administration were discussed.

**Resolved:** It was agreed that **MF** should investigate the matter further and report back to the Commissioners in due course.

- g. **IOM Municipal Association** – Notification and list of Questions for forthcoming Planning Seminar, Thursday 17<sup>th</sup> September 2009, 7.30 pm, Strathallan Suite, Douglas.

These documents were read and discussed. It was anticipated that **RM**, **MC** and the clerk would attend the meeting.

- h. **Resident** – Regarding publication of Consultation Submissions by the Commissioners, Publication of Agendas, Recycling and the proposal for a "Commissioners' Surgery". These matters were considered by Members. It was agreed that, in common with other authorities, public agendas should be published on the website 3 days prior to the monthly meeting. Support for kerbside recycling in the correspondence was noted. A request that resident's be allowed to 'address' the Board prior to meetings was also

considered. It was felt that the 'surgery' approach as discussed at **09.50.g** above was the preferred option at this stage. The clerk was instructed to reply to the resident.

i. **Chief Minister's Office** – Press release on Town and Village Regeneration Scheme. This document was noted by Members.

j. **Druidale Motor Club** – Notification of the forthcoming Dukes Stages Rally on 19<sup>th</sup> September 2009. The Gooseneck Road from Hibernia will be closed as well as sections of the Glen Mona Loop Road, Rhenab and Cornaa Roads.

k. **Jurby Civic Service** – Sunday 27<sup>th</sup> September 2009, 11.00 am. **HL** is hoping to attend. Clerk to advise Mr Quayle.

l. A list of correspondence in the **circulation file** was noted at Appendix 1.

**09/53. Searches:** None this Month.

#### **09/54. Parish Maintenance:**

- Play Area Annual Inspection – Report received. The clerk drew the attention of Members to several aspects in the report which indicated low risk potential. The advice from the Inspector that these aspects should be monitored. The clerk to arrange for several minor problems to be rectified. These being a slow closing gate and weeds on the climbing frame tiles. It was noted that the climbing frame does not meet current standards. However, the Inspector has designated the equipment to be 'low-risk'.  
**Resolved:** The clerk was instructed to seek further clarification from the Inspector prior to the next meeting.
- Arboretum Sign – It was anticipated that this would be erected in the next weeks.

#### **09.55. PLANNING.**

55.1 **COMPLETION CERTIFICATES** – 08/07589/INS Dhoo School, Erection of Shelter to Provide Covered Play and Teaching Area. **Noted.**

#### **55.2 OTHER PLANNING MATTERS**

a. Appeal on 09/00550/B **Willow Cottage, Corony**: Conversion of existing Garage into Living Accommodation Feedback from site visit. **MC** and **MF** had visited the application site on 03.09.09. The request from DOT for the provision of 4 parking spaces was noted. This was felt to be an excessive requirement. A letter of support from DTL to the applicant indicating that disabled tourist accommodation was in very short supply was noted. The Commissioners also noted correspondence from residents both supportive and opposed to the proposal. The clerk was instructed in a submission to the appeal.

b. 09/00944/B **Cronk Aashin, Cornaa**; Erection of a replacement dwelling with integral garage – The Commissioners' views not represented by the Planning Officer. This matter was noted. It was agreed that any approval decision should be appealed on the grounds current planning legislation presumes against development that is out of character in areas of high landscape value.

#### **55.3 Decisions from DLGE:**

09/00550/B **Willow Cottage, Corony**; Convert garage to provide living accommodation – Refused 26.08.09. This matter was noted and discussed as reported at 55.2 above.

The following decisions were also noted by Members:

09/00870/R **Dreemskerry Farm**; Erection of retaining wall, railings, steps, and extension of courtyard – Approved 14.08.09.

09/00952/B **Croit-ny-Meagh, Rhenab Road**; Extension and decking to side elevation of dwelling (comprising amendments to PA07/01287/B) - Approved 18.08.09.

09/01067/A **Field 624255 & 624256, Glen Mona Loop Road**; Approval in Principle to erect a detached dwelling; Mr R.S. Baker – Refused 18.08.09.

09/01099/B **The Anchorage, Port e Vullen**; Extension to and conversion of existing double garage into tourist accommodation – Approved 24.08.09.

09/01147/A Land Adjacent to **Shirrah Ny Ree**, Ballajora Hill; Approval in principle for the erection of a dwelling with integral garage – Refused 25.08.09.

#### 55.4 Decisions to be made:

09/01223/B **Lieh Acyr, Port e Vullen**; Alterations and erection of an extension to dwelling house.

Members noted these proposals. The Commission has no concerns to raise with the proposals submitted in regard to this application.

09/01247/B **The Hibernian, Hibernia**; Erection of a replacement garage and store.

Members noted these proposals. The Commission has no concerns to raise with the proposals submitted in regard to this application.

09/01284/B **4 Booilushag Estate**; Erection of an extension and widening of vehicular access.

Members noted these proposals. The Commission has no concerns to raise with the proposals submitted in regard to this application.

09/01327/B **Rhianfa, Ballafayle**; Erection of an extension to dwelling house.

Members noted the proposals for a 'patio room'. They have no concerns to raise with this aspect of the documents submitted. However, drawing number R1 dated 20.07.09 and received by the Planning Office on 10<sup>th</sup> August has indication of a new vehicular access which is not signalled in this application but appears to be signalled in PA 09/01398/B. The clerk was instructed to seek clarification of this matter

09/01398/B **Rhianfa, Ballafayle**; Render work to dwelling and installation of a replacement vehicle entrance.

Members note the proposals for rendering the dwelling house; they have no concerns with this aspect of the application.

However, the clerk was asked to contact DOT to seek clarification of the proposed entrance.

#### 55.5 Appeal Matters

08/01630/B **Sea Bank**, Port e Vullen; Erection of a replacement dwelling, including the installation of a bio disc and drainage layout – Appeal against approval dismissed 25<sup>th</sup> August 2009. This decision was noted by Members.

09/01067/A **Field 624255 & 624256, Glen Mona Loop Road**; Approval in Principle to erect a detached dwelling – Appeal submission requested by 17<sup>th</sup> September.

The clerk was given instruction to submit comment in regard to this appeal.

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#### 09/56. Finance

a. **Approval of August cheques:** The following cheques/expenditure was approved.

EXPENDITURE	GROSS	VAT
Maughold Social Club (Par Day)	654.79	
Feltons	93.58	11.88
IOM Gov Tipping July	815.50	489.30
MEA	4.50	0.22
Spotless Cleaners	200.00	
Howard Kneale (Arbo cut x 2)	180.00	
Manx Printcare	68.97	9.00
NLASwimPoolBoard	1,500.00	

b. **Approval of August Finances.**

A summary of transactions and the situation of the Commissioners' finances at the end of August was circulated to Members.

#### 09.41. Any Other Business

**Footpath to the Glen Mona Tram Stop – MF** advised that this footpath had become very slippery and that the land fell away very sharply into the Glen .

**Resolved:** The clerk was asked to bring this matter to the attention of the Public Rights of Way Officer

**The Three Legs of Man on Barrule – MF** drew Members attention to the number of positive comments about the Manx triskelion symbol on the upper slopes of Barrule which had been produced by the Glen Mona Social Club.

**Resolved:** The clerk was instructed to send thanks to the Club Members, and to include comment on the Commisisoners' web site.

**Civic Service 2010 –** There followed discussion of next year's Civic Service. **HL** advised Members that next year was the Governor's last year in office. In light of this it was agreed that it would be fitting to invite His Excellency to next year's Civic Service.

**Resolved:** **HL** to make enquiries regarding a suitable date with Reverend Faulds.

Public Session Closed at 10.15 pm

**Next Meeting Monday October 5th 2009, 7.30 pm at Dhoon Church Hall**

## Appendix 1.

### Items of Correspondence in the September 2009 Circulation File.

**RTLC** – Circulars 276, 277, 278, 279.

**Government Laboratory** – Bathing Water Quality Readings at Port Lewaigue up to 19<sup>th</sup> August 2009.

**DLGE** – Tipping at EfW July 2009, 32.620 tonnes

**DAFF** – Port Erin Cable Reef Proposal; Summary of responses.

**GJIC** – Minutes of the Meeting of 15.07.09.

**CSO's Office** – Updated Key Facts Guide to the Isle of Man.

**Tynwald Advisory Council for Disabilities** – Newsletter number 1, Summer 09.

**DHSS** – Leaflets on Sensible Alcohol Usage.

**Office of COMIN** – Acknowledgement of Information on War Memorials forwarded by the Commissioners.

**DoE** – Isle of Man Children's Plan 2009-2012.

**DOT Drainage** – Isle of Man Sewerage Rehabilitation 2009/2010, Work Package 2 – Scoping and CCTV Survey.

**Moore Stephens** – Regarding provision of accounting services.

**PKF** – Regarding provision of accounting services.

**DAFF** – Documents on Sulby Claddagh Consultation.

**DLGE** – Regarding adjustments to the procedures associated with providing bonds to Government's Capital Projects.

### Maughold Parish Commissioners Contact Details:

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