

MINUTES OF BRADDAN PARISH COMMISSIONERS
held in Commissioners Office, Close Corran, Union Mills, Braddan at 2pm on
Thursday 22nd January 2015

In Attendance

Mr A Jessopp Chairman
 Mr P Halsall
 Mr J Quaye
 Mr J C Whiteway Clerk
 Miss M Radcliffe Deputy Clerk and Finance Officer

- 15/001 Apologies for absence**
 Apologies were received from Mr Slinn and Mrs Hodge.
- 15/002 Declaration of Interest**
 There were no declarations of interest.
- 15/003 Issue of Summons / Agenda**
 It was noted that all members had received Summons/Agenda at least three clear days before the date of the meeting.
- 15/004 Deferral of Matters on the Agenda to Private**
 The following items were deferred to a private meeting:
 Item 15 Tenancy agreements
 Item 28 Wardens Report
- 15/005 Meeting with Members of the Public**
 The Chairman welcomed Mr Andy Cowie and Kevin Kniveton to the meeting who had been invited to discuss the lighting options available to the Authority in terms of its proposed cycling strategy.
- A discussion was held on the suggestion of installing lit pedestrian bollards on the Cooil Road and the issues surrounding pedestrian safety on Ballafletcher Road.
- Mr Cowie and Mr Kniveton were thanked for their advice and left the meeting.
- 15/006 Minutes of Recent Meetings**
 The Minutes of the Meeting held on Thursday 22nd November 2014 were **unanimously approved** and signed by Chairman as a correct record of the proceedings.
- 15/007 Matters Arising**
a) Petition of Doleance of Tel's Limited Ref: Minute 14/290a
 It was **unanimously resolved** to note that the Finance Officer was to confirm that the full and final payment had been received.
- b) Archibald Knox Celebration Ref: Minute 14/290b**
 It was **unanimously resolved** to note a display of information by the Isle of Man Family History Society relating to both Cronkbourne Village and Union Mills was to take place at the cottage at Cronkbourne Village on 6th and 7th February.

c) Heritage Trail – Works Ref : Minute 14/290h

The Clerk reported that work was continuing along the trail and there was a possibility of more road material becoming available when the Cooil Road resurfacing scheme started

It was **unanimously resolved** to again contact the Department of Infrastructure to determine if they had any plans for the remaining 600m of the Trail from the Access Road heading toward Union Mills.

d) Future of Unit 41 Ref: Minute Ref : Minute 14/290i

The Clerk advised that he had been contacted by a contractor who wished to enter into a sharing agreement for the use of a portion of the yard.

It was **unanimously resolved** that the Clerk could enter into negotiations with the contractor.

e) Refuse and Kerbside Contract Ref: Minute 14/290j

It was **unanimously resolved** to note that the Clerk would be circulating a draft letter to the Douglas Corporation regarding proposals to amend the waste collection contract.

f) Adoption of Proposed Public Street Lighting Scheme - Middle Farm Park Ref: Minute 14/290j

It was **unanimously resolved** to defer consideration pending further investigations.

g) Potential Structural Issues - 15 Close-y-Lhergy Minute 14/307

It was **unanimously resolved** to note that the investigations were ongoing.

h) Placement of recycle bins - Union Mills Minute 14/290j

It was **unanimously resolve** to leave the recycle bins at the back of the office in situ.

15/008 Matters for Consideration from Section 2

There were no matters for consideration form Section 2.

Section 1:**15/009 Street Lighting- Ballafletcher Road opposite Tromode Woods -**

Consideration was given to a report from the Community Warden regarding, the problems experienced by parishioners due to the lack of street lighting on Ballafletcher Road, Cooil Road and Peel Road, and the Authorities powers to install lights.

The Commissioners also considered the funding issues experienced by the Department of Infrastructure which meant that it was unlikely that central government would progress Ballafletcher and Cooil Road despite these roads being accepted as part of the Douglas outer ring road.

It was **unanimously resolved** to bear the matter in mind when finalising the estimates and setting the rate later in the meeting.

15/010 Braddan Parish Commissioners – Invitations

It was **unanimously resolved** to note the invitations to the following civic services

- Malew Parish Commissioners Civic Service- 8th March 2015- Mrs Hodge and Mr Halsall to attend

- Michael Commissioners Civic Service-m- 8th February 2015- Mr Halsall to attend

15/011 Conister Bank – Mandate

It was **unanimously resolved** to update the Conister Bank mandate by removing Mrs Beecroft and including Mr Quaye and Mr Slinn on to the document.

15/012 Consultation Request – Discharge Licence Ballaveare Old Castletown Road

Consideration was given to a report from Dr McNeil from the Environmental Protection Unit of the Department of Environment, Food and Agriculture (DEFA) seeking the Commissioners views on the proposal to discharge treated effluent from a Klargester BAX biodisc sewage treatment plant from Ballaveare, piped to a partial soakaway, before discharging to a small stream in a ditch, at the edge of the boundary of the Ballaveare plot.

It was **unanimously resolved** that the Commissioners had no objection to the proposal.

15/013 Consultation Request Brambley Cottage Plots 1 and 2.

Consideration was given to a report from Dr McNeil from the Environmental Protection Unit of DEFA seeking the Commissioners views on the proposal to discharge treated effluent from two separate Klargester Biodisc BA sewage treatment plants (one serving each separate property) to DOI highways storm water drain which runs under the road down Lhergy Cripperty hill and then under the main road at Union Mills (adjacent to the Railway Inn public house), to remerge at a cascading open step down surface water drain immediately adjacent to the heritage trail footpath. This then passes into a drain under the footpath and riparian zone to discharge into the River Dhoo from an outfall a few metres downstream from the road bridge.

It was **unanimously resolved** that the Commissioners wished to object to the proposal on the grounds that the step down surface water drain was open and had in previous times over flooded on to the Heritage Trail and had pooled and flooded the station area.

15/014 Department of Health – Changes to Public Sector Rents and Allowances

It was **unanimously resolved** to note the following changes:

- The annual increase in public sector rents with effect from 6th April 2015 will be 5%
- The maintenance allowance would be uplifted by 2.6% inflation only.
- The administration allowance will remain the same.

15/015 Department of Health and Social Care – Safeguarding Forum – Friday 20th February 2015

The Commissioners noted an invitation by the Department of Health and Social Care to a Safeguarding Forum which involved people working in, or with, adult and child services.

Local Authorities had been invited to the Forums together with Government departments, schools, the third sector and private sector and it was **unanimously resolved** that representation at the forum would be at officer level.

15/016 Department of Infrastructure – Pre-Petition – Proposed Development at Strang Corner Field

It was **unanimously resolved** to note that a meeting with Mr Gawne MHK to discuss the project had been arranged for 28th January 2015.

15/017 Department of Infrastructure – Transfer of Functions

The Commissioners noted the Clerks update report on the services that were to be transferred from Central Government.

Detailed maps of the area were being completed to identify gulleys to be maintained, street cleaning and weed killing routes, hedges to be trimmed, and the grass verges to be maintained.

The Clerk advised that the costs of these services would be determined by the frequency and quality of service expected by the Commissioners, and documents would be produced, prior to going out to tender, to set the parameters of each of the separate contracts.

It was agreed that when seeking hedge trimming costs, figures should be requested to comply with the DoI standard of cutting hedges, ie 50m either side of a junction, or for road safety purposes, and also an hourly rate for reactive emergencies should be requested.

It was observed that due to the increased services the present gardening needed to be expanded to incorporate land maintenance services, and therefore this should also go out to tender. The Clerk asked for professional input into the creation of a maintenance contract and specification.

It was **unanimously resolved** that the Commissioners would await the policy documents for the new services, that Douglas Corporation would be asked to assist in the compilation of a land maintenance contract, but if their assistance wasn't available a sum of 5% of the present contract price could be used to purchase this service.

15/018 Freedom of Information Bill

It was **unanimously resolved** to note a letter from the Cabinet Office advising that the Bill was making its way through Keys, and subject to Royal Assent, would impact on Local Authorities in January 2018

15/019 Invoices for Approval

It was **unanimously resolved** to approve the following invoices in excess of £2k that required the authorisation of the Board:

1. 24528 Paul Carey- hold pending consultants approval
2. 24541 Douglas Corporation
3. 24545 Douglas Corporation
4. 24564 Landscape Design
5. 24570 Douglas Corporation
6. 24627 Landscape Design
7. 24635 J Clawson Ltd
8. 24649 Douglas Corporation
9. 24652 Landscape Design
10. 24665 Douglas Corporation

- 15/020 Manxutilities - Installation of Electric Vehicle Charging Points,**
The Commissioners noted that the subject of Vehicle Charging Points had been raised when it was thought that there was an opportunity for one to be installed at the new car park at Port Soderick.

Whilst due to time constraints the scheme at Port Soderick had not been progressed, it had been noted that the potential for an island network was being considered by the MUA and it was **unanimously resolved** to monitor the situation carefully to see if there were any future opportunities for the Authority.

15/021 Provision of Internal Audit Services

The Clerk reported that the three year contract with Moore Stephens for Internal Audit Services was due to expire on 31st March 2015 and expressions of interest had been sought.

It was noted that responses had been received from:

- Alexander Elliot
- Evolution Accounting
- Moore Stephens
- PricewaterhouseCoopers
- RSM McClure Watters (IOM) Ltd

It was **unanimously resolved** to invite all five companies to submit a fee proposal.

15/022 Public Consultation on a Draft Public Health (Tobacco) Bill

It was **unanimously resolved** to note the consultation document.

15/023 Tree Felling Licence Applications

It was **unanimously resolved** to note that the Chairman's comments on the proposal to cut down trees at West Baldwin had been passed to the Department of Environment Food and Agriculture.

It was **unanimously resolved** that the Commissioners had no objection to the proposal to cut down the large conifers on the flat land by Snugborough Industrial Estate and it was suggested that more appropriate trees, such as fruit trees, should be replanted.

15/024 Braddan Parish Commissioners – Policy Paper Relation to the Erection of Advertising and Signage

It was **unanimously resolved** to note and adopt the policy document prepared by the Community Warden in relation to the erection of advertising and signage in the Parish.

15/025 Mobile Family Library – Funding for Mobile Library

A discussion was held on the letter from the Mobile Library Service who were seeking financial assistance to continue the service as their financial backing had ceased.

A report from the Finance Officer was considered which set out the numbers of Braddan residents who use the Douglas library, the mobile library and the Family Library.

It was **unanimously resolved** to consider the matter when setting the budget later in the meeting, but the initial thoughts revolved around a contribution toward the Family Library of £5000.

15/026 Quantum Solutions - RateMann Upgrade

Consideration was given to report from the Finance Officer regarding the proposal by Quantum Solutions to upgrade the Ratemann System which is operated by Douglas, Onchan and Braddan.

It was noted that there were potential changes to the island rating system and it was **unanimously resolved** that it would be premature to amend the software until further details about the rating system changes were known.

15/027 Monthly Reports – November 2014

It was **unanimously resolved** to note the November 2014 report.

15/028 Painting of Playground Equipment

The Commissioners noted the Clerks report that the playground equipment at the Snugborough play area was in need of some maintenance.

Quotes were received from three companies and it was **unanimously resolved** to award the work to the lowest tender, Keith McAuliffe..

15/029 Parish Day – Charities

The Commissioners noted that the staff had commenced the planning process for the Parish Day on 4th May and were seeking advice on which charities they would be supporting this year.

After discussion it was **unanimously resolved** to support the following charities:

- Braddan Endowment Fund
- Manx Workshop for the Physically Disabled
- The Community Farm

15/030 Memorial Hall – Proposed Upgrade

Following a comment about the poor size and condition of the kitchen and the inadequate disabled access to the Memorial Hall, the Clerk asked Marshall Cryer to investigate the issue and report on any available options.

The report from Mr Cryer proposed two schemes, the more expensive involving creating a new disabled access and the second provided access via part to the building that was being leased out.

It was **unanimously resolved** to consider including in the estimates a sum of money to progress a scheme but the Clerk would speak to the tenant before making any final decision on progressing the scheme.

15/031 Snugborough Farm – Condition Update

The Commissioners noted the Community Wardens report on the poor condition of the property but it was **unanimously resolved** to defer any decision until legal opinion was obtained on how the property could be procured.

15/032 The Draft Isle of Man Strategic Plan 2015

It was **unanimously resolved** to note the document and defer any response to a later meeting.

15/033 Marshall Cryer Architects – Possible Housing at Snugborough

During a recent discussion with the Clerk, Mr Cryer had observed that he had been involved with the original plans for the development of Snugborough Housing Estate and that the Authority had not extended their plans to the fullest extent.

The Commissioners noted a superimposed image of what was planned and what actually took place and it appeared there was an opportunity for a further 6 properties to be built on the area between the estate and the Heritage Trail.

The Commissioners **unanimously resolved** to note the opportunity for future reference.

15/034 Marshall Cryer Architects – Numbers 6 and 11 Close Y Lhergy

It was **unanimously resolved** to note that investigations were continuing into the causes of damp in the bedrooms and a report from the architect was awaited.

15/035 Publishing Debtors in Minutes and Website

Consideration was given to a report from the Clerk who was seeking a policy on whether the name of the Authority's bad debtors should be published.

After discussion it was **unanimously resolved** that names could be published but only when each individuals circumstances had been considered at a Commissioners meeting and the matter included in the minutes.

15/036 Callin Wild- Due Diligence

The Commissioners considered an email from Callin Wild regarding their client due-diligence requirements in order to comply with (inter alia) the Proceeds of Crime Act 2008, the Terrorism (Finance) Act 2009 and the Money Laundering and Terrorist Finance Code 2013.

It was **unanimously resolved** that the draft letter was acceptable and the Clerk would produce a finalised letter which he would sign and forward to Callin Wild.

15/037 Setting of the Parish Rates

A discussion was held on the budget required to continue the work of the Authority and the amount of money required to finance any additional plans for the 2015/16 year.

It was agreed that money would be made available for the following schemes:

- Replace old heads on 70 streetlights, including Tromode Woods
- Ballafletcher Road lighting scheme
- Cooil Road lighting scheme
- Upgrade Memorial Hall to improve disabled access and facilities
- Port Soderick Glen improvements
- Cycling strategy

It was also noted that a number of new properties had been added to the Rate Book bringing in an additional £20,000.

In the light of the estimated general running costs of the Authority together with the potential costs of new schemes it was proposed by the Chairman, seconded by Mr Halsall and **unanimously resolved** to set the Parish Rate at 215p which was a reduction of 4p from the previous year.

15/038 Strang Road road marking drawings

Consideration was given to a copy of a set of drawings relating to the proposed white road markings to be installed on the recently repaired Strang Road.

In the light of these drawings it was **unanimously resolved** that the Clerk would arrange an urgent on site meeting with the officer involved in completing the document.

15/039 HSBC - Draft Facilities Agreement - Term Sheet

The Commissioners were asked to consider a draft agreement document provided by the Treasury which related to a new agreement between the IOM Government and HSBC Bank who had successfully tendered for the provision of loan facilities to all local authorities.

They noted that all Local Authorities who had, or were imminently due to have, a variable rate loan were to be included in the new agreement as an Original Obligor.

They were asked to, confirm that the Authority should be listed as an Original Obligor (as defined in the Agreement) and to issue a letter of confirmation which confirmed:

(i) that the Authority has the power to enter into, perform and deliver, and has taken all necessary action and has obtained all necessary consents to authorise its entry into, performance and delivery of, the Finance Documents to which it is a party and the transactions contemplated by those Finance Documents; and

(ii) that all Authorisations required:

(A) to enable the authority to lawfully enter into, exercise its rights and comply with its obligations in the Finance Documents to which it is a party;

(B) to ensure that the obligations expressed to be assumed by it in the Finance Documents are legal, valid, binding and enforceable; and

(C) to make the Finance Documents to which it is a party admissible in evidence in the Isle of Man,

have been obtained or effected and are in full force and effect.

The Commissioners were asked to confirm that they would provide a copy of any other Authorisation or other document, opinion or assurance in connection with the entry into and performance of the transactions contemplated by any Finance Document or for the validity and enforceability of any Finance Document and the most recent audited financial statements for the Authority.

To note that for all purposes connected with the Commitment, the Authority appointed the Treasury as its agent.

To note in particular the representations which the Authority will give on entering into the Agreement and which are deemed to be repeated on every occasion they need to drawdown funds under this Agreement, the undertakings and the events of Default as set out in section 8 of the draft document..

They were to complete and sign Schedule 3 Part I & II (pages 72 & 73) and confirm who will act as signatory for the Authority and the form of execution to be used.

The Commissioners were unhappy that they had been given less than a weeks' notice to consider a very large technical document, but with Treasury requesting an urgent reply, it was with some regret that they **unanimously resolved** to accept the document, provide the necessary confirmations, note the relevant matters and sign and complete Schedule 3 Part 1 & II.

Planning**15/040 Planning Applications**

It was **unanimously resolved** that the Commissioners had no objections to the following Planning Applications:

- PA14 01347 B - Mr and Mrs John Culley - Erection of a sun lounge extension to replace existing conservatory - 12 River Walk Braddan
- PA14 01367 B - Department of Environment, Food & Agriculture - Alterations, installation of a replacement bridge, footpath alterations and formation of a vehicle turning area - Bridge within Port Soderick Glen
- PA14 01375 B - Manx Utilities Authority - Construction of additional roads, car parking spaces, hard standing area and alterations to security fence and gate - Ballacottier HQ Isle of Man Business Park Braddan
- PA14 01437 B - Dandara Commercial Ltd - Variation of condition 1 of approved application PA11 00170 B (erection of an office building (Block A) with associated drainage works, car parking and landscaping) - 2 year extension - Field 521895
- PA14 01442 B - Dandara Commercial Ltd - Variation of condition one of approved PA11 0168 B (erection of an office building (Blocks B&C) with associated drainage work, parking and landscaping to extend period of permission by two years.
- PA14 01445 B - Mr and Mrs John Culley - Erection of extension to side elevation - 12 River Walk Braddan
- PA14 01450 B - Manx Utilities Authority - Conversion of existing appliance store to changing room, showers and offices including window and door alterations - Manx Utilities Authority Ballacottier HQ Isle of Man Business Park
- PA15 00004 B - EFB (IoM) Ltd - Variation of condition two of PA11 01290 A - Creation of a leisure industrial development to extend the period of approval - Land Adjacent Industrial Estate Ballafletcher Road Cronkbourne
- PA15 00024 B - Mrs A Kenny - Replacement of existing glazed conservatory roof with roof tiles - 168 Fairways Approach Mount Murray Braddan

It was **unanimously resolved** that the Commissioners wished to object against the following Planning Applications:

- PA14 00847 A - Lady Helen Crichton - Stuart - An application for approval in principle for residential development - Plot of Land at Kames Court to East of Hollin Lane Cronkbourne Braddan

15/041 Planning Approvals

It was **unanimously resolved** to note the following Planning Approvals

- PA14 00086 D - Architects Studio Ltd - Erection of advertising signage - Old School House Cronkbourne Braddan
- PA14 01223 B - Dandara Commercial Ltd - Alterations to approved office building including changes to windows, creation of a fenced hard standing area to accommodate external plant and erection of three flag poles - Site Adjacent to Buchanan BMW & Dandara
- PA14 01244 D - Dandara Commercial Ltd - Installation of illuminated and non-illuminated signage and erection of a column sign - Office Building Site Adjacent to Buchanan BMW & Dandara Head Office Vicarage Rise
- PA14 01302 B - Mr John Bentley - Alterations to Vehicular Access - Poymbreck East Baldwin

- PA14 01320 B - Hartford Homes Ltd - Erection of a replacement dwelling with detached garage and creation of improved vehicular access (Amendments to PA140038 B) Ballaveare Old Castletown Road Port Soderick
- PA14 01375 B - Manx Utilities Authority - Construction of additional roads, car parking spaces, hard standing area and alterations to security fence and gate - Manx Utilities authority Ballacottier HQ Isle of Man Business Park

15/042 Planning Appeal

It was **unanimously resolved** to note the following Planning Approvals

- PA14 00352 B - Mr David Maddrell - Erection of two detached dwellings with integral garages to replace existing dwelling (comprising amendments to PA12 00995 B) - Brambley Cottage 11 Cronk Road Union Mills

15/043 Planning Refusal

It was **unanimously resolved** to note the following Planning refusal

- PA14 00847 B - Lady Helen Chricton-Stuart- Application for approval in principle for residential development - Plot of land at Kames Court to East of Hollin Lane Cronkbourne Braddan

15/044 Planning Appeal Against Refusal

It was **unanimously resolved** to note the following Planning Approvals

- PA14 01023 B - Christina Viktoria Corkill - Erection of boundary fence between North Lodge and 14 Hollin Lane (retrospective) - North Lodge Cronkbourne Braddan

15/045 Planning Correspondence

It was **unanimously resolved** to note the following Planning Correspondence:

- PA14 00352 B - Mr David Maddrell - Erection of two detached dwellings with integral garages to replace existing dwelling (comprising amendments to PA12 00995 B) - Brambley Cottage 11 Cronk Road Union Mills
- PA14 00689 C - Department of Infrastructure - Change of use of site from a former market garden to use for the storage of construction materials (retrospective) - Ballakinnish Nurseries Ballakinnish Richmond Hill Braddan
- PA14 00846 B - Island Drainage and Groundworks Ltd - Creation of a compound, including the erection of a storage building with associated offices and welfare facilities, for recycling and storage Part Field Middle Park Kewaigue

Section 2**15/046 General Matters**

- i) Schedule of Arrears
- ii) Rates – Completion Certificates and 3rd Supplement List
- iii) Rates Income Report
- iv) Browne Craine & Co - Barry Curran Motors Limited - In Liquidation
- v) Court Papers
- vi) Tenant – Dogs Act 1990 - Fine
- vii) Data Protection Act 2002 – Braddan Commissioners
- viii) Kewaigue School – Braddan Commissioners – Donation

- ix) Department of Infrastructure – Operational Procedures for the use of Speed Indicator Devices on the Public Highway
- x) Ballanawin – Tree Complaint
- xi) Tree Felling Licence - Ash, Birch Prune defective branches on Pine - Adjacent to Heritage Trail Union Mills
- xii) David Moore – Countryside Care Scheme Review

15/047 Private Wardens Report

It was **unanimously resolved** to note the report of the Warden in relation to issues in the Community and in particular a neighbourhood dispute at Coronation Terrace.

15/048 Tenancy agreement

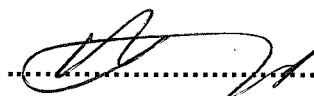
It was **unanimously resolved** to note the issuing of new tenancy agreements for the following:

- Property 089 to Tenant 451
- Property 017 to Tenant 425
- Property 128 to Tenant 452
- Property 079 to Tenant 450

15/049 Date for next meeting

A date for the next Meeting was set for Thursday 26th February 2015.

There being no further business, the meeting closed at 17.20 pm.

.....Signed

.....26/2/15.....Date