

**PORT ST MARY COMMISSIONERS**  
**ORDINARY BOARD MEETING**  
**25<sup>th</sup> January 2017**  
**AGENDA – OPEN PUBLIC SESSION**

1. Welcome, Apologies and Declarations
2. Minutes for Adoption:
  - 2.1 Consideration of the Minute of the meeting of 11<sup>th</sup> January 2017
3. Matters Arising
  - 3.1 Matters arising from the Minute of 11<sup>th</sup> January 2017
4. Motions - None
5. Finance
  - 5.1 List of Invoices for approval
6. Special Projects:
7. Public Correspondence:
  - 7.1 DEFA Planning & Building Control staffing update
  - 7.2 Email from Manx Harriers re Easter Festival of Running 14<sup>th</sup> April 2017
  - 7.3 Letter from Hon. Juan Watterson SHK re Rushen Parish Church War Memorial
  - 7.4 Email from Arboricultural Officer, DEFA re planting of Elm Tree
  - 7.5 Email from Mobile and Family Library
  - 7.6 Email from Keep Britain Tidy
8. Consultations –
9. Planning Matters:
  - 9.1 Planning Applications
    - 9.1.1 PA17/00025/C Mr R Best. 1 High Street, Port St Mary. Change of use of ground floor residential unit for additional use as tourist accommodation.

9.1.2 PA17/00021/b Mr A Bennett. Thie Vane, Truggan Road, Port St Mary. Erection of double garage with sun room over and extension of residential curtilage to include land forming part of adjacent property 'Kionslieu'.

9.2 Planning Approvals - None

9.3 Planning Amendments

9.3.1 PA16/01279/B Ballacreggan Farms Ltd. Ballacreggan Farm, Plantation Road, Port St Mary. Alterations and extension to existing farm building to facilitate change of use to veterinary practice and separate office with associated parking, including alterations to existing vehicular access to improve visibility.

10. Policy and Resources

10.1 Quotation re electrical works to be carried out at Port St Mary Rifle Club, Athol Place, Port St Mary

10.2 Quotation to paint Rifle Club staircase

10.3 Quote to paint Rifle Club staircase and entrance

10.4 update on Dog Byelaws

11. Invitations

11.1 Invitation to Chairman & Guest to attend the Southern 100 Racing Official Launch on Friday 17<sup>th</sup> February 2017 at 7.30

11.2 Invitation to Malew Parish Commissioners Annual Civic Service to be held at the Abbey Church in Ballasalla on Sunday 5<sup>th</sup> March 2017 at 3.00

12. Any other business of an urgent nature (by permission of the Chairman)

PORT ST MARY COMMISSIONERS

INVOICES TO BE PAID IN JANUARY 2017

Inv #	Date	Supplier	Description	House	Category	Total Net	VAT	Total Cost
<b>Household Expenses</b>								
1	30/12/2016	Healthch Limited	Bathroom upgrade	4 CB	Repairs	£3,612.00	£722.40	£4,334.40
2	09/01/2017	Healthch Limited	Lease files	1157A	Repairs	£661.00	£132.20	£793.20
3	04/01/2016	Safety Management Services	Asbestos	CB	Repairs	£300.00	£60.00	£360.00
<b>Sub Totals - Household</b>						<b>£4,573.00</b>	<b>£916.60</b>	<b>£5,489.60</b>
<b>Bath Born Expenses</b>								
3	10/01/2017	Armark	Office		Office expenses	£37.98	£0.00	£37.98
4	31/12/2016	Coof Bros	Milk		Office expenses	£6.00	£0.00	£6.00
5	31/12/2016	Coof Bros	Milk		Office expenses	£7.80	£0.00	£7.80
6	04/01/2017	Collis	Overalls		Sundry store	£28.50	£5.70	£34.20
7	09/01/2017	Department of Infrastructure	Partners memo/		Memorish	£10.00	£2.00	£12.00
8	16/01/2017	Department of Infrastructure	Tipping charge at EFV Plant		Refuse Expenses	£5,003.72	£1,000.74	£6,004.46
9	31/12/2016	St. Paphos	Townhall lit. repair		Townhall expenses	£455.00	£91.00	£546.00
10	11/01/2017	Heron Scaffoldings	Townhall deck		Townhall expenses	£500.00	£0.00	£500.00
11	09/01/2017	Island IT	Email hosting December		Computer expenses	£66.00	£13.20	£79.20
12	08/12/2016	J. Quatroneh	Lights		Sundry store	£11.22	£2.24	£13.46
13	08/12/2016	J. Quatroneh	Security nightlatch		Sundry store	£38.36	£7.67	£46.03
14	15/12/2016	J. Quatroneh	Wood		Sundry store	£84.22	£16.84	£101.06
15	22/12/2016	J. Quatroneh	Overalls		Sundry store	£18.75	£3.75	£22.50
16	11/01/2017	Magnet Trade	Worktop		Sundry store	£41.02	£8.20	£49.70
17	31/12/2016	Martin Retail	Binrol		Sundry fuel costs	£259.20	£51.83	£311.03
18	01/01/2017	Manx Telecom	January		Office - Telephone	£111.15	£22.23	£133.38
19	01/01/2017	Manx Telecom	January		Office - Telephone	£25.50	£5.10	£30.60
20	12/01/2017	Manx Utilities	Public Lighting - Oct - Dec		Public Lighting	£1,053.80	£370.76	£1,424.56
21	30/12/2016	Manx Utilities	Electricity		Office expenses	£5.85	£0.29	£6.14
22	29/12/2016	Ocean Motor Village	Vin Hire		Vehicles - General	£379.50	£75.90	£455.40
23	01/01/2017	OEB Limited	Waxes		Salvage	£108.00	£21.60	£129.60
24	04/01/2017	PE Commission's	Recharges		Financial/Maintenance	£3,065.13	£612.23	£3,677.36
25	06/01/2017	Sean Beattie	Hotel Hire		Christmas Eve	£320.00	£64.00	£384.00
26	31/12/2016	SCASB	EFV		Refuse Expenses	£51.57	£10.31	£61.88
27	08/01/2017	SCASB	Quarterly contribution		Refuse Expenses	£9,372.41	£0.00	£9,372.41
28	31/12/2016	Stanton Garage	Paint		Sundry fuel costs	£304.67	£60.93	£365.60
<b>Sub Totals - Bath Born</b>						<b>£22,066.75</b>	<b>£3,515.60</b>	<b>£25,582.35</b>
<b>TOTALS</b>						<b>£26,599.75</b>	<b>£3,432.20</b>	<b>£30,031.95</b>

Summary breakdown of Bath Born (excluding VAT)	
Stores, Public conveniences & lighting, Roads, Footpaths, Vehicles & operation of Trams	£3,028.64
Town Hall	£755.00
Office	£3,474.41
Xmas trees	£328.00
Repairs	£4,593.00
Refillium	£14,457.70
<b>Total</b>	<b>£26,599.75</b>

Repairs/ Maintenance Allowance	Expenditure to date	Allowance Remaining
£134,269.95	£51,165.99	£83,103.96

Paid In January	
Salaries	£71,309.78
Pensions	£3,908.01
INI & ITP	£1,581.72
Members Expenses	£240.00

**Sent:** 12 January 2017 11:42  
**Subject:** DEFA P&BC staffing update

TO ALL Local Authorities

Dear All

You will be aware from a recent press release that M has been appointed as the new Director of Planning and Building Control. With her move to this role there will be future appointments required in gaining the full complement of staff that the Directorate is aspiring toward. Your patience is appreciated whilst these staff changes are being undertaken.

With the start of the year we see a welcome return of our Conservation Officer, M who returns on a part time basis, in tandem with his role within the Department of Economic Development.

I am also happy to announce that M has been appointed to the role of Head of Building Control and Standards, replacing M who left the Island in January 2016. Having worked for the Directorate as a Building Control Officer since 2002 he is well versed in the process, procedure and legislation for Building Regulation applications and now undertakes responsibility for monitoring and updating legislation moving forward.

May I also take this opportunity to welcome M to our Building Control team. He will manage building control applications for the northern parishes/districts.

I hope to keep you up to date as future changes and recruitment within our Directorate may occur

Kind regards

**Head of Technical and Customer Services and  
Secretary to the Planning Committee**  
Planning & Building Control Directorate

Item 7.2

The Clerk  
Port St Mary Commissioners  
Town Hall  
Port St Mary  
Isle of Man  
IM9 5DA

Dear Sir

**Easter Festival of Running – Good Friday Road Race 14 April 2017**

I write on behalf of the organisers of the Isle of Man Easter Festival of Running to give your Commissioners information regarding our plans for the 2017 event.

Since 2006 the Good Friday Road Race has been held over the "Great South Run" course starting in Port Erin. The event now attracts over four hundred competitors and is quite a spectacle. The feedback from the athletes is extremely positive and as a result we have decided to follow the same format as in previous years.

A risk assessment has been completed for the course and we are liaising closely with the local Police.

The Festival organisers would welcome any input from your Commissioners and would be happy to discuss our plans in more detail with them. I can be contacted by telephone

RECEIVED  
13 JAN 2017



House of Keys  
Legislative Buildings  
Douglas  
Isle of Man  
IM1 3PW  
British Isles

Y Chiare as Feed  
Oikyn Slattyssagh  
Doolish  
Ellan Vannin  
IM1 3PW  
Ny Ellanyn Goaldagh

The Hon Juan Watterson BA(Hons) FCA CMgr FCMI SHK  
Speaker of the House of Keys  
*Lonyreyder y Chiare-as-Feed*

Our Ref JW/jw/C

10<sup>th</sup> January 2017

Port St Mary Commissioners  
Town Hall  
Port St Mary  
IM9 5DA

Dear Sirs

I am writing to you following correspondence with Harry [redacted] as well as [redacted] about some men whose names are missing off Rushen Parish Church's War Memorial. As you will appreciate these war memorials were erected by public subscription after the world wars. The Church agrees to maintain them, but not to fund additions.

The three names are:

[redacted]  
[redacted]  
[redacted]

The overall cost of the project, mainly the faculty application and the masonry work from [redacted]. Whilst I know [redacted] is happy to contribute, and I am happy to try and assist in a public subscription appeal, I would be grateful to know if the Commissioners would be willing to assist.

If I can be of any further assistance please do not hesitate to contact [redacted] or I directly.

Kind regards

Telephone + 44 (0) 1624 685507/685501  
Email: juan.watterson@gov.im

## Item 7.4

### **Subject:** Planting of Elm Tree - Ulmus 'New Horizon'

Further to our telephone conversation, here is the outline of what we discussed. The Department is exploring the possibility of importing a small number of disease resistant elms that could be planted around the Island in prominent positions to help promote the plight of our elm population. DEFA would like to offer PSM commissioners the opportunity to have one of these tree planted in your area. At this time, nothing is confirmed and we are just scoping out interest/feasibility.

Sites put forward for the planting of these trees would need to meet the following criteria:

1. Be publicly accessible
2. Be a prominent position that is important in the local landscape
3. Have suitable soil (not too wet/dry, enough depth/volume)
4. Have enough space (above ground) for growth to maturity
5. Have good access for delivery to site and implementation of planting
6. Have a (moderately) limited level of exposure

More information on the trees can be found here:

<http://www.hillier.co.uk/trees/products/listings/new-horizon/>

The idea is that DEFA would be paying for the planting stock and covering the cost of delivery to the Island. The planting would be carried out by our own staff. We would probably expect a programme of basic maintenance operations to be carried out by the local authorities involved. If you have any queries please do not hesitate to contact me.

UPDATE: At our end the project has been given the go-ahead so we are now at the stage of looking at potential planting sites.

Please can you let me know by the end of the month if the commissioners are interested?

Regards,

Arboricultural Officer

Forestry, Amenity and Lands Directorate | Department of Environment, Food and Agriculture

The Slieau Whallian | Foxdale Road | St Johns | Isle of Man | IM4 3AS

TEL: (+44) 01624 695705 |

**To: Port St Mary Commissioners**  
**Subject: Mobile and Family Library**

Dear Mr Hamilton

Happy New Year

It is that time of year when we are applying to Commissioners asking for their support once again. In previous years you have been able to pay £250 for our library services. We have been most grateful for this and it has been used to provide the Family Library stock and services in Westmoreland Road, Douglas and also to allow us to continue with our Mobile Library services to those in our community who are less able to get out and about.

We receive many acknowledgements of our services at this time of year which speak for themselves.

"To all my friends @ the Mobile Library thanks for another year of wonderful help with all my numerous books"

"Thank you for finding so many books I really enjoy"

"Many thanks for a brilliant service"

"Many thanks for your monthly visits, a morning I look forward to each time"

"To the ones who keep us sane"

"The ever increasing programme of activities is brilliant and I hope the Family Library will still be around as my son gets older and is able to participate in them. Thank you"

"What a fantastic place and over the years it has got better and better."

"The summer reading scheme is amazing and inspires my children to read avidly."

We are able to provide an invoice for our services which is how other Commissioners' find is the most suitable way of you being able to support us.

Please let me know if I can provide any further information for you to pass on for discussion at your meetings regarding next years budget.

Yours faithfully

**Librarian-in-charge, Mobile Family Library**



**From:**  
**Sent:** 09 January 2017 20:41  
**To:** Local Authorities  
**Subject:** Fwd: Keep Britain Tidy - Who We Are

Local Authorities

We would like to draw your attention to the latest Tidy Up campaign which is being planned for March 3rd-5th 2017.

This is the ideal opportunity for the island to clean up some of its public areas.

If you would like to organise a clean up you can register at-  
[www.greatbritishspringclean.org.uk](http://www.greatbritishspringclean.org.uk)

Bill Dale is going to do something with Beach Buddies.

<http://www.keepbritaintidy.org/ourcharity/529>

**Keep Britain Tidy - Who We Are**

[www.keepbritaintidy.org](http://www.keepbritaintidy.org)

Subject	Dog Control Bylaws
Decision Sought	Approval to go to Public Consultation
Background:	<p>A version of the bylaw with the requested amendments in it is overleaf. Staff are also working with Department staff to validate the cross reference information annotated.</p> <p>Board approval to put the bylaw to public consultation is sought. This process will allow 2 weeks for responses which will then be brought before the Board for any relevant amendments.</p> <p>Once confirmed the bylaw requires both the approval of the Department of Infrastructure Local Government Unit and to be laid before Tynwald.</p> <p>We are hopeful that this can be achieved by 30<sup>th</sup> April.</p>



Statutory Document No:

THE DOGS ACT 1990

## THE PORT ST MARY DOG CONTROL BYELAWS 2017

*Approved by the Department:*

*Coming into operation* 1<sup>st</sup> May 2017

In exercise of the powers conferred on the Commissioners of the Village District of Port St Mary by section 24 of the Dogs Act 1990<sup>1</sup>, and of all other enabling powers, and (as respects byelaws 4,5 and 6) with the consent of the respective owners of the open spaces in question, the following Byelaws are hereby made:

—

### **1. Citation, commencement and termination**

(1) These Byelaws may be cited as the Port St Mary Dog Control Byelaws 2017 and, subject to section 24(10) of the Act, shall come into operation on 1<sup>st</sup> May 2017 .

(2) These Byelaws shall, if not revoked earlier, cease to have effect on 31<sup>st</sup> March 2027.

### **2. Interpretation**

(1) In these Byelaws

“the Act” means the Dogs Act 1990.

“the Department” means the Department of Local Government and the Environment

(2) Other words have the meanings ascribed to them by the Act.

(3) References in these Byelaws to the keeper of a dog do not include:

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<sup>1</sup> 1990 c.16, as amended by the Dogs (Amendment) Act 2006  
Price 70p Price Code A

- (a) a registered blind person in charge of a dog; or
- (b) a member of the Isle of Man Constabulary in charge of a dog in the course of his duty.

### **3. Penalties**

Subject to Section 24(2) of the Act, any person guilty of an offence under these byelaws may be liable to a fixed penalty fine of £50.00 or, upon summary conviction, shall be liable to a fine not exceeding £1,000.

### **4. Dogs prohibited from open spaces and beaches**

Where any dog during a specified period of time or throughout the year is permitted to have access to the open space described in Part A of Schedule 1, or the beach described in Part B of Schedule 1, the keeper of the dog shall be guilty of an offence.

### **5. Dogs at large in open spaces and beaches**

Where any dog during a specified period of time or throughout the year is found to be at large in the open space described in Part A of Schedule 2, or the beach described in Part B of Schedule 2, the keeper of the dog shall be guilty of an offence.

### **6. Removal of canine faeces**

(1) Where the keeper of a dog fails without reasonable excuse to remove any faeces deposited by the dog on –

(a) any highway in its district which consists of or comprises a carriageway,

(b) an open space described in Part A of Schedule 3, or

(c) a beach described in Part B of Schedule 3,

the keeper of the dog shall be guilty of an offence.

(2) For the purpose of this Byelaw –

(a) faeces shall be taken as removed if they are deposited in any public bin provided for the purpose in the area or open space by a local or other public authority;

- (b) it shall not be a reasonable excuse that the keeper did not have with him any means of removal of the faeces.

## **7. Revocation**

The Port St Mary Dog Control Byelaws 2007 are hereby revoked.

**Byelaw 4.**

**SCHEDULE 1**

**PART A**

**OPEN SPACES WHERE DOGS ARE PROHIBITED**

**Throughout the year:**

The tennis courts, Kallow Point Road

The Children's playground, Clifton Road North

Those areas of Port St Mary Golf Links as delineated by a thick black line on the plan annexed to these Byelaws and marked "Map – Port St Mary Dog Control Byelaws 2017" (but excluding the un-adopted track across golf course between Clifton Road North and Clifton Road South and the Public rights of ways within the boundaries of the golf course referred to below in Schedules 2 and 3);

**PART B**

**BEACHES WHERE DOGS ARE PROHIBITED**

**Between the 1st May and the 30th September in any year and between the hours of 09:00 and 18:00 (BST):**

Dogs are prohibited from the whole of Chapel Beach (including the foreshore) (as delineated by a thick black line on the plan annexed to these Byelaws and marked "Map – Port St Mary Dog Control Byelaws 2017")

**Byelaw 5.**

**SCHEDULE 2**

**PART A**

**OPEN SPACES WHERE DOGS MAY NOT BE AT LARGE**

**Throughout the year:**

The grassed area known as Queens Place (Mount Tabor), Queens Road;

The grassed area known as The Point Triangle, Queens Road/ Clifton Road;

The grassed area known as Corner Plot, Loch Road;

The Public right of way through Perwick Rise to Glen Chass Road;

The Public coastal footpath from Strathallan, Callow Point Road to Perwick Road along Traie Coon;

The un-adopted track across golf course between Clifton Road North and Clifton Road South, also the Public rights of ways within the boundaries of the golf course;

The grassed area and footpaths at Kallow Point, Clifton Road as delineated by a dashed black line on the plan annexed to these Byelaws and marked "Map – Port St Mary Dog Control Byelaws 2017";

The coastal footpath from Willow Terrace to Chapel Beach known as the Catwalk;

The grassed verge to seaward on The Promenade;

The Lower Promenade walkway around Chapel beach to Gansey Point;

The grassed area and footpaths at Gansey Point as delineated by a dashed black line on the plan annexed to these Byelaws and marked "Map – Port St Mary Dog Control Byelaws 2017";

The Public coastal footpath from Gansey Point to the Smelt, Beach Road;

The Pound Lane (between Castletown Road and Beach Road);

The grassed area at fronting numbers 1-8 and 13-18, Barna Beg Bank, Barna Beg known as the Brews;

The grassed area abutting 1, The Paddocks;

The grassed area at Four Roads plots, Castletown Road / Four Roads;

The grassed area at Ballacreggan Corner Plot, junction. of Station Road / Beach Road;

**Byelaw 5.(continued)**

## **SCHEDULE 2**

### **PART B**

#### **BEACHES WHERE DOGS MAY NOT BE AT LARGE**

**During those times not specified in Schedule 1, Part B:**

The whole of Chapel Beach (including the foreshore) (as delineated by a thick black line on the plan annexed to these Byelaws and marked "Map – Port St Mary Dog Control Byelaws 2017").



**Byelaw 6**

**SCHEDULE 3**

**PART A**

**OPEN SPACES IN WHICH DOGS` FAECES MUST BE REMOVED**

**Throughout the year:**

The grassed area known as Queens Place (Mount Tabor), Queens Road;

The grassed area known as The Point Triangle, Queens Road/ Clifton Road;

The grassed area known as Corner Plot, Loch Road;

The Public right of way through Perwick Rise to Glen Chass Road;

The Public coastal footpath from Strathallan, Callow Point Road to Perwick Road along Traie Coon;

The un-adopted track across golf course between Clifton Road North and Clifton Road South, also the Public rights of ways within the boundaries of the golf course;

The grassed area and footpaths at Kallow Point, Clifton Road as delineated by a dashed black line on the plan annexed to these Byelaws and marked "Map – Port St Mary Dog Control Byelaws 2017";

The coastal footpath from Willow Terrace to Chapel Beach known as the Catwalk;

The grassed verge to seaward on The Promenade;

The Lower Promenade walkway around Chapel beach to Gansey Point;

The grassed area and footpaths at Gansey Point as delineated by a dashed black line on the plan annexed to these Byelaws and marked "Map – Port St Mary Dog Control Byelaws 2017";

The Public coastal footpath from Gansey Point to the Smelt, Beach Road;

The Pound Lane (between Castletown Road and Beach Road);

The grassed area at fronting numbers 1-8 and 13-18, Barna Beg Bank, Barna Beg known as the Brews;

The grassed area abutting 1, The Paddocks

The grassed area at Four Roads plots, Castletown Road / Four Roads;

The grassed area at Ballacreggan Corner Plot, junction. of Station Road / Beach Road;

**PART B**

**BEACHES IN WHICH DOGS` FAECES MUST BE REMOVED**

**During those times not specified in Schedule 1, Part B:**

The whole of Chapel Beach (including the foreshore) (as delineated by a thick black line on the plan annexed to these Byelaws and marked "Map – Port St Mary Dog Control Byelaws 2017").

**Throughout the year:**

The foreshore at Willow Terrace, Shore Road

MADE this day of

2017

Seal of Authority

Signed .....  
Authority

Chairman of

Signed .....  
Authority

Clerk of

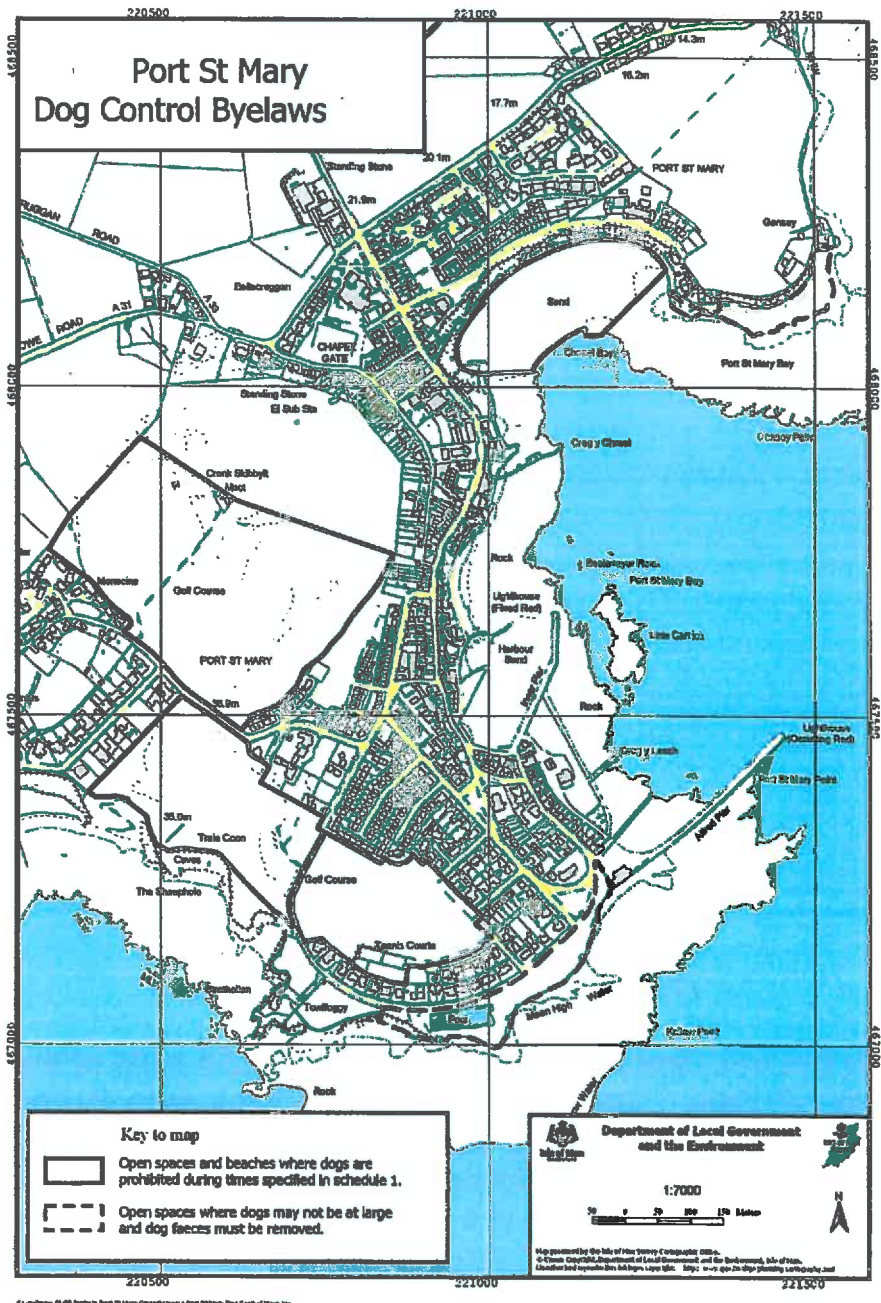
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**EXPLANATORY NOTE**

*(This note is not part of the Byelaws)*

These Byelaws impose controls on dogs in certain parts of the Village District of Port St Mary. Dogs are prohibited from the open spaces and beaches described in Schedule 1 and dogs may not be at large in the open spaces and beaches described in Schedule 2. A dog at large is a dog not on a lead or under the effective control of a person aged 10 years or over. Dog faeces must also be removed from any highway within its district which consists of or comprises a carriageway and from the open spaces and beaches described in Schedule 3.

Contravention is an offence by the keeper of the dog, punishable by a fixed penalty fine of £50 or, upon summary conviction, a fine of up to £1,000.



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**PORT ST MARY COMMISSIONERS**  
**ORDINARY BOARD MEETING**  
**25<sup>th</sup> JANUARY 2017**  
**AGENDA – PRIVATE SESSION**

1. Minutes for adoption
  - 1.1 Consideration of the minute of the Private Meeting of 11<sup>th</sup> January 2017
2. Matters Arising
  - 2.1 Matters arising from the Minute of 11<sup>th</sup> January 2017
3. Motions
4. Housing
5. Policy and Resources
6. Finance.
7. Staffing
8. Representative Confidential Reports
9. Private Correspondence
10. Health, Safety and Environmental Performance: No Report
11. Any other business of an urgent nature (by permission of the Chairman)

