

**PORT ST MARY COMMISSIONERS**  
**ORDINARY BOARD MEETING**  
**28<sup>th</sup> NOVEMBER 2018**  
**AGENDA – OPEN PUBLIC SESSION**

Item Number	Item	Action Required
<b>1.</b>	<b>OPENING OF THE MEETING</b>	
1.1	Welcome, Apologies & Declarations	As required by Board members
<b>2.</b>	<b>MINUTES</b>	
2.1	Minutes of the Ordinary Meeting held on the 14th November 2018	For Board approval
<b>3.</b>	<b>MATTERS ARISING</b>	
3.1	Matters arising from previous meetings	Clerk to provide necessary updates
<b>4.</b>	<b>MOTIONS - None</b>	
<b>5.</b>	<b>FINANCE</b>	
5.1	Invoices for payment late November 2018	For Board approval
<b>6.</b>	<b>PROJECTS</b>	
6.1	Mariners Shelter	For noting
6.2	Manxonia House	For noting
6.3	Remembrance Garden	N/A

6.4	Skate Park	For noting
6.5	Public Conveniences	N/A
6.6	Traffic Consultations	For noting
6.7	Happy Valley	For noting
6.8	Boat Park	For noting
6.9	Farmers/Christmas Market	For noting
6.10	Reduction in Board numbers	For noting
<b>7.</b>	<b>PUBLIC CORRESPONDENCE</b>	
7.1	Correspondence from Highways regarding outdoor seating of cafes	For Board discussion
7.2	Non Police convictions held on Police systems	For Board discussion
7.3	Thank you email received from Mr P Bone re Remembrance Service and dedication of sentinel	For noting
7.4	Email correspondence re southern recreation group	For noting
7.5	Email correspondence from the Business Association	For response
<b>8.</b>	<b>PUBLIC CONSULTATIONS - None</b>	

<b>9.</b>	<b>PLANNING MATTERS</b>	
9.1	Planning Applications 18/01183/B 18/01170/B 18/01022/B (additional plans)	For board discussion
9.2 – 9.4	Planning Approvals, Refusals & Amendments	None
9.5	Planning Appeals 18/00764/A	For board discussion
<b>10.</b>	<b>POLICY &amp; RESOURCES</b>	
10.1	2018 /19 Meeting Dates	For noting
10.2	Refuse Tonnage Figures	For noting
10.3	Draft Complaint Against Members Procedure	For Board discussion
<b>11.</b>	<b>INVITATIONS</b>	
11.1	Proposed Glamping & Campsite Open Day – Port Erin Commissioners	For noting
11.2	Invitation to the Tynwald Christmas Carol Service	For Board response
<b>12.</b>	<b>ANY OTHER BUSINESS OF AN URGENT NATURE (BY PERMISSION OF THE CHAIR)</b>	

Item 3.1

## **PORT ST MARY COMMISISONERS**

### **MATTERS ARISING & PUBLIC CORRESPONDENCE REPORT**

#### **Matters Arising from the minutes of 14<sup>th</sup> November 2018**

##### **Proposed changes to Standing Orders**

The agreed changes have been made and the revised document have be circulated to all members and updated on the website.

##### **Bay Queen**

The contractor has been requested to provide an update and information on how they intend to progress subject to planning approval.

##### **Youth Councils**

A meeting has been scheduled for the 3<sup>rd</sup> December.

#### **Public Correspondence from the minutes of 14<sup>th</sup> November 2018**

##### **Request for a defibrillator box**

A response has been issued granting permission for the mounting of the box and advising of charities that may be able to assist with donations.

##### **Rushen Silver Band**

A response was issued giving permission for a charitable collection and asking if they would be interested in a summer concert at Happy Valley, a response is awaited.

##### **Hedge Cutting**

A response has been issued requesting a visit to the village and welcoming advice on the process currently undertaken. A response is awaited.

No other correspondence required a response.

## PORT ST MARY COMMISSIONERS

## INVOICES TO BE PAID IN NOVEMBER 2018 (2ND MEETING)

Rate Born Expenses										
Inv #	Date	Inv Number	Supplier	Description		Category	NL Code	Total Net	VAT	Total Cost
580	20/11/2018	510668	Argon Office Systems	Photocopying 17.10 - 19.11.18		Photocopying	5060	£137.25	£27.45	£164.70
581	16/10/2018	0920873502	B & Q (Trade Point)	Woodstain/chains		Outdoor seating	5810	£44.20	£8.84	£53.04
582	16/11/2018	G18C3910	Colas	Work clothes		Sundry - Store	6020	£366.91	£73.38	
582	16/11/2018	G18C3910	Colas	Paint		Memorials	5805	£84.50	£16.90	£541.69
583	06/11/2018	371089	DOI - Ports	PSM Coastal footpath		Footpath Maintenance	5520	£0.12	£0.02	£0.14
584	07/11/2018	371253	DOI - Finance	Tipping - Dom & Comm Oct		Refuse Expenses	5210	£5,318.10	£1,063.62	£6,381.72
585	13/11/2018	19130	Island IT	DPN Access to server		C & M EPH Recharge	6108	£27.50	£5.50	£33.00
586	08/11/2018	2041	Manx Pack Ltd	Filter coffee 50 x 3 pint		Office Expenses	5170	£28.00	£0.00	£28.00
587	07/11/2018	U1271006	Manx Utilities	Water - Public convenience	Quay	Public Conv Gen Exes	5400	£216.41	£0.00	£216.41
588	07/11/2018	U1271007	Manx Utilities	Water - Public convenience	Gell Ave	Public Conv Gen Exes	5400	£38.98	£0.00	£38.98
589	31/10/2018	660/22141	MC Locksmith Services	Fit office digital key pad		Town Hall Expenses	5150	£122.62	£24.52	£147.14
590	05/11/2018	51616	Quine & Cubbon	Posters WW1 Exhibition		Civic Events Expenses	5082	£11.40	£2.28	£13.68
591	13/11/2018	001/090778	JR Riley Ltd	Reps to garden M/c		Garden machinery	5267	£24.33	£4.87	£29.20
592	04/10/2018	262355	Sadler Agricultural Supp	Wooden landscape rake		Garden machinery	5267	£33.00	£6.60	£39.60
593	05/11/2018	I009671819	Sage	Sage 50 Accounts upgrade		C & M EPH Recharge	6108	£325.97	£65.19	£391.16
594	12/11/2018	I009677723	Sage	Sage cover to 27.11.19		C & M EPH Recharge	6108	£629.00	£125.80	
594	12/11/2018	I009677723	Sage	Sage cover to 27.11.19		MCHC Recharge	6106	£629.00	£125.80	
594	12/11/2018	I009677723	Sage	Sage cover to 27.11.19		Computer Expenses	5140	£629.00	£125.80	£2,264.40
595	18/11/2018	2100	Terry Crook Bldg & Prop	Reps porch roof, Pavilion Cafe		Golf - Pavillion	5690	£110.00	£22.00	£132.00
596	15/11/2018	81429	Unique Fire Protection	Service call - Snooker club		Sundry - Store	6020	£17.00	£3.40	£20.40
597	15/11/2018	81430	Unique Fire Protection	Fire extinguishers - Rifle Club		Sundry - Store	6020	£30.15	£6.03	£36.18
598	15/11/2018	81431	Unique Fire Protection	Fire extinguishers - Workshop	Stores	Sundry - store	6020	£44.70	£8.94	£53.64
599	07/11/2018	286917	WDS Ltd	Towels and toilet tissue		Public Conv Gen Exes	5400	£38.82	£7.76	
600	07/11/2018	286917	WDS Ltd	Banquet roll		Civic Events Expenses	5082	£30.74	£6.15	£83.47
515	30/09/2018	0000803380	Wicksteed	Playground reps now approved		Playground	5820	£957.85	£191.57	£1,149.42
<b>Sub Totals - Rate Born</b>								<b>£9,895.55</b>	<b>£1,922.42</b>	<b>£11,817.97</b>

PORT ST MARY COMMISSIONERS

INVOICES TO BE PAID IN NOVEMBER 2018 (2ND MEETING) continued

Housing Expenses										
Inv #	Date	Inv Number	Supplier	Description	House	Category	NL Code	Total Net	VAT	Total Cost
601	12/11/2018	1194	Carl Jenkins Design	Prof services re bathroom replacement project		Professional Services	6099	£1,085.00	£0.00	£1,085.00
<b>Sub Totals - Housing</b>								<b>£1,085.00</b>	<b>£0.00</b>	<b>£1,085.00</b>
<b>TOTALS</b>								<b>£10,980.55</b>	<b>£1,922.42</b>	<b>£12,902.97</b>

Summary Breakdown of Expenditure (excluding VAT)	
Stores, Gdns, WC's, Refuse, Playground, Golf Pavillion etc	£7,268.57
Office expenses - photocopying, Sage cover	£766.25
Town Hall Expenses	£122.62
C & M EPH Recharge	£982.47
MCHC Recharge	£629.00
Civic events and memorials	£126.64
Housing	£1,085.00
<b>Total</b>	<b>£10,980.55</b>

**PORT ST MARY COMMISSIONERS****PROJECTS UPDATE**

6.1	<b>Mariners Shelter</b> Paperwork to confirm the end of the lease agreement is awaited from the Department.
6.2	<b>Manxonia House</b> The property is on the market and the covenant wording is currently being drawn up under the guidance of the Attorney Generals Office.
6.3	<b>Remembrance Garden</b> No update available.
6.4	<b>Skate Park</b> Suggestions have been sent by e-mail and feedback is awaited.
6.5	<b>Public Conveniences</b> No update available.
6.6	<b>Traffic Consultations</b> Highways have confirmed that the resurfacing works due to be carried out are from St Marys Church down to the Junction of High Street & Park Road. However, the works have now been postponed to 2020/21.
6.7	<b>Happy Valley</b> The ownership of the pavement is being investigated & a second opinion has been sought from another Structural Engineer.
6.8	<b>Boat Park</b> Permission is sought from the Board to put this project on hold.
6.9	<b>Farmers/Christmas Market</b> The market has been advertised and 18 stall holders have been confirmed. Permission is sought from the Board to serve mulled wine on the evening.
6.10	<b>Reduction in Board numbers</b> The Local Government Unit have been asked to confirm the current status of this process and the response below has been received. In terms of your authorities reduction in numbers we are aware of the need to progress this, we are in discussions with the AGs about the draft scheme, however, we have unfortunately been unable to give it priority at this time. Once we are able to clear some of the backlog I am sure we will be able to forward you the draft Scheme for the Commissioners to sign off. This would enable us the chance to start the ball rolling with a likely Inquiry being held in Spring 2019. By the way we are aware of the timeframe in terms of when the whole process would need to be completed by to enable an Order (if approved) to be put in place before the General Election in 2020.

Item 7.1

## PORT ST MARY COMMISSIONERS

### PUBLIC CORRESPONDENCE

Good Afternoon

Please find below some information which may assist when considering licensing pavements cafes, and guidance on how Highways consider obstructions on the Highway.

As you are aware Port St Mary Commissioners are the licencing authority for this under the Highways Act 1986 s78 "Provision of cafes, kiosks, etc. In highways". The legislation does not mention any footway widths or other dimensions, however, it does state

**2) A local authority must not grant a licence that permits facilities to be provided, or any furniture or structure to be placed, in a highway so as —**

***(a) to obstruct a carriageway forming part of the highway;***

***(b) to prevent access to any land or premises or any other highway from the highway;***

***(c) to prevent the passage of pedestrians along any footway forming part of the highway;***

***(d) to prevent the Department from carrying out any works of maintenance of the highway;***

***(e) to prevent a statutory undertaker from having access to its apparatus under, in, on, over, along or across the highway; or***

***(f) to interfere with any such apparatus.***

The Department uses best practice and guidance from Manual for Manx Roads and the New Metric Handbook, Blind Welfare when assessing requests for street furniture to be placed on the Highway. This determines (depending on hierarchy of the road) what width of unobstructed pavement is required to be maintained. The normal width is 1.2 metres.

It is also important to note that pavement cafes should be contained within an approved safety with a tapping rail for visually impaired pedestrians.

Another safety note to point out is the carrying of beverages across a highway for a number of reasons:

- Clearing up of spillages (glass) if a tray is dropped (especially on the highway in an open road).
- Customers not paying due care and attention when crossing the road.

I hope the above provides you with the information you require, if I can assist further then please do not hesitate to contact me directly.

Kind regards **Andrea Hawley**

Item 7.2

## PORT ST MARY COMMISSIONERS

### PUBLIC CORRESPONDENCE

*MEOIRYN SHEE-ELLAN VANNIN*



ISLE OF MAN CONSTABULARY  
Police Disclosures Team  
Department of Home Affairs Headquarters  
Tromode Road  
Douglas  
ISLE OF MAN  
IM2 5PA  
Tel: +44 (0)1624 631410  
Email: [DHAVETTINGANDDISCLOSURES@gov.im](mailto:DHAVETTINGANDDISCLOSURES@gov.im)  
[DPO-Police@gov.im](mailto:DPO-Police@gov.im)

15<sup>th</sup> November 2018

ALL COMMISSIONERS  
(via email)

Dear Sir/Madam

#### **Non-Police Convictions held on Police systems.**

Historically the Isle of Man Constabulary has been the holder of the defacto conviction history information in respect of individuals.

A recent review of the records that are held has revealed that the Constabulary is holding information which it has no legal basis to hold.

1. Television licence offences
2. Commissioners offences (unpaid Fixed Penalty Notices which result in prosecution)
3. Bylaw offences
4. Treasury offences
5. Cabinet office – census offences
6. Fisheries offences – only non-recordable

The Constabulary is taking steps to ensure that it is compliant with Data Protection Legislation and considers that it cannot act as the holder for these convictions any longer.

The Constabulary is writing to you as your organisation may be impacted by these changes and to allow you to make comment and to make alternative arrangements where they are necessary.

Yours faithfully

**Information Governance Manager**

Item 7.3

**PORT ST MARY COMMISSIONERS**

**PUBLIC CORRESPONDENCE**

Can I take this opportunity to thank you, the Commissioners staff and the Commissioners for adding Fiona's name to the Sentinel.  
This privilege has meant a lot to my family and we were deeply moved by Sundays Remembrance Service, and gratified by the attendance of so many.  
It was lovely to have the opportunity to meet so many old friends of both ourselves and [REDACTED]

Many Thanks

[REDACTED]

Item 7.4

## **PORT ST MARY COMMISSIONERS**

### **PUBLIC CORRESPONDENCE**

**The office are compiling a list of regular events, the Board are asked to provide information on anything that they are aware of.**

Dear All

Further to the meeting on the 31<sup>ST</sup> October which unfortunately there was a bit of confusion over the following points were agreed to progress.

- 3.. That each Authority could compile a list of recreational facilities and regular events in their area
- 2) If Possible a list of Whats on
- 3) A list of any proposed upgrades to facilities or new facilities
- 4) That Graham Cregeen MHK will check to see if we can get a STEP student to sort out a recreation and events website which will link to all southern Authorities website
- 5) That at a future meeting invite guests for example youth services, MSR, age concern or southern community partnership.

Regards

**Graham**

**Hon Graham Cregeen MHK**

Member of House of Keys for  
Arbory Castletown and Malew  
Legislative Buildings  
Douglas  
ISLE OF MAN  
IM1 3PW

**Minister Department Education, Sport and Culture**

Hamilton House  
Peel Road  
Douglas  
Isle of Man  
IM1 5EZ

Item 7.5

**PORT ST MARY COMMISSIONERS**

**PUBLIC CORRESPONDENCE**



November 2018

Dear Port St Mary Business

Port St Mary Business Association is delighted to announce the Port St Mary Welcome scheme. The Welcome Scheme is a brand-new initiative designed to let your customers and potential customers how you can help make their time in Port St Mary an experience to remember by letting them know how much help you can offer. We are aiming to show visitors and residents alike what helpful, lovely people the businesses in Port St Mary are.

As a member of the Business Association, you are invited to order your very own set of Port St Mary Welcome badges to display in your business. You can choose which services or assistance you are happy to offer. There is no need to agree to every service, eg if you don't have a toilet suitable for members of the public to access, then don't choose that badge. You're the best person to know what help, assistance or service your business can offer.

The range of badges is shown on the next page. All of these services or assistance are included to make visitors with additional (perhaps hidden) needs feel that they can ask for help if they need it. For example, a person needing to sit down might not feel they can ask for a chair. People with limited mobility often need just to rest for a few minutes before they carry on. The idea is that they might not be a customer, but could just be walking past and feeling that they need to rest a little. We hope that this sort of scheme will show Port St Mary in a positive light. No other village or town has anything similar on this scale.

Each business who is a member of the Business Association for 2019 will receive a free foamex board printed with their specific set of Port St Mary Welcome Badges. And if you have any other suggestions for help or assistance that we could offer to visitors and residents, please let us know. We would be happy to add to the range.

As each business will be able and happy to offer a different set of assistance, the boards will be specifically printed for your company. If you want to send us your business logo, we will add that to the board as well. Please email logos [michelle@discoverdiving.im](mailto:michelle@discoverdiving.im) A proof version of your badge board will be emailed back to you for checking before it is printed.

Best wishes

Company name

Contact person

Telephone number

1. I enclose my 2019 membership fee (£10 for renewing members and £20 for new members)
2. I would like to order the following badges for my company please

	Yes, please can I have this badge
Litter bin	
Refill water bottles	
AED	
Breastfeeding friendly	
Service dogs welcome	
Toilet available	
Telephone	
Place to sit	
First Aid Kit	
Charity donation point	
Dogs welcome	
Wi Fi	
Please add my company logo (email logo to <a href="mailto:michelle@discoverdiving.im">michelle@discoverdiving.im</a> )	



Item 9.2

## **PORT ST MARY COMMISSIONERS**

### **PLANNING**

#### **9.2 Approvals**

18/01183/B The Anchorage, Queens Road, Port St Mary. Mr S Toher. Alterations to dwelling including installation of balcony at first floor level.

18/01170/B Maycroft, Park Road, Port St Mary. Mr C Rooney. Alterations including installation of a first floor window, timber cladding, replacement windows and window and door.

18/01022/B (additional plans) Part field 411629 (associated with Ballacreggan Farm) Adjacent the Railway Station Hotel, Station Road, Port St Mary. Olive Tree Ltd. Creation of a car park with associated access.

#### **9.5 Appeals**

18/00764/A Waitara and Site to north, Clifton Road, Port St Mary. Mr D Tomlinson. Appeal against Approval in principle for the demolition of existing dwelling and construction of 3 detached dwellings with garages.



Item 10.2

**PORT ST MARY COMMISSIONERS**

**REFUSE DISPOSAL TONNAGE FIGURES**

It was agreed in August that the refuse tonnage figures would be provided on a quarterly basis.

<b>Month</b>	<b>Split</b>	<b>Weight 2017 (tonnes)</b>	<b>Weight 2018 (tonnes)</b>	<b>Variance</b>
April	Commercial	5.43	5.43	-
	Domestic	39.57	36.35	-3.22
May	Commercial	5.43	5.43	-
	Domestic	44.47	41.25	-3.22
June	Commercial	5.43	5.43	-
	Domestic	42.53	41.25	-1.28
July	Commercial	5.43	4.77	-0.66
	Domestic	42.89	54.91	12.02
August	Commercial	5.43	5.04	-0.39
	Domestic	54.55	44.90	9.65
September	Commercial	5.43	3.60	-1.83
	Domestic	40.19	43.44	3.25
October	Commercial	5.43	4.16	-1.27
	Domestic	50.37	52.88	2.51

Item 11.1

**PORT ST MARY COMMISSIONERS  
INVITATIONS**

Port Erin Commissioners  
12 Bridson Street, Port Erin, IM9 6AN  
Tel: 01624 832298  
E-mail: [info@porterin.gov.im](mailto:info@porterin.gov.im) Website: [www.porterin.gov.im](http://www.porterin.gov.im)  
Clerk: J M Roberts



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

16 November 2018

**Re: Open Day - Proposed Glamping & Campsite**

Dear Sirs,

The Board of Port Erin Commissioners extends an invitation to Port St Mary Commissioners to an Open Day to view the proposed outline plans for a glamping and campsite in Port Erin.

The Open Day will be held at Port Erin Commissioners' Office between 2pm and 8pm on Thursday 6<sup>th</sup> December 2018.

Hope to see you then.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J M Roberts', is written over a white rectangular area.

Mr J M Roberts  
Clerk

Item 11.2

**PORT ST MARY COMMISSIONERS  
INVITATIONS**

Legislative Buildings  
Douglas  
Isle of Man  
IM1 3PW  
British Isles

Telephone: 01624 685500



**President of Tynwald  
Eaghtyrane Tinvaal**

The Hon Stephen C Rodan BSc (Hons),  
MR Pharm S, MLC

Oikyn Slattyssagh  
Doolish  
Ellan Vannin  
IM1 3PW  
Ny Ellanyn Goaldagh

Chelloane: 01624 685500

RECEIVED  
22 NOV 2018

Our Ref: SCR/LT

21st November 2018

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

Dear Sir or Madam

**Tynwald Christmas Carol Service: Thursday 13<sup>th</sup> December 2018 at 1.10pm**

I wish to extend an invitation to the Commissioners to attend this year's Tynwald Carol Service.

The service is taking place at St George's Church, Upper Church Street, Douglas, on Thursday 13<sup>th</sup> December. The music will be provided by two choirs: the Government Staff Choir and the Tynwald Choir. The service will commence at 1.10pm and will be followed by refreshments at the conclusion of the service at approximately 2pm.

Yours sincerely

Steve Rodan  
President of Tynwald