

**PORT ST MARY COMMISSIONERS
ORDINARY BOARD MEETING
26th FEBRUARY 2020
AGENDA – OPEN PUBLIC SESSION**

Item Number	Item	Action Required
1.	OPENING OF THE MEETING	
1.1	Welcome, Apologies & Declarations	As required by Board members
2.	MINUTES	
2.1	Minutes of the Ordinary Meeting held on the 22 nd January 2020	For Board approval
3.	MATTERS ARISING	
3.1	Matters arising from previous meetings	Clerk to provide necessary updates
3.2	Easter Festival of Running information	For noting
3.3	Commissioners information leaflet – to be tabled	Board to approve
4.	MOTIONS – None	
5.	FINANCE	
5.1	Invoices for payment in February 2020	For Board approval
5.2	Quote regarding Health & Safety Report	Board to discuss and approve
5.3	Street light replacement	For Board approval
6.	PROJECTS	

6.1	Mariners Shelter	For noting
6.2	Manxonia House	For noting
6.3	Remembrance Garden	For noting
6.4	Skate Park	For noting
6.5	Public Conveniences	For noting
6.6	Highways	For noting
6.7	Happy Valley	For noting
6.8	Boat Park	For noting
6.9	Jetty Repair	For noting
6.10	Bay Queen Exhibition	For noting
6.11	Mona's Queen III Exhibition – Verbal update from the Chair	For noting
7.	HOUSING	
7.1	Housing Report	For noting

7.2	Tenancy Arrears Report	For noting
8.	PUBLIC CORRESPONDENCE & COMMUNICATIONS	
8.1	Flower Festival	For Board discussion
8.2	Manx Utilities Public Lighting Maintenance Fees	For noting
8.3	Easter Festival of Running update	For Board discussion
9.	PLANNING MATTERS	
9.1	Planning Applications	For Board discussion
9.2	Planning Approvals	For noting
9.3	Planning Amendments	For Board discussion
9.4	Certificate of Lawful Development	For noting
10.	POLICY & RESOURCES	
10.1	Review of Standing Orders	For Board approval
10.2	Draft Social Media Policy	Board to discuss & approve
10.3	2020 Meeting Dates	For noting
11.	PUBLIC CONSULTATIONS	

11.1	Planning reform - Proposed Amendments to Increased Permitted Development	For Board discussion
11.2	Climate Change Bill Targeted Engagement	For Board discussion
12	INVITATIONS	
12.1	Invitation to Arbory Civic Service Sunday 15 th March	For Board discussion
13	ANY OTHER BUSINESS OF AN URGENT NATURE (BY PERMISSION OF THE CHAIR)	

Item 3.1

PORT ST MARY COMMISSIONERS MATTERS ARISING & PUBLIC CORRESPONDENCE REPORT

Matters Arising

Street Signs by Rushen Heritage Trust – The signs have been ordered and PR is being arranged in conjunction with the RHT.

Complaints Procedure – The procedure has been circulated to all staff who have signed to agree their understanding of the new policy. The website will be updated and forms will be provided at the meeting (along with a copy of the procedure) for Members to sign their agreement and understanding.

Christmas sleigh donation – The providers of the sleigh requested the £100 donation was paid to Rebecca House, Children's Hospice, a letter of thanks has been received.

Standing Orders – A version including tracked changes was circulated to all members electronically.

Sit & Chat Benches – It is intended that the initiative will go live over April weekend. Hospice are arranging press.

Public Correspondence

Street Traders Licence request for further information – The below has been received in response to a request for further information;

Hi Margaret,

the initial location I was thinking was a spot along Chapel Beach, I think it would be nice for walkers to have a spot to stop off during the summer evenings. I would like to start from early April possibly covering Friday, Saturday and Sunday evenings staying open no later than 8pm. I play no music from my trailer so there will be no noise disturbance to residence along the promenade. Of course I would be prepared to discuss a set schedule that would suit the board of Port St Mary.

Thank you, Lee.

Item 3.2

PORT ST MARY COMMISSIONERS

Further information requested from Manx Harriers:

The Quine & Cubbon 10k race takes place on Good Friday, 10 April 2020. The race starts in Port Erin at 18:45.

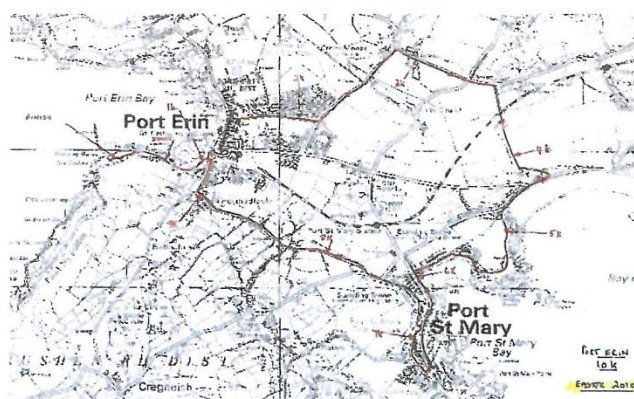
We will be applying for a Road Closure Order and Suspension of Parking for the Lower Promenade in Port Erin. No road restrictions are necessary for Port St Mary.

I attach a copy of the route description for your information.

Please let me know if require any further information.



Course route:



Course description

The start line is in the vicinity of Port Erin breakwater. Runners will head initially towards the old Marine Biological Station buildings, passing through the finish line and follow the road round passing the Lifeboat station along Shore Road, Port Erin. Continue past The Bay Hotel and turn right at The Bridge Book Shop. There is then a sharp climb up Strand Road for approximately 150m. The course winds its way out of Port Erin along the upper Promenade, right into Bay View Road, left onto Ballafesson Road and right at Ballachurry corner towards Colby crossing the Ballakillowey Roundabout. The course then turns right along Mount Gawne Road, over the railway line before crossing Shore Road and turning right at the bottom of the hill. The course then heads south by the sea wall, bearing left on the coastal footpath at the Gansey Pottery Building.

The coastal path leads towards the village of Port St Mary. There will be a drinks station at around 5k. Continue along the footpath past the beach onto the raised walkway (known as the Catwalk). Upon reaching the bottom end of the High Street, at the Albert Pub take a sharp right hand turn. Head up the High Street keeping to the left hand side of the road as far the cross roads next to Scoill Phurt Le Moirrey.

At the crossroads, turn left onto Plantation Road. After approximately 200m, bear right onto Truggan Rd. The course is then back on country roads until around 9k when it returns to Port Erin. There is a steep descent on Ballafurt Road where the course returns to Shore Road, Port Erin. Once back here you pass The Bay Hotel, re-cross the start line and finish further up the road at the old Marine Biological Station buildings.

Item 5.1

PORT ST MARY COMMISSIONERS

INVOICES TO BE PAID IN FEBRUARY 2020
Rate Born Expenses

Inv #	Date	Inv Number	Supplier	Description	House	Category	NL Code	Total Net	VAT	Total Cost
1363	21/01/2020	517125	Argon Office Systems	Printer charges -17/12/19 to 17/01/20	N	Office Expenses	5060	£ 79.83	£ 15.97	£ 95.80
1364	31/01/2020	SINV00276914	BHX	Dividers and pens	N	Stationary and Printing	5050	£ 89.47	£ 17.89	£ 107.36
1365	30/08/2019	SINV00247700	BHX	Dividers , diaries and lanyards	N	Stationary and Printing	5050	£ 186.43	£ 37.29	£ 223.72
1366	31/01/2020	1048330664	BNQ	Benches - woodstain	N	Outdoor seating	5810	£ 30.00	£ 6.00	£ 36.00
1367	26/11/2019	1030732000	BNQ	Christmas - Timers and duty box	N	Christmas Trees	5830	£ 11.67	£ 2.33	£ 14.00
1368	31/01/2020	1138JAN20	Calvert Newsagents	Stamps and Examiner - January 2020	N	Stationary and Printing	5170	£ 128.70	£ -	£ 128.70
1369	20/01/2020	G20C0251	Colas	Stores - uniforms	N	Stores	6020	£ 537.84	£ 107.56	£ 645.40
1370	25/01/2020	1180250120	Cooil Brothers	Milk - Office - January 2020	N	Office Expenses	5170	£ 6.00	£ -	£ 6.00
1371	25/01/2020	1270250120	Cooil Brothers	Milk - Stores - January 2020	N	Stores	6020	£ 12.00	£ -	£ 12.00
1372	05/02/2020	I0237	Greenwood Garden Serv	Tree limbing - The Lhargan	N	Gardens and Flowerbeds	5260	£ 30.00	£ -	£ 30.00
1373	05/02/2020	I0236	Greenwood Garden Serv	Stihl chainsaw service kit	N	Garden Machinery	5267	£ 42.99	£ -	£ 42.99
1374	04/02/2020	22343	Island IT	Email hosting - 25.01.20 to 24.02.2020	N	Computer Expenses	5140	£ 70.00	£ 14.00	£ 84.00
1375	28/01/2020	22276	Island IT	NAS storage issues	N	Computer Expenses	5140	£ 41.25	£ 8.25	£ 49.50
1376	07/01/2020	22076	Island IT	Email hosting - 25.12.2019 to 24.01.20	TH	Computer Expenses	5140	£ 70.00	£ 14.00	£ 84.00
Subtotal								£ 1,336.18	£ 223.29	£ 1,559.47

PORT ST MARY COMMISSIONERS

INVOICES TO BE PAID IN JANUARY 2020

Rate Born Expenses (continued)

Inv #	Date	Inv Number	Supplier	Description	House	Category	NL Code	Total Net	VAT	Total Cost
1377	07/01/2020	22088	Island IT	ESET file security for server and checks	N	Computer Expenses	5140	£ 174.20	£ 34.84	£ 209.04
1378	22/01/2020	22191	Island IT	Server and power issues	N	Computer Expenses	5140	£ 137.50	£ 27.50	£ 165.00
1379	31/12/2019	156498	JDW Engineering Ltd	Empty portaloo - Fistard Road - January 2020	N	Refuse Expenses	5400	£ 25.00	£ 5.00	£ 30.00
1380	31/12/2019	156501	JDW Engineering Ltd	Empty portaloo - Promenade- January 2020	N	Refuse Expenses	5400	£ 25.00	£ 5.00	£ 30.00
1381	31/01/2020	156778	JDW Engineering Ltd	Empty portaloo - Fistard Road - January 2020	N	Refuse Expenses	5400	£ 25.00	£ 5.00	£ 30.00
1382	13/01/2020	20745	JRB Enterprise Ltd	Dog gloves and bags	N	Refuse Expenses	5270	£ 146.00	£ 29.20	£ 175.20
1383	30/01/2020	2070585	J Qualtroughs & Co	Paths - moss remover	N	Footpaths	5520	£ 72.81	£ 14.56	£ 87.37
1384	31/01/2020	2071131	J Qualtroughs & Co	Rafters - wood and fence posts	N	Rafters	5850	£ 134.70	£ 26.94	£ 161.64
1385	13/01/2020	2066888	J Qualtroughs & Co	Benches - woodstain paint	N	Outdoor seating	5810	£ 10.19	£ 2.04	£ 12.23
1386	23/01/2020	2068997	J Qualtroughs & Co	Lever and latch	13PR	Housing	6100	£ 53.57	£ 10.71	£ 64.28
1387	09/01/2020	2066163	J Qualtroughs & Co	Levers and plastic clothes line	N	Housing	6100	£ 22.80	£ 4.56	£ 27.36
1388	31/01/2020	001/135887	JR Riley Ltd	Mower oil	N	Garden Machinery	5267	£ 13.67	£ 2.73	£ 16.40
1389	29/01/2020	001/101410	JR Riley Ltd	Stihl strimmer filter and service	N	Garden Machinery	5267	£ 56.92	£ 11.38	£ 68.30
1390	29/01/2020	001/101411	JR Riley Ltd	Mower repair parts	N	Garden Machinery	5267	£ 191.71	£ 38.37	£ 230.08
Subtotal								£ 1,089.07	£ 1,152.39	£ 6,933.95

PORT ST MARY COMMISSIONERS
INVOICES TO BE PAID IN FEBRUARY 2020
Housing Expenses

Inv #	Date	Inv Number	Supplier	Description	House	Category	NL Code	Total Net	VAT	Total Cost
1414	22/01/2020	1460	Heat Tech	Bleed radiator and fire up	20SMA	Housing	6100	£ 40.00	£ 2.00	£ 42.00
1415	22/01/2020	1467	Heat Tech	Change immersion heater - Kitchen	TH	Town Hall	5151	£ 204.68	£ 10.23	£ 214.91
1416	22/01/2020	1468	Heat Tech	New boiler installation	4PR/3BB	Housing	6100	£ 3,104.97	£ 155.25	£ 3,260.22
1417	23/01/2020	1475	Heat Tech	Replace safety discharge	5PR	Housing	6100	£ 101.74	£ 5.09	£ 106.83
1418	23/01/2020	1476	Heat Tech	Change room thermostat	1PADD	Housing	6100	£ 48.90	£ 2.45	£ 51.35
1419	23/01/2020	1477	Heat Tech	Change room thermostat	3SF	Housing	6100	£ 48.90	£ 2.45	£ 51.35
1420	15/01/2020	32223	Manx Glass & Glazing	PVC door service	12BB	Housing	6100	£ 36.00	£ 7.20	£ 43.20
1421	31/01/2020	32298	Manx Glass & Glazing	Install panel door an weather bar	13PR	Housing	6100	£ 360.65	£ 72.13	£ 432.78
1422	25/11/2019	7151	Safety Management	Garage roof survey - The Lhargan	LHA	Housing	6100	£ 150.00	£ 30.00	£ 180.00
1423	31/01/2020	131883	SCS	Electrical checks	13PR	Housing	6100	£ 250.00	£ 50.00	£ 300.00
1424	27/01/2020	131775	SCS	EICR and remedial works	5PR	Housing	6100	£ 239.13	£ 47.83	£ 286.96
1425	17/01/2020	131544	SCS	Bathroom light repair	7LA	Housing	6100	£ 50.00	£ 10.00	£ 60.00
1426	20/01/2020	131592	SCS	Heat and smoke detector replacement	6SA	Housing	6100	£ 111.67	£ 22.33	£ 134.00
1427	20/01/2020	131593	SCS	Door bell repair	7BSMA	Housing	6100	£ 50.00	£ 10.00	£ 60.00
1428	27/01/2020	131773	SCS	EICR	11ASMA	Housing	6100	£ 217.55	£ 43.51	£ 261.06
1429	17/01/2020	131545	SCS	Clock - fit lights		Town Hall	5150	£ 290.54	£ 58.11	£ 348.65
1430	05/02/2020	231	T & E Painters	Interior painting	11ASMA	Housing	6100	£ 950.00	£ -	£ 950.00
Subtotal								£ 6,254.73	£ 528.57	£ 6,783.30
Total								£ 20,332.74	£ 3,043.23	£ 23,163.56

PORT ST MARY COMMISSIONERS

Category	Amount
Christmas Trees	£ 971.67
Computer Expenses	£ 492.95
Flags and plaques	£ 100.00
Footpaths	£ 72.81
Garden Machinery	£ 305.29
Gardens and Flowerbeds	£ 30.00
Happy Valley	£ 1,006.25
Housing	£ 5,839.35
Manxonia House	£ 90.17
MCHC	£ 107.76
Office Expenses	£ 382.89
Outdoor seating	£ 40.19
Professional Fees	£ 1,186.25
Public lighting	£ 2,526.05
Rafters	£ 134.70
Recharge	£ 6.95
Refuse Expenses	£ 221.00
Stationary and Printing	£ 404.60
Stores	£ 549.84
Town Hall	£ 3,303.64
Town Hall Cleaning	£ 361.23
Town Hall Expenses	£ 489.29
Town Hall Light	£ 1,374.06
Vehicle - general	£ 335.80
	£ 20,332.74

Rate Born Payments in January 2020	Salaries Gross	Employers' NI Contribution	Governm ent Pension Scheme Contributi ons	Members Allowance s
Office	£ 9,239.71	£ 3,064.37	£ 3,818.97	
DLO	£ 9,707.62	£ 2,716.29	£ 3,600.66	
Member s Allowanc e				£ 180.00
Total	£18,947.33	£5,780.66	£7,419.63	£180.00

Item 5.2



Port St Mary Commissioners
C/O Hayley Fargher Commissioners Office
The Promenade
Port St Mary
Isle of Man
IM9 5DA

Isle of Man
NFU Mutual First Floor
Quay House
South Quay
Douglas
Isle of Man
IM1 5AR

Contact Number: 01624 674191
Fax Number: 01624 661778
Email: isleofman@nfumutual.co.uk

18 December 2019

Dear Sirs,

Thank you for giving NFU Mutual the opportunity to quote for management of health & safety within the parish.

Our risk management consultants have worked with a number of local authorities on the Island to manage health & safety and minimise risk. The year 2019 has seen a record-breaking number of liabilities claims within the industry and risk management is paramount in protecting the committee.

Our service includes:

- [u8226] A site visit by our competent risk management consultant who will undertake an audit of your current health & safety documentation.
- [u8226] A review of your existing H&S documents and procedures.
- [u8226] Following the visit you will receive an action plan which will clearly define steps needed to be taken to comply with H&S law, listed in order of urgency from 'urgent', to 'required' to 'recommended'.
- [u8226] You will also receive the audit report, which will delve into more detail on all the aspects of H&S that the business is exposed to and how it is performing, good or bad.
- [u8226] Produce or update relevant Health & Safety policies (including slips, trips & falls risk assessments and employee Manual handling)

This price for the above is a payment of £1499 VAT. Please be aware this is not an annual payment but a payment for the continued service for RMS. . This can be paid monthly Unless the risks change there is no requirement for additional assessments to be undertaken.

I have included our product brochure with additional detail for your reference. If you need me to attend any meetings with the board to discuss further, please let me know.

Item 5.3

PORT ST MARY COMMISSIONERS
STREET LIGHT REPLACEMENT

From: on behalf of MU, Public Lighting <PublicLighting@manxutilities.im>
Sent: 12 February 2020 10:50
To: Hayley Fargher <h.fargher@portstmary.gov.im>
Cc: MU, Public Lighting <PublicLighting@manxutilities.im>
Subject: Street light PM053 Clifton Road

Good morning

We have recently found a damaged fitting in Port St. Mary following the poor weather, please see attached report that advises a replacement fitting

Please find replacement option below, along with the estimated cost;

PM053 Clifton Road – LED Ampera fitting estimated at £486 + VAT

Please advise how you would like to proceed. If you would like to discuss please call me on 693591

Kind Regards

Administration Officer
Network Services

PORT ST MARY COMMISSIONERS

PROJECTS UPDATE

6.1	Mariners Shelter Repairs are ongoing by Estate Services.
6.2	Manxonia House There have been two recent viewings with positive feedback.
6.3	Remembrance Garden Lighting options for the new sentinels are currently being explored. The existing lights are currently not operational and a contractor has been instructed.
6.4	Skate Park Project on hold.
6.5	Public Conveniences Planning permission for the external door has been submitted. Refurbishment costs are being sought again as the last request was run in 2018, not all revised prices have been received as of yet.
6.6	Highways A proposal for Gansey Parking is awaited and has been chased.
6.7	Happy Valley The contractor has issued Expressions of Interest.
6.8	Boat Park Resurfacing options are being explored.
6.10	Jetty Repair A response from the Department is still awaited and has been chased.
6.11	Bay Queen Exhibition Discussions are ongoing with Rushen Heritage Trust.
6.12	Mona's Queen III Exhibition – Chair to provide an update.

Item 7.1

**Housing Officer's Report to Port St Mary Commissioners
Private Session – 26th February 2020**

Decisions Sought	<ol style="list-style-type: none"> 1. To note summary of housing works & repairs 2. To note update re Bathroom Refurbishment Scheme 3. To note conversion of temporary licence 4. To note summary of housing data 5. To note report on Air Sourced heat pumps 6. To note shared housing waiting list update 7. To note update re transfer list 8. To note callouts in January
January 2020 Summary of Housing Works & Repairs	<ul style="list-style-type: none"> • 4 responsive repairs were carried out by DLO in January <p>10 responsive repairs were carried out by contractors in January:</p> <ul style="list-style-type: none"> • 5 boiler related issues with two boilers being replaced • 2 electrical repairs • 3 window/door repairs
Bathroom Refurbishment Scheme Update	The scheme is progressing on schedule with three bathrooms being completed each week. Fifteen bathrooms have been completed to date and feedback from tenants has been positive.
Fixed Five Year Tenancies & Temporary Licences	<ul style="list-style-type: none"> • One temporary licence was converted to a fixed five year tenancy.
Summary of Q3 Housing Data	Attached below
Housing Maintenance Managers Meeting	I attended the meeting on 29 th January. Ramsey's Housing Manager gave a presentation on their trial of Air Sourced heat pumps. Attached below is a summary of their report.
Southern Shared Housing Waiting List	<ul style="list-style-type: none"> • A family on the transfer waiting list for a three bed house was offered a transfer which freed up a two bed house for a family from the shared waiting list. • One couple on the waiting list requested to be removed as they are purchasing a property.
Transfer List	There is currently one family on the transfer waiting list.
Out of Hours Callouts in January 2020	None

Summary of Housing Data 2019/20

Introduction:

The following data is taken from the quarterly submissions provided to central government as a statutory requirement.

	Q1 April - June	Q2 July - Sept	Q3 Oct - Dec	Q4 Jan - Mar
No. Of applicants on Waiting list at quarter end	12	10	9	
No. Of new applicants in the quarter	2	2	2	
No. Of lettings from waiting list	1	3	2	
No. Of transfers	0	1	1	
Annual rent due/receivable at Y/E = £582,097.00				
Rent collected per quarter <i>(rent element only not rates)</i>	£157,782.10	£141,172.63	£137,430.45	
Property Voids				
No. Of voids completed per quarter	3	2	4	
Total cost of completed voids	£9,234.66	£582.52	£2,437.28	
Cost per completed void	£3,078.22	£291.26	£609.32	
Void rent loss at quarter end	£1,308.88	£1,286.39	£1,685.69	
Void rent loss 'standard' works	£1,308.88	£601.91	£1,685.69	
Void rent loss 'major' works	0	£684.48	0	
Void re-letting timescales				
Average weeks void 'standard' <i>(target 5 weeks)</i>	4	5	4.75	
Average weeks void 'major' <i>(target 12 weeks)</i>	0	8	0	
Responsive Repairs				
No. Of responsive repairs raised per quarter	31	26	30	
No. Of responsive repairs raised by type:				
Emergency <i>(within 24 hours)</i>	11	7	7	
Urgent <i>(within 7 days)</i>	11	11	14	
Routine <i>(within 28 days)</i>	9	8	9	
No. Of responsive repairs completed on time:				
Emergency	11	7	7	
Urgent	11	11	14	
Routine	8	8	8	

Options Appraisal

- 1) Retain the oil heating and replace with an oil boiler within a cabin pack situated in the rear garden – The installation cost for an oil boilers is more expensive than a gas installation especially due to requiring a cabin pack for the boiler and having to bring the oil tank up to date with current regulations;
- 2) Change the central heating system to a gas boiler – Gas is a cleaner burning fuel, kinder to the environment and reduces carbon footprint. Gas boilers are cost effective to install and are easier and less costly to maintain than oil. However not all tenants are happy to have gas, not only due to the current gas purchase cost but some also feel it is less safe than oil;
- 3) Install Air Sourced Heat Pumps – Most expensive of the options to install but cheapest to run and maintain. Uses a natural renewable form of energy. Reduces carbon footprint over fossil fuels by switching to sustainable, clean energy.

Installation Cost

The cost to install an oil boiler in the properties at Close Caarjys is approximately £5,000.00; the oil tank and boiler cabin pack will take up valuable garden space. A gas boiler would be in the region of £4,000.00 to install; a system gas boiler could be situated in the external storage cupboard and with a pressured cylinder placed in the upstairs airing cupboard and if a gas combination (combi) boiler was installed it could be positioned in the upstairs airing cupboard with a vertical flue taken through the main roof of the property.

For a heat pump trial, Ramsey Town Commissioners (RTC) purchased two ASHP's direct from Mitsubishi and installed them using our current heating contractor, contract electricians and in-house staff for the associated installation works. The total cost of this for a two bedroom house was approximately £8,000.00 per property and was financed from revenue.

New oversized radiators have been installed in the property as part of the installation of the ASHP, as recommended by the manufacturer, at a cost of around £1,000.00. The new radiators wouldn't necessarily have been required when installing a conventional boiler yet can still be seen as an improvement to the property and its heating system.

The radiators never feel cold or too hot to touch due to the lower heat and flow temperature, however they provide a consistent comfortable heat at all times and this has been evident during the trial and has had a positive effect for the tenants based on their feedback.

Additional costs will include a tariff change of £136.00 per property, removal of the oil tank base and re-instatement of the garden, pipe boxing and a fence around the heat pump which are optional and the purchase of the oil remaining in the tenant's oil tanks.

A 3 year parts and labour warranty comes as standard, however an extended 7 year parts and labour warranty is available for £500.

Heat Pump Trial and Running Costs

The first ASHP was installed in Close Caarjys in late February 2018, the property was vacant at the time and the new tenants moved in early June 2018; the ASHP was being monitored between these dates.

The cost to run the system when the property was vacant in February and March whilst on the existing tariff and the temperature was low was £2.50 per day and cost £1.00 per day on the new Comfy Heat Tariff during April and May when the temperature was milder. Re-let work including decoration was taking place during this time and the internal temperature was being raised and lowered for experimental purposes, so costs are not an exact figure.

A second ASHP was installed late in June 2018 whilst the tenants remained in occupation. The tenants in both properties comprised of a couple with one young child.

Since the installation of the ASHP's the tenants have reported that they have been paying £20 per week on electricity for the majority of the year and £25 per week in the colder months; approximately £1,200 per year. This is their full weekly electricity cost covering all electricity including the running of the air sourced heat pump. Both tenants have said they try to take advantage of the Comfy Heat Tariff but are not cost-conscious on their electricity usage.

Five rent points are added to the properties rent total for an ASHP installation as opposed to one point for an energy efficient gas or oil boiler install. The four additional rent points equate to an additional £5.78 per week (2019/20); meaning the tenant pays an additional £300 per year. The current allowances for local authorities from the gross rental income are 5.5% for administration and 25.1% for maintenance.

The tenants living in the property prior to the installation of the ASHP claim they were paying £20 per week for electricity and £20 per week for their oil heating fuel. Including the additional rent points this indicates the tenants are now saving in the region of £600 per year by having an ASHP.

ASHP Trial Conclusion and Benefits

Regular visits have been carried out with both tenants since the ASHP have been in use, including during the coldest winter periods; the tenants have on all occasions reported that they are very content with the quality of the heating and the amount of hot water being generated and the cost that they pay for their electricity and heating.

The cost to purchase and install an ASHP is more expensive than installing a conventional boiler however there are advantage in installing an ASHP in the properties at Close Caarjys which include:

- The tenants can enjoy the full garden space that part of would be taken up by an oil tank
- Savings for the tenants in the cost of electricity/heating leading to increased spend in the local economy
- The consistent and extensive heat is healthier for tenants and will assist in the prevention of condensation within the property
- Tenants can benefit from a Comfy Heat Tariff allowing discounted electricity costs (16.7 reduced to 7.3 kWh) during the night (12am – 6am) when the ASHP would be producing and storing hot water and for two hours in the afternoon (2pm – 4pm) when tenants could potentially use other electricity items such as washing machine, dishwashers, clothes dryers etc.
- Can assist in the prevention of fuel poverty; although the electricity charge will increase for the use of the ASHP, tenants will no longer have to pay for large fuel deliveries or standing charges
- An increase in the rent of the property which local authorities receive an overall allowance of 30.6%
- Reduces carbon footprint in line with the IOM Government's emission reduction strategy
- Is safer with no risk of carbon monoxide or fuel leakage
- The design lifetime of an ASHP is 15-20 years as opposed to 10-15 for a conventional boiler
- Reduced annual servicing costs for local authority
- An action under the Phase 1 of the Isle of Man Government Action Plan for Achieving Net Zero Emissions by 2050, issued in January 2020, is to 'Establish a new, low electric heating tariff to encourage electrification of heating'.

Future Plans

RTC have agreed to install ASHP's in the remaining 20 properties in Close Caarjys and to consider ASHP's on future projects. The Close Caarjys project will be funded through the local authority capital programme under the local authority borrowing agreement.

RTC have liaised with the MUA on their current framework agreement and investigated if they would support RTC utilising the framework agreement rates considering that the MUA have already carried out a tender process. Although the quotes were deemed competitive, it is more cost effective for RTC to manage the project in-house and purchase the ASHP's direct.

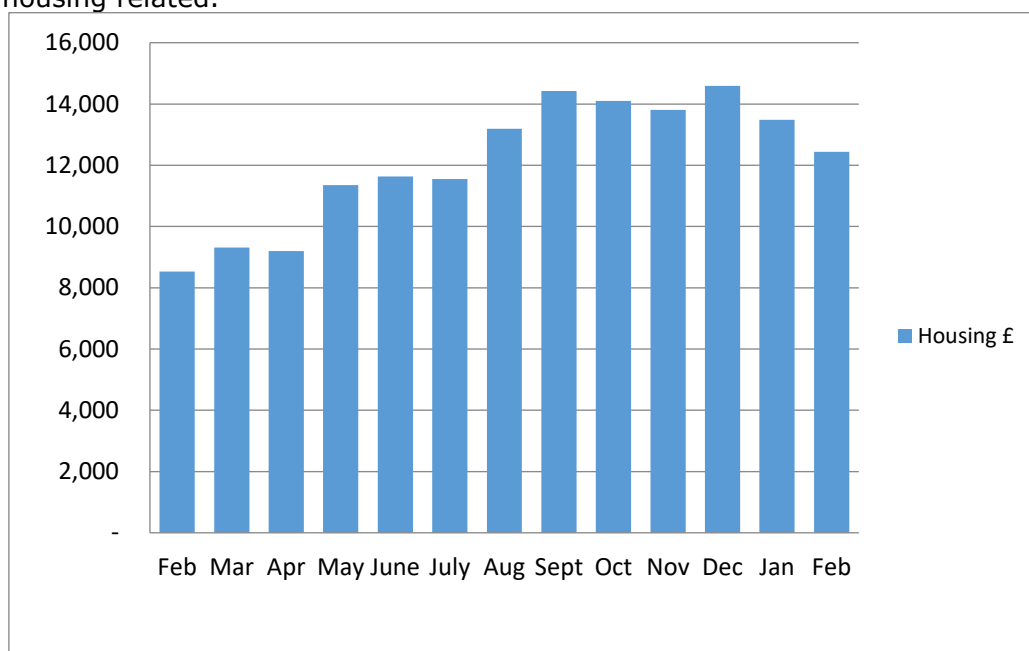
Planning approval is required at present for ASHP's, although this may fall under permitted development in the near future.

RTC have gained Department and Treasury approval to proceed with this project of installing ASHP's at Close Caarjys, commencing with 16 as the other 4 have fairly new boilers. All costs have been agreed and planning approval is currently being sought.

PORT ST MARY COMMISSIONERS **Tenancy Arrears Report for February Meeting** **Week 47 2020 commencing 19th February 2020**

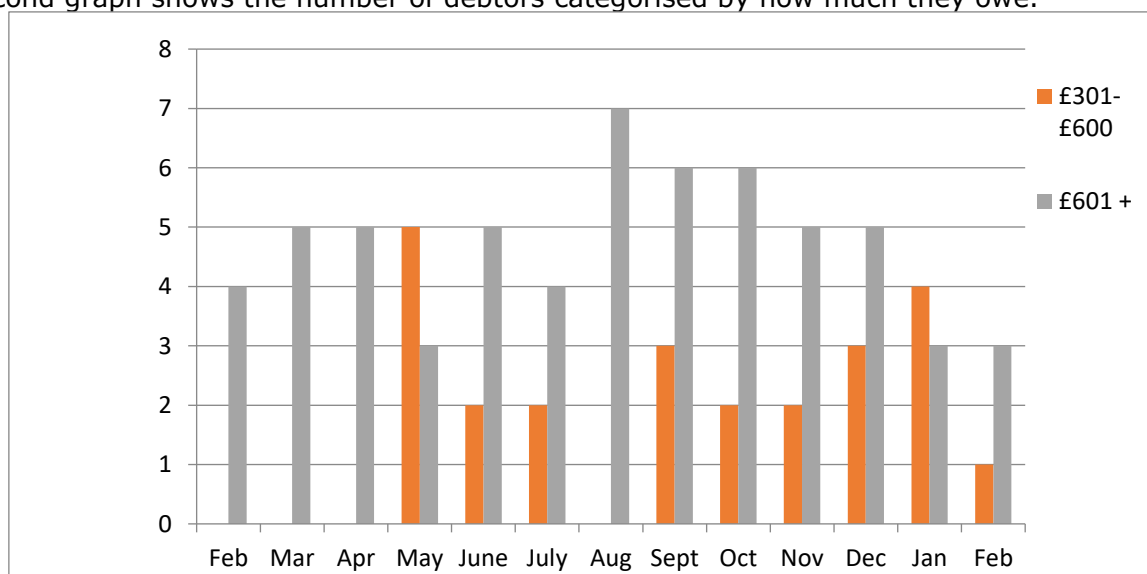
Management Summary

Unpaid rents currently stand at £ 12,432.96 with a decrease of £ 1051.75 since the previous report. The first graph shows the rent arrears by sector over the last 12 months. As in previous months, all arrears are housing related.



Number of Debtors and Actions Taken

The second graph shows the number of debtors categorised by how much they owe.



**Tenancy Arrears Report for February Meeting
Week 47 2020 commencing 19th February 2020
(Continued)**

Below is a detailed analysis of the arrears and the separate action being taken for each tenant.

Uncontrolled debt

There are currently 3 tenants with uncontrolled debt.

Tenant 1- Arrears £863.34

Arrears to be noted and left on account at year end.

Tenant 2 – Arrears £3,542.83 (no payment since last report)

The ex-tenant has agreed to pay £75 per month commencing the last week of July 2019 to clear the arrears. The individual has defaulted on monthly payments since September 2019. As a result, notice was furnished to individual via email regarding small claims proceedings that are underway. Small claims court application has been received by the courts to be served on the ex – tenant.

Tenant 3 - Arrears £ 8,026.79 (increased by £ 471.24 since previous report)

Since the judgement/ instalment order (30th December 2019), the tenant defaulted on a direct debit in the amount of £ 650.00. The finance officer wrote to the tenant, no response was received however £ 500.00 remitted shortly after in January 2020. It should be noted that this is not abiding by the judgement ordered by the court. The board is requested to consider legal advice in this regard. A second small claims court order has been served on the tenant for the remainder of the outstanding recent debt incurred.

Controlled Debt

The following tenants have controlled debt but due to the amounts, are being brought to the Boards attention:

Tenant 4 – Arrears £ 525.64 (decreased by £ 46 since previous report)

The tenant informed the housing officer that they would make regular incremental payments to try and clear the arrears and has continued to do so.

PORT ST MARY COMMISSIONERS
PUBLIC CORRESPONDENCE

RECEIVED

18 FEB 2020

THE CHURCH
OF ENGLAND

DIOCESE OF SODOR AND MAN

Kirk Christ with
St Catherine's (Port Erin)
St Mary's (Port St Mary)
and St Peter's (Cregneash)

Rev. Joe Heaton
Vicar

Serving the Parish of Rushen

30 January 2020

Miss H Fargher
The Clerk
Port St Mary Commissioners
The Promenade
Port St Mary
Isle of Man
IM9 5DA

Dear Miss Fargher

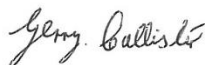
Re: Flower Festival 2020 (Sunday 5th to Saturday 11th July 2020)

Rushen Parish Church is taking part once again in the Island's Flower Festival, and I am writing to invite you to take part in this exciting community event. As you may know each year the Flower Festival has a theme, and the theme this year is 'A Special Place for People and Nature'. We are fortunate to be surrounded by flowers and plants by our roadsides on our hillsides, in our gardens, our beautiful glens and many heritage sites. You may wish to look at the Festival website www.flowerfest.im for additional information. I am hoping that you might wish to provide a floral arrangement in one of the windows in Kirk Christ Parish Church and we currently have 7 spaces vacant.

You will appreciate that hosting the Flower Festival at Rushen Church is a significant undertaking and requires a lot of planning. Consequently, it would be very helpful if, in the first instance, you could indicate by 15th February whether you would be willing to decorate a window by calling me on 474924 or email me at doandgerry@manx.net. Should you wish to visit the Parish Church prior to making a decision it is open daily from 9am to 4pm.

We look forward to an excellent 2020 Festival and we hope to work with you over the coming months.

Warmest regards.



Gerry Callister
For, and on behalf of, the Vicar and Wardens

Rushen Vicarage, Barracks Road, Port St Mary, Isle of Man, IM9 5LP
Tel: 01624 832275 Email: rev.joeheaton@gmail.com Website: <http://www.rushenparish.org.uk/>

PORT ST MARY COMMISSIONERS

PUBLIC CORRESPONDENCE



e-mail: [REDACTED] / Direct Line: 687691

Hayley Fargher
Port St. Mary Commissioners
Town Hall
Promenade
Port St. Mary
IM9 5DA

Our Ref: LS/2020/CONTRACTS/1
31 Jan 2020

Dear Hayley Fargher,

I am writing to inform of the 2020/21 public lighting maintenance contract fees.

In 2019 Manx Utilities implemented changes in how we deliver our services and associated fees for the 2019/20 public lighting contract to reflect the increasing uptake of LED technology and working procedures.

Following these implemented changes the fees have been rebalanced to reflect the true apportioned costs incurred. As a result we can confirm that for the 2020/21 public lighting contracts the quarterly inspection fee will increase to from £4.05 to £4.66 per column but the repair fee will no longer increase as detailed in 2018 but reduce from £106.22 to £95 per repair. Based on the annual average of 22 repairs under taken for Port St. Mary Commissioners, this rebalancing of fees will result in an overall estimated annual increase of £ 676.53 compared to current 2019/20 contract costs.

Public lighting contracts will be sent to you over the next couple of weeks for your consideration.

Manx Utilities continue to do our utmost to provide the highest standards of service to assist you with the operation and management of your street lighting assets and we hope that our service has met your expectations over the course of the last 12 months.

We trust you will find the above acceptable and are pleased with the level of service that we have provided over the years and going forward. If you have any queries regarding the enclosed contract please do not hesitate to contact me on 687691 to discuss in more detail.

Thank you for your continuing support and co-operation with the Manx Utilities.

Yours sincerely



Public Lighting Engineer

Items 9.1 – 9.4

PORT ST MARY COMMISSIONERS

PLANNING

Item 9.1 Planning Applications

9.1.1 20/00044/B Baycrest, 3 Primrose Terrace, Port St Mary. Installation of front door.

9.1.2 19/01294/B Shop, Seamount, Bay View Road, Port St Mary for installation of replacement ground floor shop windows with PVC units – Additional information received.

Item 9.2 Planning Approvals

9.2.1 19/01357/B 12 Lime Street, Port St Mary. Alterations erection of two storey extension and erection of replacement workshop approved.

9.2.2 19/01411/B 2 Lhargan, Port St Mary, for the installation of a heat pump to replace boiler

Item 9.3 Planning Amendments

9.3.1 19/01192/B Site adjacent Golf Club store, Port St Mary Golf Club, Kallow Point Road, Port St Mary. Amended plan submitted

Item 9.4 Certificate of Lawful Development

9.4.1 19/01257/LAW Stoneleigh, Beach Road, Port St Mary. Certificate of Lawful Development for alterations and erection of extension to rear elevation issued.

**PORT ST MARY COMMISSIONERS
REVIEW OF STANDING ORDERS**



**PORT ST MARY COMMISSIONERS
STANDING ORDERS
FOR THE REGULATION AND OBSERVANCE
OF PROCEDURE AND BUSINESS
WITH RESPECT TO
MEETINGS OF THE AUTHORITY
AND ITS COMMITTEES**

WITH EFFECT FROM 26th February 2020

Attention is drawn to Standing Order 26 regarding improper conduct and to the need for members to be aware that they are NOT protected by parliamentary privilege when speaking in public at meetings of the Authority.

**PORT ST MARY COMMISSIONERS
STANDING ORDERS -
MEETINGS OF THE AUTHORITY AND ITS COMMITTEES**

In exercise of the powers conferred on the Port St Mary Commissioners (the "Authority") by Section 27(1) of the Local Government Act 1985, and of all other powers enabling it in that behalf, the following Standing Orders are hereby made:

1. MEETINGS OF THE AUTHORITY

- 1.1 The annual meeting of the Authority shall be held in public at the Town Hall, Port St Mary at 7.00 p.m. on the day of the first ordinary meeting of the Authority in the month of May. No business shall be transacted at the annual meeting save for business provided for in Standing Order 3.1 or required by or under a statutory enactment to be transacted at the annual meeting of a local authority.
- 1.2 The Ordinary meetings of the Authority shall be held at the Town Hall, Port St Mary, on the Fourth Wednesday and when necessary on the Second Wednesday of each month or on such other day or days as may be decided by resolution of the Authority. The exception to this is the month of December when the Authority will meet only on the Second Wednesday of that month
- 1.3 All ordinary and extraordinary meetings of the Authority for the transaction of general business shall commence at 7.30 p.m. unless notice to the contrary is given by the Clerk. A meeting shall close no later than 10.00 p.m. unless decided otherwise by resolution of the Authority. Consideration of any business not transacted shall be adjourned to a time fixed by the Chairman at the time the meeting is adjourned or, if the Chairman does not fix a time, to the next ordinary meeting of the Authority.
- 1.4 An extraordinary meeting of the Authority may be called at any time by the Chairman or by the Clerk.
- 1.5 If the Chairman refuses to call an extraordinary meeting of the Authority after receiving a requisition for that purpose, signed by at least one third of the whole number of members of the Authority, or if without so refusing the Chairman does not call an extraordinary meeting within seven clear days after the requisition has been presented to him, then at least one third of the whole number of members of the Authority may forthwith call such a meeting.
- 1.6 Any requisition for an extraordinary meeting shall state the nature of the business to be transacted at such meeting and the same shall be specified in the notice of the meeting. No other business shall be transacted at such meeting.

2. NOTICE OF MEETINGS

- 2.1 A notice of a meeting of the Authority, signed by the Clerk and specifying the business to be transacted, shall be sent to each member at least three clear days preceding the holding of an annual or ordinary meeting, and in the case of an extraordinary meeting shall be delivered with all possible despatch. A notice shall be left at or be sent by post to the usual place of abode of every member other than if a member gives notice in writing to the Clerk of some other address at which notice should be served. Any notice addressed to a member and left at or sent by post to the appropriate address shall be deemed sufficient service of the notice. Want of service of a notice on

any member shall not affect the validity of a meeting.

- 2.2 Any notice of a meeting of the Authority shall be served electronically on a member by transmitting it to such electronic mail address as the member has provided to the Authority except where the member has elected not to accept such means of delivery and notified the Clerk in writing accordingly. Such notice shall be signed by the Clerk and specifying the business to be transacted, shall be sent to each member at least three clear days preceding the holding of an annual or ordinary meeting, and in the case of an extraordinary meeting shall be delivered with all possible despatch.

3. ELECTION OF CHAIRMAN AND COMMITTEES

- 3.1 The election of the Chairman and Vice-Chairman of the Authority, and any other appointments necessary for the ensuing year shall take place at the annual meeting or, in the case of any vacancy arising during the year, at the next ordinary meeting after such vacancy occurs.
- 3.2 The Clerk shall occupy the chair and conduct the proceedings necessary for the election of the Chairman of the Authority.

At such election of Chairman, should there be more than one nomination, voting shall be by secret ballot, each member placing a mark, opposite the nominated person for whom he wishes to record his vote.

- 3.3 The Chairman so elected shall then proceed to the election of:

- (a) the Vice-Chairman, and
- (b) any other appointments, including any committees of the Authority. Should the situation arise where two candidates remain and both receive the same number of votes, the result shall be determined by the drawing of straws. The candidate who draws the longest straw shall be deemed to be the winner.

In any case where there are more nominations than vacancies such election shall be by ballot as prescribed in Standing Order 3.2 above. In the event of any candidate failing to receive a majority of the votes of the members present, the candidate with the least number of votes shall be excluded wherever possible. Fresh nominations shall be sought if equality of votes prevents the majority election of a member after two ballots.

4. CHAIRING OF MEETINGS

The Chairman of the Authority shall preside, if present, at all meetings of the Authority, in the absence of the Chairman, the Vice-Chairman shall preside, if present, and in the event of both the Chairman and the Vice-Chairman being absent, another member chosen by the members present shall preside. Any power of the Chairman in relation to the conduct of a meeting may be exercised by the person presiding at that particular meeting.

5. QUORUM

- 5.1 Subject to Standing Order 5.4, no business shall be transacted at a meeting of the Authority unless more than one half of the whole number of the members of the Authority are present at the time set for the commencement of the meeting or within 15 minutes thereafter.
- 5.2 Where more than one-third of the members of a local authority become disqualified at the same time, until the number of members in office is increased to not less than two-thirds of the whole number of members of the authority, the quorum of the authority shall be determined by reference

to the number of members of the authority remaining qualified instead of by reference to the whole number of members of the authority.

- 5.3 If there is not a quorum present at any stage of a meeting of the Authority, the meeting shall stand adjourned. Consideration of any business not transacted shall be adjourned to a time fixed by the Chairman at the time the meeting is adjourned or, if the Chairman does not fix a time, to the next ordinary meeting of the Authority.
- 5.4 In respect of any committee composed of fewer than all of the members of the Authority then no business shall be transacted at that meeting of the committee unless more than one half of the whole number of the members of the Authority are present. Thus a majority vote of one third of the whole number of the members of the Authority results in recommendations as to a proposed course of action which may be submitted to the Authority for consideration.
- 5.5 Where a question is put pursuant to Standing Order 13.3 that the minutes of the last preceding ordinary meeting or of an intermediate extraordinary meeting of the Authority be signed as a correct record, the quorum to approve such action shall be more than one half of the whole number of the members of the Authority present at the meeting who had also been in attendance at the meeting to which the minutes in question relate. A member present at the meeting who had not also been in attendance at the meeting to which the minutes in question relate may not vote in relation to such a question.

6. VALIDITY OF PROCEEDINGS

The proceedings of the Authority shall not be invalidated by any vacancy among the number of the Authority or by any defect in the election or qualification of any member.

7. ATTENDANCE OF THE CLERK

With the exception of absence through illness or approved leave, emergency or any private session of the Authority where the nature of the business being transacted is that concerning the Clerk, the Clerk (or his nominated deputy) shall be present at all the meetings of the Authority.

8. ATTENDANCE OF THE PUBLIC

Members of the public are entitled to attend public sessions of the meetings of the Authority. However, they are not entitled to attend proceedings considered in private; these cover private sessions of the Authority and the meetings of committees.

If a member of the public interrupts the proceedings of a Meeting the chairman will warn them. If interruption continues the chairman shall order their removal from the Authority's chamber.

9. RECORD OF ATTENDANCES

- 9.1 The Clerk shall record the members present at a meeting of the Authority and shall also note in the minutes the time at which any member leaves the meeting other than temporarily.
- 9.2 The Clerk shall cause an annual report of the attendance at meetings of the Authority to be prepared on an annual basis for the year ending on the last day of March in each year and to be made public as soon as possible thereafter and in any event during the month of April.

10. MAJORITY

- 10.1 Subject to the provisions of any enactment, all questions coming or arising before the Authority shall be decided by a majority of the members present and voting thereon at a meeting of the

Authority.

- 10.2 Subject to those provisions, the person presiding as Chairman at the meeting shall have a second or casting vote in the case of an equality of votes, and shall be free to cast that vote as he or she thinks fit and not be under any obligation, real or perceived, to vote for maintaining the status quo.

11. VOTING

- 11.1 The mode of voting at meetings of the Authority shall be at the discretion of the Chairman except as provided for in Standing Order 3.
- 11.2 Only those members who are present when the question is put from the Chair shall be entitled to vote.
- 11.3 Every member present when the question is put from the Chair shall be required to record his/her vote for, against or in abstention.
- 11.4 The voting on any question shall be recorded so as to show whether each member present voted for, against or abstained.

12. INTERIM DECISION MAKING

- 12.1 In the event that a question for determination by the Authority or a committee requires, in the opinion of the Chairman or the Clerk, a resolution of the Authority or committee before the next ordinary meeting, such question may be put to members by electronic mail.
- 12.2 Where a member has made an election under Standing Order 2.2 not to accept delivery of notice by electronic mail, such question shall instead be put to the relevant member by telephone or in person.
- 12.3 Every member shall be requested to respond to the Clerk and record his/her interim vote for, against or in abstention in respect of the question put.
- 12.4 Upon the receipt of the interim votes of more than one half of the whole number of the members of the Authority or the committee for or against in respect of the question put, the matter shall be treated as decided and the Authority may act in reliance on such interim decision.
- 12.5 At the next ordinary meeting of the Authority or meeting of the committee, the question shall be put to the members present that the outcome of the interim vote be ratified. Members present at the meeting who took part in the interim decision may not change their interim vote. There shall be a presumption that the interim vote be ratified, notwithstanding any change in the composition of the Authority between the interim vote and the meeting at which the question is put. The question shall be put without debate, save as to the accuracy of the interim voting and decision recorded.

13. MINUTES OF MEETINGS

- 13.1 Minutes of proceedings of every meeting of the Authority shall be drawn up and recorded by the Clerk or some other authorised officer.
- 13.2 A copy of the minutes of the last preceding ordinary meeting and of intermediate extraordinary meetings of the Authority shall be sent to each member with the notice convening the ordinary meeting.
- 13.3 At such ordinary meeting the Chairman shall put the questions that such minutes be signed as a

Page 5 of 22

correct record. No motion or discussion shall take place upon the minutes, except upon their accuracy, and any question on their accuracy shall be raised by motion.

- 13.4 If no such question is raised, or if it is raised, then as soon as it has been disposed of, the Chairman shall sign the minutes or the corrected minutes as the case may be, and shall initial each consecutively numbered leaf comprising those minutes.

14. APPLICATION OF STANDING ORDERS TO COMMITTEES

- 14.1 Standing Orders 5 to 13 and 32 shall apply in relation to a committee of the Authority as they apply in relation to the Authority.
- 14.2 Until the contrary is proved, where a minute of any meeting of any such committee or sub-committee has been made and signed in accordance with Standing Order 13 as applied by this Standing Order 14, the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute, the meeting shall be deemed to have been duly convened and held and the members present at the meeting shall be deemed to have been duly qualified.

15. DISCLOSURE OF INFORMATION

- 15.1 All agendas, reports, and other documents and all proceedings of committees and of the Authority shall be public unless the Clerk in consultation with the Chairman decides that any item should be treated as confidential. The grounds for such decision must be one of the following:
- (a) that the subject is one of pending litigation or negotiation in which the Authority's position could be prejudiced by premature publication; or
 - (b) that publication would be injurious to any public or private interest; or
 - (c) that the matter is one of commercial sensitivity.
- 15.2 In the event that the Clerk in consultation with the Chairman decides that any item should be treated as confidential under Standing Order 15.1, such agendas, reports or other documents shall be circulated to all members of the Authority marked "Private and Confidential". The issue shall be made public as soon as practicable after the grounds for keeping it private no longer apply.
- 15.3 Any question arising at a meeting of a committee or of the Authority, as to the appointment, promotion, dismissal, salary, superannuation, conditions of service, job performance or professional conduct of any person employed by the Authority, shall not be the subject of a public minute or report to be discussed in public unless and or until the Authority has otherwise determined.
- 15.4 All matters dealt with or brought before the Authority when sitting in private shall be treated as strictly confidential and, unless otherwise determined by the Authority, shall not be disclosed to any person outside the Authority.
- 15.5 All or any statements regarding the affairs of the Authority made for or on behalf of the Authority by a member, members or officer of the Authority to the media or any other third party, be they verbal or written, shall only be made with the consent of the Authority.
- 15.6 All or any statements regarding the affairs of the Authority made in a personal capacity by a member, members or officer of the Authority to the media or any other third party, be they verbal or written, shall make clear that they are made in a personal capacity and not for or on behalf of the Authority and shall be subject to the obligations of confidentiality provided for in these

Standing Orders and otherwise in law.

16. ORDER OF BUSINESS

- 16.1 Except as provided for by Standing Order 16.2, the order of business at every meeting of the Authority shall be transacted in the following order:
- (a) choice of a person to preside if the Chairman or Vice-Chairman be absent,
 - (b) any business required by statute to be done,
 - (c) to approve as a correct record and sign the minutes of the previous ordinary meeting and of any intermediate extraordinary meeting or meetings,
 - (d) business arising out of such minutes if not referred to in the minutes of any committee,
 - (e) business adjourned from a previous meeting,
 - (f) to ratify any interim decision made in accordance with Standing Order 12,
 - (g) consideration of reports and correspondence appearing on the agenda,
 - (h) to answer questions asked under Standing Order 17,
 - (i) motions in the order in which notice has been received,
 - (j) other business, if any, authorised by the Chairman for consideration,
 - (k) Chairman's announcements,
- 16.2 Business falling under items (a), (b), (c) or (d) of Standing Order 16.1 shall not be displaced, but subject thereto the foregoing order of business may be varied:
- (a) at the discretion of the Chairman; or
 - (b) by a resolution duly moved and seconded and passed on a motion which shall be moved and put without discussion.
- 16.3 any business, which the Authority decided shall be taken in private, shall be postponed until the conclusion of the other business and then be transacted in private.

17. QUESTIONS

- 17.1 A member of the Authority may ask the Chairman or the chairman of a committee any question upon an item on the agenda or the report of a committee when that item is under consideration by the Authority.
- 17.2 A member of the Authority may:
- (a) if one clear day's notice in writing has been given to the Clerk ask the Chairman or the Chairman of any committee any question on any matter in relation to which the Authority has powers or duties or which affects the district, or
 - (b) with the permission of the Chairman put to him or the Chairman of any committee any questions relating to urgent business, of which such notice has not been given but a copy of any such question shall, if possible, be delivered to the Clerk not later than five o'clock

in the afternoon of the day of the meeting.

- 17.3 Every question shall be put and answered without discussion but the person to whom a question has been put may decline to answer.
- 17.4 An answer may take the form of:
- (a) a direct oral answer; or
 - (b) where the desired information is contained in a publication of the Authority, a reference to that publication; or
 - (c) where the reply to the question cannot conveniently be given orally, a written answer circulated to members of the Authority.

18. NOTICES OF MOTION

- 18.1 Notices of every motion relating to any new subject or matter not already before the Authority, other than a motion under Standing Order 19, shall be given in writing at the ordinary meeting preceding the one at which it is intended to bring it forward or it shall be delivered in writing, duly signed by the member giving the notice, at the office of the Clerk at least five clear days before the next meeting.
- 18.2 Any notice delivered to the Clerk shall be dated and numbered by him, in the order in which it is received, and entered in a book that shall be open to inspection by any member of the Authority.
- 18.3 The Clerk shall set out in the summons for every meeting of the Authority any motion of which notice has been duly given in the order in which it was received, unless the member giving such notice intimated, in writing, when giving it, that he proposes to move it at some later meeting, or has since withdrawn it in writing.
- 18.4 If a motion thus set out in the summons be not moved either by a member who gave notice thereof or by some other member on his behalf it shall, unless postponed by consent of the Authority, be treated as withdrawn and shall not be moved without fresh notice.
- 18.5 If the subject matter of any motion of which notice has been duly given comes within the province of any committee it shall, upon being moved and seconded, stand referred without discussion to such committee as the Authority may determine, for consideration and report.
- 18.6 Every motion shall be relevant to some matter in relation to which the Authority have powers or duties or which affects the district.

Provided that the Chairman may, if conducive to the despatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

19. MOTIONS AND AMENDMENTS THAT MAY BE MOVED WITHOUT NOTICE

The following motions and amendments may be moved during a meeting without notice:

- (a) on the accuracy of the minutes,
- (b) for the precedence of any item of business specified in the notice,
- (c) for referring any business to a committee,
- (d) for appointing or deferring any business for consideration at a future meeting,

- (e) for the appointment of a committee or members thereof, occasioned by an item mentioned in the summons to the meeting,
- (f) for the adjournment of any meeting or debate,
- (g) for dealing with correspondence, reports and recommendations of committees or officers, or other documents and any consequent resolutions,
- (h) for amendments to any motion,
- (i) for hearing any application or evidence,
- (j) for appointing a chairman of the meeting at which the motion is made,
- (k) that the Chairman does leave the Chair for part or all of the meeting,
- (l) for the suspension of any specified Standing Order or Orders, in accordance with Standing Order 39,
- (m) that any specified business be transacted in private at a later stage in the meeting,
- (n) that the order of business at a meeting be varied under Standing Order 16.2(b) (Order of business),
- (o) for taking any business from the private business for consideration in public,
- (p) that a member named under Standing Order 26 (Improper conduct) be not further heard or do leave the meeting,
- (q) for leave to withdraw a motion before a vote has been taken, but not afterwards,
- (r) that a member be now heard,
- (s) that the question be now put,
- (t) to proceed with the next business,
- (u) authorising the sealing or other execution of documents,
- (v) inviting a member to remain under Standing Order 32 (Pecuniary interest),
- (w) that the Authority do now adjourn.

Provided that a motion moved and seconded under items (j) to (w) inclusive shall be put without debate.

20. AMENDMENTS

20.1 Amendments to any motion must be relevant to the motion and shall not have the effect of introducing a new proposal into or negating the motion before the Authority. Amendments shall be either:

- (a) To refer a subject of debate to a committee for consideration (or reconsideration)
- (b) To leave out words

- (c) To leave out words and insert or add others
 - (d) To insert or add words
- 20.2 When an amendment has been moved no second amendment shall be considered until the first is disposed of. Provided that the Chairman may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Authority's business.
- 20.3 If such amendment is carried, it shall then be submitted as a substantive or original motion, upon which a further amendments may be moved.
- 20.4 If a first amendment is lost, further amendments to the original motion may be moved.
- 21. RULES OF DEBATE FOR AUTHORITY MEETINGS**
- 21.1 A member when speaking shall address the Chairman. If two or more members wish to speak, the Chairman shall call on one to speak and the other or others to remain silent. Whilst a member is speaking the other members shall remain silent, unless raising a point of order or a personal explanation.
- 21.2 A motion or amendment shall not be discussed unless it has been proposed and seconded, and unless notice has already been given in accordance with Standing Order 18 it shall, if required by the Chairman, be put into writing and handed to the Chairman before it is further discussed or put to the meeting.
- 21.3 A member when seconding a motion or amendment may declare his intention to reserve his speech until a later period in the debate.
- 21.4 A member shall direct his speech to the question under discussion or to a personal explanation or to a point of order. No speech shall exceed 5 minutes, except by consent of the Authority.
- 21.5 A member may without discussion, subject to the consent of the Authority having been signified:
- (a) alter a motion of which he has given notice, or
 - (b) with the further consent of his seconder alter a motion he has moved, if (in either case) the alteration is one which could be made as an amendment thereto.
- 21.6 A motion or amendment may be withdrawn by the mover with the consent of his seconder and of the Authority, which shall be signified without discussion, and no member may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.
- 21.7 The mover of a motion has a right of reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right at the close of the debate on the amendment, and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his amendment and no member shall speak on any subject after the same has been put to the vote.
- 21.8 When a motion is under debate no other motion shall be moved except the following:
- (a) to amend the motion,
 - (b) to adjourn the meeting,

- (c) to adjourn the debate,
- (d) to proceed to the next business,
- (e) that the question be now put,
- (f) that a member be not further heard,
- (g) by the Chairman under Standing Order 26.2 (Improper conduct) that a member do leave the meeting,
- (h) a motion under Standing Order 19(m) that any specified business be transacted in private or Standing Order 26.8 (General disturbance) to exclude the public,
- (i) to postpone consideration of the motion,
- (j) that the subject under debate be referred to a committee.

21.9 A member may move without comment at the conclusion of a speech of another member, "That the Authority proceed to the next business"; or "That the question be now put"; "That the debate be now adjourned"; or "That the Authority do now adjourn", on the seconding of which the Chairman shall proceed as follows:

- (a) on a motion to proceed to the next business; unless in his opinion the matter before the meeting has been insufficiently discussed, he shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business,
- (b) on a motion that the question be now put; unless in his opinion the matter before the meeting has been insufficiently discussed, he shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion his right of reply under Standing Order 21.7 before putting his motion to the vote,
- (c) on a motion to adjourn the debate or the meeting, if in his opinion the matter before the meeting has not been sufficiently discussed and cannot be reasonably be sufficiently discussed on that occasion he shall put the adjournment motion to the vote without giving the mover of the original motion his right of reply on that occasion.

21.10 A member may raise a point of order or in personal explanation and shall be entitled to be heard forthwith. A point of order shall relate to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or statutory provision and the way in which he considers it has been broken. A point of order may also relate to discussion of a motion that, if affirmed, would require the Authority or its officials to act *ultra vires*. A personal explanation shall be confined to some material part of a former speech by him that may appear to have been misunderstood in the present debate.

21.11 The ruling of the Chairman during debate or on the admissibility of a personal explanation shall not be open to discussion.

22. INVOLVEMENT OF CLERK IN DEBATE

Notwithstanding anything contained in these Standing Orders, it shall be competent for the Clerk, with the consent of the Chairman, to make any statement in relation to any matter or thing connected with the public interest or public business and it shall be competent for any member speaking during the progress of a debate to address any question through the Chairman to the Clerk or other officer in attendance in relation to any matter or thing in connection with the subject under consideration.

23. RESCISSION OF PRECEDING RESOLUTION

- 23.1 No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed unless the notice thereof given in pursuance of Standing Order 18 bears the signature of more than one third of the whole number of members of the Authority.
- 23.2 When any such motion or amendment has been disposed of by the Authority it shall not be open to any member to propose a similar motion or amendment during any meeting of the Authority within a further period of six months.

24. ADJOURNMENT OF MEETING OR DEBATE

- 24.1 When any member has the right to speak, he may move the adjournment of the meeting or the debate if he confines his observations to the matter of adjournment. A member moving an adjournment under this order may be heard in support for not more than five minutes: and one other member may be heard in opposition similarly before the motion is put to the vote without further debate.
- 24.2 An amendment to a motion to adjourn may be moved if it relates to only the question of time.

25. REPORTS AND CORRESPONDENCE

- 25.1 All correspondence for consideration by the Authority shall be submitted to the Clerk.
- 25.2 Any correspondence received later than three clear days prior to the day of an ordinary meeting shall not be considered at such meeting, unless such correspondence specifically requires a reply before the next ordinary meeting.
- 25.3 The provisions of Standing Order 25.2 shall not prevent the Chairman of the Authority from ruling on whether or not to consider any late item of correspondence.

26. IMPROPER CONDUCT

- 26.1 If at a meeting any member of the Authority who, in the opinion of the Chairman, misconducts himself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Authority, the Chairman or any other member may move "That the member named be not further heard", and the notice if seconded shall be put and determined without discussion.
- 26.2 If the member named continues to act improperly after a motion under Standing Order 26.1 has been carried, the Chairman shall either:
- a) move "That the member named do leave the meeting" (in which case the motion shall be put and determined without seconding and without discussion, and if such motion is carried the member named shall be under a duty to withdraw from the meeting), or
- b) adjourn the meeting of the Authority for such period as he in his discretion shall consider expedient.
- 26.3 If the Chairman rules that language used by a member ought to be withdrawn it shall be the duty of that member to withdraw it.
- 26.4 Any member, members or officer of the Authority making comments of a derogatory or defamatory nature and refusing to withdraw such comments shall be solely responsible for the consequences of his/her or their actions.

- 26.5 Any member, members or officer shall also be under a duty to desist from making derogatory or defamatory comments of a personal nature concerning other public bodies and/or elected representatives.
- 26.6 Members will at all times, to the exclusion of any personal disagreement, accord fellow members of the Authority courtesy and respect.
- 26.7 The Authority will at all times accord any member of the Authority's staff present at the meeting similar courtesy and respect as befits the relationship of employer and employee
- 26.8 In the event of general disturbance, which in the opinion of the Chairman renders the due and orderly despatch of business impossible, the Chairman in addition to any other powers vested in him may, without question put, adjourn the meeting of the Authority of such period as he in his discretion shall consider expedient.

27. SEALING AND EXECUTION OF DOCUMENTS

- 27.1 The common seal of the Authority shall not be affixed to any document, and no document shall be executed for or on behalf of the Authority under the hand of any person, unless the sealing or execution has been authorised by a resolution of the Authority or of a committee to which the Authority have delegated powers in this behalf, but a resolution of the Authority (or of a committee where that committee has the power) authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the issue of any stock, the presentation of any petition, memorial, or address, the making of any rate or contract, or the doing of any other thing, shall be a sufficient authority for sealing or executing any document necessary to give effect to the resolution.
- 27.2 Where a document is executed under seal, the seal shall be attested by the following persons present at the sealing: the Chairman or Vice-Chairman of the Authority or other member of the Authority, and the Clerk of the Authority. An entry of every document to which the seal has been affixed shall be made in a book provided and kept for that purpose.
- 27.3 Save where required by a statutory enactment to be executed under seal, a document may be executed for and on behalf of the Authority under the hand of the following persons: the Chairman or Vice-Chairman of the Authority or other member of the Authority, and the Clerk of the Authority.

28. CUSTODY OF SEAL

The common seal of the Authority shall be kept in a safe place in the custody of the Clerk.

29. AUTHENTICATION OF DOCUMENTS

Any notice, order or other document, which the Authority is authorised to give, make or issue shall be signed by the Clerk on behalf of the Authority or by a person duly authorised in that behalf by the Clerk or the Authority.

30. INSPECTION OF DOCUMENTS

- 30.1 A member of the Authority may, for the purposes of his duty as such member but not otherwise, on application to the Clerk, inspect any document which has been considered by a committee or by the Authority, and if copies are available shall on request be supplied for the like purposes with a copy of such document.

Provided that a member shall not knowingly inspect and shall not call for a copy of any document

relating to a matter in which he is professionally interested or in which he has directly or indirectly any pecuniary interest within the meaning of sections 11 and 12 of the Local Government Act 1985.

- 30.2 This Standing Order shall not preclude the Clerk or the advocate to the Authority from declining to allow inspection of any document that is or in the event of legal proceedings would be protected by privilege arising from the relationship of advocate and client.
- 30.3 All minutes and reports of a committee shall, as soon as the committee has concluded action on the matter to which such minutes or reports relate, be open for inspection by any member of the Authority.

31. INSPECTION OF LANDS, PREMISES, ETC.

Unless specifically authorised to do so by the Authority or a committee, a member of the Authority shall not issue any order respecting any workings which are being carried out by or on behalf of the Authority or claim by virtue of his membership of the Authority any right to inspect or to enter upon any lands or premises which the Authority have the power or duty to inspect or enter.

32. INTEREST OF MEMBERS IN CONTRACTS AND OTHER MATTERS

- 32.1 If any member of the Authority has any pecuniary interest direct or indirect within the meaning of Sections 11 and 12 of the Local Government Act 1985 (other than an indirect interest described in sub-section 14(4)-(6) thereof) in any contract, proposed contract, or other matter, that member must withdraw from the meeting while the contract, proposed contract, or other matter, is under consideration by the Authority (this also applies to matters before a sub-committee of the authority and a joint committee on which the authority is represented) unless:

- (a) the disability to discuss that matter imposed upon him by the section has been removed by the Department of Infrastructure under section 14(1) thereof; or
- (b) the contract, proposed contract, or other matter is under consideration by the Authority as part of the report of a committee and is not itself the subject of debate; or
- (c) the Authority invites him to remain.

The presence of that member nevertheless counts towards a quorum of the body in question. A member shall have regard for all relevant guidance issued by the Department of Infrastructure in all matters of declaration of a pecuniary interest.

The pecuniary interests to which the above applies includes:

- (1) an indirect interest; or,
- (2) an interest of a spouse or civil partner of the member or officer; or,
- (3) an interest of a partner or employer of the member or officer; or
- (4) an interest of a company in which the member or officer (or his or her nominee) holds an equity share. A shareholding in a company which is worth less than £1,000 or less than 1% of the issued voting share capital, whichever is the less, does not prevent a member taking part in or voting on a matter, **but must still be disclosed.**

The following do NOT constitute a pecuniary interest:

- (1) the fact that the member or officer is a ratepayer;

- (2) the fact that the member receives allowances or the officer receives remuneration from the Authority;
 - (3) the fact that the member or officer is the tenant of one of the authority's houses, so long as the matter being discussed involves those houses generally rather than the specific house they are tenant of;
 - (4) a connection with the matter which is so remote or insignificant that it cannot reasonably be regarded as likely to influence the member or officer.
- 32.2 A member of the Authority may make a general disclosure of a pecuniary interest by notifying the Clerk in writing, who is to enter it in a book which is open to inspection by any member of the authority. The entry of the interest in the Declaration of Interests Register means that the member does not have to declare their interest on every occasion (but this does not affect their obligation not to take part in a discussion or vote on the matter in question).
- 33. INTEREST OF OFFICERS IN CONTRACTS**
- 33.1 The Clerk shall report to a meeting of the Authority particulars of any notice given by an officer of the Authority under section 23 of the Local Government Act 1985, of a pecuniary interest whether direct or indirect in a contract. This does not preclude that officer from dealing with that matter on behalf of the Authority.
- 33.2 In determining a pecuniary interest, whether direct or indirect, the definitions in Standing Order 32.1 above apply.
- 34. MATTERS AFFECTING MEMBERS AND PERSONS EMPLOYED BY THE AUTHORITY**
- 34.1 If any question arises at a meeting of the Authority (or of a committee thereof) as to the conduct of any member of the Authority, such question shall not be considered in public and shall not be the subject of discussion until the Authority is in private session.
- 34.2 If any question arises at a meeting of the Authority (or of a committee thereof) as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the job performance or professional conduct of any person employed by the Authority, such question shall not be considered in public and shall not be the subject of discussion until the Authority is in private session.
- 35. FILLING OF NEW POSTS AND VACANCIES**
- 35.1 No new office shall be created, nor any person be employed in addition to the Authority's establishment except with the agreement of the Authority.
- 35.2 Where the creation of a new post is proposed or where a vacancy occurs the Authority shall decide:
- (a) in the case of a post which the authority is not required to fill by statute, whether the post is necessary
 - (b) in any case what shall be the terms and conditions of the post, and no steps shall be taken to fill the post until these decisions have been made.
- 35.3 All vacancies to be filled in established posts of the Authority (not being posts at a weekly wage), unless they are to be filled by promotion or transfer, shall be advertised publicly unless the Authority determines otherwise.

Provided that where, a similar vacancy occurs, within six months of such a vacancy having been advertised, the Authority may appoint one of the former applicants.

- 35.4 A vacancy required to be advertised shall be advertised in one or more newspapers or electronic means appropriate to those persons who may be expected to possess the necessary qualifications for the post.

36. VOTING ON APPOINTMENTS

Where there are more than two persons nominated for any position to be filled by the Authority, and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote be taken, and so on until a majority of votes is given in favour of one person.

37. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

- 37.1 Canvassing of members of the Authority or any committee of the Authority directly or indirectly for any appointment under the Authority shall disqualify the candidate concerned for that appointment. The purport of this Standing Order 37.1 shall be included in every advertisement inviting applications for appointments or in any form of application.
- 37.2 A member of the Authority shall not solicit for any person any appointment under the Authority, and this Standing Order 37.2 shall not preclude a member from giving a written testimonial of a candidate's ability, experience, or character for submission to the Authority with an application for appointment.

38. RELATIVES OF MEMBERS OR OFFICERS

- 38.1 A candidate for any appointment under the Authority who knows that he is related to any member or officer of the Authority shall when making application shall disclose that relationship to the Clerk.
- 38.2 A candidate who fails to disclose such a relationship shall be disqualified for the appointment and if appointed shall be liable to dismissal without notice. Every member and officer of the Authority shall disclose to the Clerk any relationship known to him to exist between him and any person whom he knows is a candidate for an appointment under the Authority. The Clerk shall report to the Authority or to the appropriate committee any such disclosure made to him.
- 38.3 The purport of this Standing Order shall be included in every advertisement inviting applications for appointments or in any form of application.
- 38.4 For the purpose of this Standing Order persons shall be deemed to be related if they are husband and wife or civil partners or if either of them or the spouse or civil partner of either of them is the son or daughter or grandson or granddaughter or brother or sister or nephew or niece of the other, or of the spouse or civil partner of the other.

39. SUSPENSION OF STANDING ORDERS

- 39.1 Subject to Standing Orders 10 and 39.2, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where such suspension is moved.
- 39.2 A motion to suspend Standing Orders shall not be moved without notice unless the meeting is deemed to be quorate subject to Standing Order 5.
- 39.3 Suspension or contravention of Standing Orders will be publicly recorded in a Register detailing

when and for what purpose.

40. VARIATION AND REVOCATION OF STANDING ORDERS

- 40.1 Any motion to add to, vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Authority. No new or revised Standing Order or any revocation of a Standing Order shall be valid or binding until confirmed by the Authority at the ordinary meeting held after the meeting at which it was approved.
- 40.2 These Standing Orders will be formally reviewed at least once a year during the month of April and otherwise as the Authority may resolve, to ensure they remain 'fit and proper' for their purpose.

41. STANDING ORDERS TO BE GIVEN TO MEMBERS

A copy of these Standing Orders, and of such statutory provisions as regulate the proceedings and business of the Authority, shall be given to each member of the Authority by the Clerk upon delivery to him of the member's declaration of acceptance of office on the member being first elected to the Authority. Thereafter, following the making of any amendment to these Standing Orders, a full copy of them shall be given to each member of the Authority by the Clerk and made public as the Authority may resolve.

42. COMMITTEES

- 42.1 The Authority may by resolution at any time delegate to a committee any matter not coming within the special area of responsibility of any existing committee.
- 42.2 Every committee shall, before proceeding to any other business, at its first meeting and at any time thereafter when there is a vacancy in the role of Chairman, elect a Chairman.
- 42.3 In the absence from a meeting of the Chairman (and Vice-Chairman if elected), a Chairman for that meeting may be appointed.
- 42.4 The areas of special responsibility of each committee shall be as set out in the resolutions of the Authority constituting such committee.
- 42.5 Each respective committee may be given delegated authority at the discretion of the Authority for day-to-day matters coming within each respective special area of responsibility. It shall be the duty of every committee to liaise as necessary with the Clerk or any other designated official in dealing with delegated matters and in advising and informing the Authority. It will be usual practice for the Clerk to be present at and keep minutes of any committee meeting. All agendas, reports and other documents and all proceedings of committees shall be treated as confidential unless and until they become public in the ordinary course of the Authority's business.
- 42.6 Questions as to the extent and nature of delegated authority to be given to committees and to the Clerk or any other designated official will be decided by the Authority from time to time. Orders or instructions to be given to an official of the Authority in relation to any matter shall be conveyed only by the Clerk or in his absence by any other designated official.

43. SPECIAL MEETINGS OF COMMITTEES

The Chairman of a committee or the Chairman of the Authority may call a special meeting of a committee at any time. A special meeting may also be called on the requisition of three members of a committee, delivered in writing to the Clerk. The summons to the special meeting shall set out the

business to be considered thereat, and no business other than that set out in the summons shall be considered at that meeting.

44. INTERPRETATION

- 44.1 The decision of the Chairman as to the construction or application of any of these Standing Orders, or as to any proceedings of the Authority, shall not be challenged at any meeting of the Authority, unless on a point of law.
- 44.2 These Standing Orders will be interpreted in accordance with the provisions of the relevant statutory enactments. Where there is a conflict of interpretation between these Standing Orders and the relevant statutory enactment, the statutory enactment will take precedence. All references are to the law and exclusive jurisdiction of the Isle of Man.
- 44.3 The term “clear days” used in these Standing Orders shall have the meaning that the dates to and from which time is reckoned shall be excluded from the calculation. For example, where these Standing Orders call for three clear days’ notice prior to a meeting taking place on a Wednesday, notice shall validly have been given if delivered in accordance with these Standing Orders on the preceding Saturday, but shall be late if delivered on the preceding Sunday.
- 44.4 Where the term “Chairman” is used in these Standing Orders, the term shall be taken to refer to the Chairman of the Authority, unless inconsistent with the context.

Executed for and on behalf of the Port St Mary Commissioners at a meeting of the Authority held this 11th day of March 2019

Chairman

Clerk



**PORT ST MARY COMMISSIONERS
STANDING ORDERS**

FOR THE MAKING OF CONTRACTS

WITH EFFECT FROM 26th February 2020

**PORT ST MARY COMMISSIONERS
STANDING ORDERS ON THE MAKING OF CONTRACTS**

In exercise of the powers conferred on the Port St Mary Commissioners (the "Authority") by Section 27(3) of the Local Government Act 1985, and of all other powers enabling it in that behalf, the following Standing Orders are hereby made:

PART 1 – GENERAL

APPLICATION

1. These Standing Orders shall apply to the making of contracts by the Authority, or on its behalf, for the supply of:
 - (a) goods or materials which have to be specially made and are likely to cost more than £500;
 - (b) for the execution of works; and
 - (c) the provision of a repetitive service e.g. cleaning contracts

INVITATION OF TENDERS

2.
 - (1) Subject to the provisions of Standing Orders 2(2) and 2(3) and Standing Order 3 below, before seeking to make any contract the Authority shall cause appropriate public notice to be placed in a newspaper circulating in the Island and/or a trade journal or electronic bulletin giving not less than 14 days' notice of the intended contract and inviting tenders therefore by a fixed date and time.
 - (2) In the case of a contract for capital works (see Standing Order 13 below), the public notice given under Standing Order 2(1) above may invite any contractor interested in tendering for the work to submit his name to the authority and the Authority may then proceed to request tenders from contractors selected from the list of those responding to the notice.
 - (3) The Authority may, by resolution, exempt any contract from the provisions of paragraph (1) where the authority is satisfied that the exemption is justified by special circumstances.
3. Notwithstanding the provisions of Standing Order 2(1) above:
 - (a) Tenders for a contract for the execution of works estimated to cost between £3,000.00 and £12,000.00 may be sought from not fewer than three Accredited contractors without public notice inviting tenders.
 - (b) A contract for emergency works or a contract estimated to cost less than £3,000.00 may be sought or negotiated directly with an Accredited contractor, except that the circumstances of any emergency contract exceeding £500.00 in cost shall be reported to the Authority.

For the purposes of this Standing Order 3, "Accredited" means accredited under the Manx Accredited Construction Contractors Scheme (MACCS) administered by the Isle of Man Construction Federation.

TENDERS

4. Tenders shall be required to be forwarded to the Clerk in plain envelopes marked "TENDER". Any tender received after the date and time fixed for receipt shall not be considered.
5. Tenders shall be opened after the fixed date and time for receipt at a time set by the Clerk in the

presence of the Chairman or Vice-Chairman or an appropriate member of the Authority.

6. Where the Authority decides to accept a tender other than the lowest, the reasons for such action shall be specified in the minutes of the meeting at which the Authority makes that decision.
7. Where the Authority decides to reject a tender, the reason for such rejection shall be specified in the minutes of the meeting at which the Authority makes that decision.

CONTRACTS

8. All written contracts must provide for damages for default by the contractor and for possible cancellation in the case of bribery.
9. All written contracts must in all respects be construed and operate as Isle of Man contracts and shall be interpreted in accordance with Isle of Man law.
10. Payments on account to contractors shall be made on a certificate issued by an authorised officer of the Authority which shall show the total amount of the contract, the value of the work executed to date, retention money, amounts paid to date and the amounts now certified.
11. Every significant variation on a contract for the execution of works shall be authorised in writing by an authorised officer of the Authority subject to the approval of the Authority. Variations which will result in the amount of the accepted tender being exceeded shall, as soon as possible, be reported to the Authority and, except where unavoidable in the Authority's interest, no expenditure shall be incurred in respect of such variations without the approval of the Authority.

SUSPENSION OF STANDING ORDERS

12. (1) Subject to Standing Order 12(2), any of the preceding Standing Orders may be suspended so far as regards any contract where the Authority is satisfied that the suspension is justified by special circumstances.
- (2) Standing Orders shall not be suspended without notice unless at least two-thirds of the whole number of the members of the Authority support such suspension.

PART II - CAPITAL SCHEMES

APPLICATION

13. In addition to the foregoing provisions in Part I, this Part shall have effect in regard to any contract for the execution of works, which will form the subject of a borrowing petition to the Department of Infrastructure.

This Part is applicable to all capital schemes, including building, engineering and other projects (including but not limited to the leasing or hire purchase of vehicles, operational or administrative equipment, which are wholly or partially funded or underwritten by central government.

PRE-PETITIONING PROCEDURES

14. The Department of Infrastructure's recommended pre- petitioning procedures must be observed.

CONTRACTS

15. An appropriate standard form building or engineering contract must be used and every clause completed or deleted as applicable.

16. Where the contract provides for increases in the cost of labour and materials, a schedule of the price of labour, materials and goods must be completed. The contract must state if this schedule is not completed fluctuations will not be allowed.
17. Provisional sums should be kept to a minimum and wherever reasonably possible, all items should be written into the specification.

ADDITIONS AND VARIATIONS

18. Any significant additions and variations to the contract must be approved and minuted by the Authority and written instructions given to the Authority's architect /supervising professional for the project.
19. Minutes of progress and/or site meetings must be formally recorded and presented to the Authority by the architect / supervising professional.

PART III - DELEGATED PURCHASING POWERS

Where items require to be purchased for the day to day administrative functioning of the authority and which are not otherwise governed by the provisions of Part I of these Standing Orders, then the Authority may sanction from time to time a delegated purchasing authority to the Clerk, or other officer, as it see fit, to a maximum limit of £500. The terms of delegated purchasing power are to be notified either by an approved motion of the Authority or as part of a job specification approved by the Authority for the role of Clerk or other named officer.

PART IV - SUPPLEMENTAL

VARIATION AND REVOCATION OF STANDING ORDERS

20. (1) Any motion to add to, vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Authority.
- (2) These Standing Orders will be formally reviewed at least once a year during the month of April and otherwise as the Authority may resolve, to ensure they remain 'fit and proper' for their purpose.

STANDING ORDERS TO BE GIVEN TO MEMBERS

21. A copy of these Standing Orders shall be given to each member of the Authority by the Clerk upon delivery to him of the member's declaration of acceptance of office on the member being first elected to the Authority. Thereafter, following any the making of any amendment to these Standing Orders, a full copy of them shall be given to each member of the Authority by the Clerk and made public as the Authority may resolve.

Executed for and on behalf of the Port St Mary Commissioners at a meeting of the Authority held this 11th day of March 2019

Chairman

Clerk

Port St Mary Commissioners
Policy & Guidelines for the use of Electronic Communications and
Social Media Policy

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POLICY & GUIDELINES FOR THE USE OF ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY

1. POLICY STATEMENT

Port St Mary Commissioners recognises the important role that electronic communications and social media play in creating a culture of working that is responsive, effective and flexible. The Commissioners actively encourages users to engage with all forms of electronic communication and social media and exploit the benefits that these technologies offer, for example promoting the provision of services, informing users of service development, answering enquiries and receiving feedback from members of the public. However, it is also important that users are mindful of the potential risks involved, both to themselves and the Commissioners, and to ensure that they use all forms of electronic communication and social media safely, responsibly and legally.

It is Board's policy to ensure privacy, confidentiality, and security in electronic communications, to meet its legal and statutory obligations, and to protect the reputation of the Board. Recent case law would indicate that there is no right to privacy when using social media as an individual and the lines between work and home life can become very blurred. It is important that users of electronic communications and social media recognise this.

In support of this Policy, Standards and Guidelines, the Board will communicate the required standards and behaviours expected from all users of Commissioners' electronic communications equipment, such as but not limited to e-mail, internet, social media (including but not limited to blogs, social networking, wikis, forums, message boards etc), telephone and work voice-mail facilities. The Board reserve the right to monitor the use of e-mail, internet, social and media networking, telephone and voice-mail facilities to ensure compliance with this Policy, Standards and Guidelines and related procedures.

2. GENERAL STATEMENT

The guidelines and examples provided are not exhaustive and may differ slightly. However, it is suggested that as a general rule, individuals are mindful that they should not put into electronic or social media format anything that they would not be prepared to state verbally or in writing or print and have attributed to them. Users are expected to take a reasonable and common-sense approach to their use of these media, in respect of both how they use them as well as how much. The principles within this document should also be borne in mind by users when they engage with electronic or social media in their personal time, especially where they can be identified as a member of staff or an elected member.

This Policy, Standards and Guidelines document is intended to protect the security and reputation of the Board of Port St Mary Commissioners. It is recognised that there needs to be a balance between the considerable benefits of electronic communications and social media for Board Members and for staff, and the potential risks that may arise through lack of understanding or training. When users are fully aware of this, they can use the media more effectively.

3. SCOPE AND COVERAGE

This Policy, Standards and Guidelines applies to all users who have access to the Commissioners' electronic communications systems, devices and personal devices, when they are connected to the Commissioners' network. This includes all individuals whether members of the board, employed on a permanent, part-time, temporary or locum basis, as well as third party and contract staff. The Policy, Standards and Guidelines also applies to users engaging with electronic or social media in a personal capacity, outside of their normal place or hours of work.

What, where and how content is published is important, particularly now that the lines between public and private, personal and professional life are becoming increasingly blurred. What is published online in a personal context can easily be associated with Port St Mary Commissioners and this Policy, Standards and Guidelines are to help users protect and promote the Commissioners and themselves online.

This document is not intended to replace guidance provided by Professional or Registration Bodies (for example the Law Society, General Medical Council, Nursing and Midwifery Council, Royal Institute of British Architects etc). Individuals who are members of these bodies must ensure they are also aware of and compliant with their guidance on social and electronic media.

Elected members should be fully aware of the Policy, Standards and Guidelines and of their responsibility to ensure privacy, confidentiality, security and appropriate use of electronic communications. Staff will be advised of this policy at their induction and at annual appraisals.

Where appropriate the Policy, Standards and Guidelines should also be communicated externally, e.g. to contractors etc.

Breach of the minimum standards within this document may be dealt with under the Disciplinary Policy relevant to the terms and conditions of employment and, in serious cases, may be treated as gross misconduct leading to summary dismissal.

There are Policies and Procedures in place through which staff can raise concerns and 'let off steam', for example Confidential Reporting (Whistleblowing) or the Grievance procedures and Fairness At Work Policy.

4. MONITORING

Commissioners' resources, including e-mail, internet, social media, telephones and voicemail are provided for business purposes. Therefore, Port St Mary Commissioners reserves the right to monitor the legitimate use of these business facilities.

The monitoring or recording of e-mail and voicemail messages and use of internet, social media and telephone facilities will only be undertaken for the following, specific, legitimate business purposes:-

- to ascertain compliance with regulations, Policy and procedures;
- to investigate or detect unauthorised use of business systems;
- to ensure the effective operation of those systems; and to prevent or detect crime.

MINIMUM Standards

MINIMUM STANDARDS FOR THE USE OF ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA

Port St Mary Commissioners has developed a set of minimum Standards that must be adhered to by all users who engage with electronic communications and social media, whether privately or in a work capacity. Failure to adhere to one or more of these Standards may result in disciplinary action and potential dismissal.

Users should be aware that all information that they hold or create may be the subject of a Freedom of Information or Subject Access request. This may include official Commissioners emails and personal email accounts and mobile telephones, where these have been used for official business. It is strongly recommended that users acquaint themselves with the provisions of this legislation.

Where there is any doubt, it is strongly advised that individuals contact the Clerk.

1. MINIMUM STANDARDS FOR ALL USERS WHEN USING ALL FORMS OF ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA

The following activities are expressly forbidden, and a deliberate act in relation to any of these activities may be regarded as misconduct and in serious cases could result in dismissal from employment: -

UNAUTHORISED USE:

1. The intentional introduction or attempted introduction of any form of Trojan, computer virus or other malicious program.
2. A deliberate attempt to gain unauthorised access to restricted areas of the network through the use of "hacking" and/or other unauthorised activities.
3. Forgery and/or attempts to read another Commissioners user's electronic communication without their express permission.
4. The automatic redirection of e-mail to external e-mail accounts without express permission.
5. Disclosing or allowing anyone else to use your username and password to gain unauthorised access to any of the Commissioners' systems.
6. Transmitting, receiving, copying or storing digital media (including software, music, video etc.) except for reasonable personal use (for example personal photographs) and legitimate business purposes which comply with the copyright and licensing regulations.
7. Playing computer games, accessing chat rooms or similar personal entertainment to the detriment of their role or the Commissioners' reputation.

8. The encouragement or promotion of activities, which may be an unproductive use of Commissioners' resources. Possible examples include the inappropriate distribution of unsolicited messages e.g. chain letters, junk mail and jokes.

9. Uploading or downloading (or attempting to download), using, retaining, distributing or disseminating any images, text, materials or software onto, from or with a Commissioners' computer which would be a breach of copyright or license provision with respect to both programs and data.

ACTIVITIES THAT DAMAGE THE COMMISSIONERS:

1. Any activity which could compromise the legal, regulatory or contractual obligations of the Commissioners, could breach the confidentiality of information or could have negative repercussions on the reputation of the Commissioners.
2. Ensure that personal opinions are not attributed to the Commissioners or Departments.

ACTIVITIES THAT DAMAGE RELATIONSHIPS:

1. Making derogatory, defamatory or malicious remarks or expressing derogatory opinions about the Commissioners or staff working within the Commissioners.
2. 'Trolling' i.e. making deliberately offensive, inflammatory or contentious statements online with the intention of inciting a reaction.
3. Knowingly infringing copyright or intellectual property rights. Copyright arises when an individual or company creates a work and gives the owner or creator control over how it is broadcast, copied, adapted, issued, rented and lent. It is an offense to copy, share, lend or issue, perform or broadcast, or adapt the work without the consent of the owner.
4. Uploading or downloading (or attempting to download), using, retaining, distributing or disseminating any images, text, audio recordings, materials or software which:
 - a. are or might be objectively considered to be indecent, obscene, pornographic, or are or might objectively be considered to be violent, distasteful and alarming, or an incitement to criminal or illegal behaviour. (If you receive an electronic communication of this nature, you must promptly notify your line manager or another appropriate manager or supervisor);
 - b. are or might be objectively considered offensive or abusive, in that its context is or could be considered to be a personal attack, rude, sexist, racist or generally distasteful. (If you receive an electronic communication of this nature, you must promptly notify your line manager or supervisor);
 - c) users cannot or are not prepared to be accountable for.

2. STANDARDS TO FOLLOW WHEN USING SOCIAL MEDIA AS AN INDIVIDUAL MINIMUM STANDARDS FOR ALL USERS

Do not:

1. Use Port St Mary Commissioners crest or identity to endorse personal opinions or viewpoints.
2. Use Social Media to 'whistle blow'. The Whistleblowing Policy outlines the process to follow if you have concerns about your workplace.
3. Post comments or images which are abusive, improper or offensive or which could be construed as bullying, harassment, victimisation or 'trolling'.
4. Post comments or images which could be portrayed as committing an offence or anti-social behaviour, or that brings Port St Mary Commissioners into disrepute
5. Post confidential information relating to the Commissioners or its staff online .

3. STANDARDS TO FOLLOW WHEN USING SOCIAL MEDIA AS PART OF YOUR JOB

Minimum Standards for Use of Social Media for all Users

1. Seek approval from the Clerk if the use of social media and / or the creation of a social media presence (accounts, pages, groups, events etc) is not already expressly provided for in your job description or consider requesting an amendment to your job description to reflect your responsibilities.
2. Do not give personal opinions that could bring the organisation into disrepute.
3. Do not detail religious or political beliefs.
4. Your use of Social Media should be relevant to your role.
5. Where your use of social media is identifiable as being by a Commissioners' official or from a Commissioners' account do not 'like' other individuals' or bodies' pages/sites or provide links to them unless to be associated with the content is wholly consistent with department policy or otherwise approved by the Clerk. Any 'liked' or linked pages must be monitored to ensure that changes do not make that cease to be appropriate. ('Liking' may be construed as formal endorsement by the Commissioners).

GUIDELINES FOR THE USE OF ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA

It is recognised that a clear and comprehensive set of guidelines and recommendations on best practice can also assist users to make full use of the potentials offered by electronic communications and social media, whilst protecting themselves and Port St Mary Commissioners. It is strongly recommended that users acquaint themselves with these guidelines, which are intended to minimise the risks posed by using electronic communications and social media and avoid any potential consequential disciplinary action.

1. GUIDELINES TO FOLLOW WHEN USING SOCIAL MEDIA AS AN INDIVIDUAL

- a) Think before you post.
- b) Be honest and truthful.
- c) Take steps to protect Personal Data such as date of birth, address etc.
- d) Avoid using your official Commissioners email address when accessing online services and social media for personal use.
- e) Ask whether it passes the Publicity Test – would you be happy to have your statement attributed to you in the national media?
- f) Be respectful of others.
- g) Monitor comments.
- h) Set security to restrict access/visibility to friends only.
- i) Be selective with 'Friends' as well as what you 'Like', 'Share', 'Retweet' etc on Social Media as associating yourself with a particular post, particularly one that may denigrate Commissioners or its staff, may be deemed to be an endorsement of that post.
- j) Ensure you comply with the Terms of Use of any Social Media platform you are using.
- k) If you post about any aspect of your work or your colleagues, even from your personal account, be mindful of the content and your audience.
- l) Don't use pseudonyms.
- m) Reasonable use of classified ad forums, Manx.net classified etc, should be conducted within your own time.
- n) Be aware that anything posted online may exist in perpetuity: for anything you post, ask yourself if you will be comfortable with it resurfacing, possibly unexpectedly, sometime in the future.

2. GUIDELINES TO FOLLOW WHEN USING SOCIAL MEDIA AS PART OF YOUR JOB

- 1. Think before you post.
- 2. Ensure you are familiar with this Policy, Standards and Guidelines document.
- 3. Ensure you are accurate.
- 4. Ensure you are timely.
- 5. Be responsible.
- 6. Respect others.

7. Be thoughtful.
8. Be yourself but adopt any defined or desired work style if required.
9. Be personable not personal.
10. Be polite, impartial, clear and transparent.
11. When possible, it is generally desirable to maintain regular posts to keep followers engaged.
12. Remember why you are posting - keep posts relevant to your role.
13. Link to other Commissioners' sites and partner agency sites. Where your use of social media is identifiable as being by a Commissioners' official or from a Commissioners' account do not 'like' other individuals' or bodies' pages/sites or provide links to them unless to be associated with the content is wholly consistent with policy or otherwise approved by the Clerk. Any 'liked' or linked pages must be monitored to ensure that changes do not make that cease to be appropriate. ('Liking' may be construed as formal endorsement by the Commissioners).
14. Use Social Media when appropriate, not to the detriment of more pressing workload.
15. Use appropriate language.
16. Monitor and respond to comments on your posts.
17. Direct any complaints received via Social Media to the appropriate channels or person.
18. Don't be drawn into or escalate heated discussions. Stick to the facts and keep your tone professional at all times.
19. Don't discuss any third parties without their prior knowledge or consent.
20. Be careful how you link personal and work accounts.
21. Provide appropriate opinion / updates / comments on ongoing work issues / projects.
22. Don't re-tweet personal posts.

3. SUMMARY

As a general rule, remember:

- If you are in doubt – ask before posting.
- Why you are posting – to share public information, not for personal betterment.
- To think before you Re-tweet or Share another post, comment or image.
- What appears 'light-hearted' to you may offend others.
- To keep your work and personal posting completely separate.
- Don't use information that you obtain during the course of your normal work to inform what you post online – maintain confidentiality.
- What is 'done' cannot be 'undone' - once it's posted then it's there forever.
- What you post is disclosable.
- Respect copyright.
- Check spelling and grammar before you post.
- Comply with the law.

4. SECURITY, SAFETY AND PRIVACY TIPS FOR ANYONE USING SOCIAL MEDIA

The internet is open to a world-wide audience. When using social media channels, consideration should be given to the following:

- Privacy settings to help control who can view user profiles, personal information and photos. Access to this information cannot be completely controlled, and users have no control over what someone else may share.
- How much information to impart. How may information such as phone number, address, car registration, a list of possessions be used if it is shared? With whom will the information be shared? Not everyone will respect personal or physical space.
- The image that materials and images shared on social media can project to potential employers, the general public, family members etc. Inappropriate material can create a negative image, which may have further consequences for career advancement, or work relationships.
- Removing material that has been posted thoughtlessly can be difficult. Posted material can remain accessible on the internet until the prescribed process for removing information from the caching technology of one or multiple (potentially unknown) search engines has been completed. This can be lengthy and difficult to do.
- Posting images or information about others without their consent can infringe their privacy and may lead to legal action in extreme cases.
- Some sites may render users vulnerable to computer viruses and SPAM or other unsolicited communication. Viruses can destroy data and infect other users. It is recommended that information is backed up to an external source in case of destructive attacks.

PORT ST MARY COMMISSIONERS
MEETING DATES TO APRIL 2020

Below is a list of scheduled meeting dates for the coming year.

2020 Meeting Dates	
11 th March 2020	Notice to be issued by 6 th March if meeting is required
25 th March 2020	
8 th April 2020	Meeting starts at 19.30.
22 nd April 2020	April meeting held on 8 th , notice to be issued by 17 th April if meeting required.

Election scheduled for Thursday 23rd April 2020.

Item 11.1

PORT ST MARY COMMISSIONERS PUBLIC CONSULTATIONS

Re: Reform of the Planning System – Proposed Amendments to Increased Permitted Development

I am writing to you in order to make you aware of a public consultation. The Department of Environment Food and Agriculture, with the Cabinet Office, has launched a consultation to seek views on proposed changes to secondary legislation to enable certain types of development to take place without the need for a specific planning application (sometimes called 'Permitted Development'). The details of this can be found at the [Consultation Hub](#).

The closing date for comments is the 30th March 2020

Overview

The purpose of this consultation is to seek views on proposed changes to secondary legislation to enable certain types of development to take place without the need for a specific planning application (sometimes called 'Permitted Development').

Why We Are Consulting

Feedback from this consultation will be helpful in shaping the final content and wording of the legislation.

Part 1 of the consultation focusses on minor alterations to existing sites and buildings (outside Conservation Areas) which could help to reduce carbon emissions, including:

- Air Source Heat Pumps;
- Electric Vehicle Charging Points;
- Replacement Conservatory Roofs;
- Solar Panels; and
- Cycle Shelters.

A proposed clarification in relation to household extensions and parking is also proposed.

Part 2 of the consultation proposes improvements to the changes of use which are allowed as permitted development including:

- expanding some of the town centre areas covered by Permitted Development for changes of use; and

- clarifying the requirements for windows with an outlook for changes to flats

A consultation guide and more detailed information on the context for these changes and how they will be made is available separately as part of this consultation.

Related:

- [Full Consultation Document](#)1.2 MB (PDF document)
- [Consultation Guide](#)121.4 KB (PDF document)
- [Additional Information - Part 1](#)113.6 KB (PDF document)
- [Additional Information - Part 2](#)111.4 KB (PDF document)
- [Proposed Maps](#)756.0 KB (PDF document)
- [Town and Country Planning \(Change of Use\) \(Development\) \(No. 2\) Order 2019](#)
- [Action plan to improve the planning system](#)

Public Consultation in relation to proposed amendments to Increased Permitted Development (2020)

Question	Responses
Background Questions	
What is your name?	
Please provide either an email address or a postal address	
Are you responding on behalf of an organisation?	Please circle or highlight one of the following: <ul style="list-style-type: none"> • Yes • No
If yes, what is the name of the organisation?	
May we publish your response? <i>Please read our Privacy Policy for more information and your rights</i>	Please circle or highlight one of the following: <ul style="list-style-type: none"> • Publish in full – your first name and surname, organisation name, along with full answers will be published on the hub (your email will not be published) • Publish anonymously – only your responses will be published on the hub (your name, organisation and email will not be published) • Do not publish – nothing will be published publically on the hub (your response will only be part of a larger summary response document)

Proposed Permitted Development outside Conservation Areas	
Do you think the proposed changes to Permitted Development Outside Conservation Areas are appropriate?	Please circle or highlight one of the following: <ul style="list-style-type: none"> • Yes • Maybe – but I would suggest changes • No
Please explain the reason for your answer, including any suggested changes	
Are there any works which you think should be made Permitted Development which are not currently and are not proposed in this consultation?	Please circle or highlight one of the following: <ul style="list-style-type: none"> • Yes • No
If you have answered yes, please give details	

Amendments to the Changes of Use Order	
Do you think the proposed changes to the Castletown, Onchan and Port Erin Maps are appropriate?	Please circle or highlight one of the following: <ul style="list-style-type: none"> • Yes • Maybe – but I would suggest changes • No
Please explain the reason for your answer, including any suggested changes (it would be helpful to provide draw these onto one of the consultation maps)	
Are there any other changes to any of the 6 maps within the existing order works which you think should be made?	Please circle or highlight one of the following: <ul style="list-style-type: none"> • Yes • No
If you have answered yes, please give details including any suggested changes (it would be helpful to provide draw these onto one of the maps which are within the existing order)	
Do you think the proposed definition for Primary Windows is appropriate?	Please circle or highlight one of the following: <ul style="list-style-type: none"> • Yes • Maybe – but I would suggest changes • No
Please explain the reason for your answer, including any suggested changes	

Item 11.2

Consultation - Targeted engagement on Isle of Man Climate Change Bill 2020

Introduction

In May 2019 the Chief Minister made two very significant announcements with regard to climate change. He made a commitment for the Isle of Man to reach net zero emissions by 2050 (the previous commitment was for an 80% reduction on 1990 levels by 2050), and for a Climate Change Bill to begin its journey through the legislative process in 2020.

In Tynwald in June 2019 a motion was carried which committed to the formation of the Climate Emergency Consultative Transformation Team and an independent report to inform a Government climate action plan.

Professor James Curran, an environmental leader with extensive climate change experience was appointed as the independent Chair of the Climate Emergency Consultative Transformation Team. He produced a report for Government and his report and the Isle of Man Government Action Plan for Achieving Net Zero Emissions by 2050 were laid before Tynwald in January 2020. The Action Plan received unanimous support in Tynwald and work is now underway to implement the 60 priority actions identified. This work has also informed the development of a Climate Change Bill suitable for the Isle of Man.

The Climate Change Bill will be drafted early in 2020 and there will be a full public consultation on the draft bill. However, at this stage we would like initial input from key stakeholders and others with an interest in the topic, to ensure that the proposed scope of the Bill is appropriate.

The importance of climate change legislation

The importance of appropriate climate change legislation has now been demonstrated around the world. It has now been acknowledged internationally that there is a climate emergency and it is essential that we act globally and urgently to reduce emissions. The IPCC recommend reaching net zero by 2050 to ensure that global temperature increases are limited to 1.5°C. There is no scope for national commitments to slip and statutory requirements are acknowledged as necessary to ensure sustained action. The UK Climate Act was one of the earliest extensive pieces of climate change legislation and is held up as a

good, effective model of how legislation can drive emissions-reduction and effective climate action. Since the introduction of the Climate Act in 2008 the UK has seen significant decreases in emissions, whilst economic growth has continued.

Introducing effective and appropriate climate change legislation for the Isle of Man makes a clear commitment to delivering the 2020 Government Action Plan Phase 1 and future climate action plans. Appropriate provisions in legislation would facilitate actions that are not currently provided for, make our net zero emissions by 2050 goal a statutory one and demonstrate locally and globally that the Isle of Man is taking climate action seriously and prioritising the delivery of emissions-reducing actions to reach the 2050 target.

The proposed content of the Isle of Man Climate Change Bill

The Climate Change Bill that will enter the legislative process in 2020 will need to give the core powers to support the implementation of the current and future actions plans, and associated measures that will embed climate change action in our society. A wide range of additional measures will need to be developed in the long term, including exploring the proposal for legislation on climate change adaptation and the circular economy.

It is proposed that the Isle of Man Climate Change Bill will include the following key elements:

General provisions

- Duty to achieve a target for net zero greenhouse gas emissions by 2050.
- Enabling powers to set appropriate interim targets and to bring forward the main target, though no powers to reduce or delay the main target.
- Duty to produce and consider a climate action change plan every 5 years.
- Duty to report progress against the climate action plan every 5 years, with one interim report during each 5 year period.
- Duty to ensure a credible external review is undertaken of the 5 year action plan progress report, to provide reassurance of appropriate progress towards 2050 target.
- Enabling powers to establish an appropriate advisory body to advise on effective delivery and assess performance.
- Duty of all public bodies to contribute to the 2050 target and to the delivery of climate action plans.
- Duty of public bodies to consider climate impact of strategies, policies, business plans, budget proposals and other actions (requiring a climate impact assessment).

- Statutory obligation to follow appropriate UN/IPCC international reporting protocols (to capture methodology around what is included in emissions measurement, natural carbon capture etc), with enabling powers to modify if appropriate.
- Other measures to enable the above.

Facilitating the move to renewable energy:

- Amendments to Electricity Act 1996 to enable increased renewable energy generation and other emissions-reducing actions.

Enhancing carbon sequestration opportunities:

- Enabling powers to allow a local carbon offsetting scheme.
- Amend Town and Country Planning Act 1999 to allow Government to undertake "habitat restoration" without planning permission subject to appropriate Environmental Impact Assessment
- Powers to designate an area as protected for the purposes of carbon sequestration.
- Amend Forestry Act 1984 to ban all peat cutting (with exceptions/licences for research and restoration etc).
- Amend Town and Country Planning Act 1999 to add "maximising carbon sequestration, minimising emissions and maintaining and restoring ecosystem services" as "material considerations".
- Amend Town and Country Planning Act 1999 to allow greater freedom for woodland planting (subject to appropriate Environmental Impact Assessment).

Reducing emissions from properties

- Enabling powers to ban the installation of fossil-fuel boilers in new build properties from 2025.
- Enabling powers to ban the installation of new oil (fossil-fuel) boilers after a date to be established.
- Enabling powers to ban the use of oil (fossil-fuel) boilers completely after a date yet to be established.
- Provide means to require improvements in the energy efficiency of properties.

Reducing the emissions associated with travel

- Enabling powers to allow for future bans on imports and use of particular types of vehicles (to be determined at a later date).
- Provision for extra duties and charges associated with reducing travel emissions.

Other provisions

- A requirement to have regard to the implementation of a 'just transition', ensuring that no section of society is disproportionately impacted by emissions-reducing actions.
- Powers to legislate to restrict/ban the use, distribution, import and disposal of single plastic items (subject to exceptions, in line with the Isle of Man Community Plastics Plan).
- Enabling powers to request or require organisations to provide data to assist in emissions measurements and reporting.

The following provisions may also be required in future legislation:

- Enabling powers for carbon trading with other jurisdictions (allowing international offsetting if required).
- Climate adaptation (may require separate bill).
- Circular economy (may require separate bill).
- Statutory recognition of other specific targets.
- Duty of public bodies to maintain and enhance biodiversity and promote the resilience of ecosystems in the exercise of their functions.
- Duty to produce a public engagement strategy within a specified time frame.
- Statutory requirements to produce terrestrial and marine carbon management plans by a particular date.
- Statutory requirement for climate change education.
- Enabling powers to require provision of infrastructure.
- Enabling powers for compulsory purchase of land for carbon management requirements.
- A wide range of other provisions not yet considered in an Isle of Man context.

Targeted engagement

You have been identified as a key stakeholder with an interest in climate change and we would like your input at this stage to inform the development of the climate change bill.

There will be full consultation on the draft bill later in 2020, but your input at this early stage will be very valuable. Please contact us with any initial thoughts on the broad outline of the bill and also if there are wider elements that it would be valuable for us to consider either for this bill or for future related legislation.

How you can respond

Please reflect on the questions **below** and either:

1. Respond on the dedicated page on the Government website:

<https://consult.gov.im/cabinet-office/787f736c/>

2. Send your response to: farjana.jaigirdar@gov.im

3. You can also write to:

Farjana Jaigirdar
Department of Environment, Food and Agriculture
Thie Slieau Whallian
Foxdale Road
St John's
Isle of Man
IM4 3AS

Please give your correspondence the subject: Climate Change Bill Targeted Engagement

The targeted engagement opens on Monday 17 February, and the deadline for received responses is: **Monday 2 March at 5pm.**

Next steps

Your input will assist in drafting the Climate Change Bill. A public consultation on the draft Climate Change Bill will run later in 2020 and we welcome your continued input on this issue.

Key questions	
1. Does the proposed content provide the necessary framework for climate action?	
2. Do you have any concerns about the implications of any of the proposed provisions?	
3. Is there anything else that you think is important to include in this Bill?	
4. Are there provisions you would like to see in future climate/environmental legislation?	
5. Are there any other issues you'd like us to consider at this stage?	

**PORT ST MARY COMMISSIONERS
INVITATIONS**

ARBORY PARISH COMMISSIONERS

The Chair, Mr Stephen Gawne, and
Members of the Arbory Parish Commissioners
wish to invite you and your Commissioners to the

Civic Service

to be held at

Arbory Parish Church, Ballabeg

on

Sunday 15th March at 10.30 am

Refreshments will be served in the Parish Hall after the service

R.S.V.P to Phil Gawne, Clerk to the Arbory Parish Commissioners,
Lamode, Ballakillowey Road, Rushen, IM9 4BP.

Phone: 824049 [Email: clerk@arbory.gov.im](mailto:clerk@arbory.gov.im)

Phil

Phil Gawne BSc (Hons)
Clerk to the Arbory Parish Commissioners,
Lamode,
Rushen.