



Town Hall,
Parliament Square,
Ramsey,
Isle of Man.

www.ramsey.gov.im

11th March, 2011.

Sir/Madam,

The monthly **Public Meeting** of the Ramsey Town Commissioners will be held in the Boardroom of the Town Hall, Parliament Square, Ramsey, on **Wednesday, 16th March, 2011**, at 7.00 p.m.

BUSINESS:

1. Apologies for Absence:

2. Minutes for Adoption:

pages: 1 - 7

- Minutes of the Board Meeting held 16th February, 2011
- Minutes of the Special Meeting held on 28th February, 2011.

3. Chairman's Report:

page: 8

- Ramsey Town Band
- Civic Duties

4. Town Clerk's Reports:

pages: 9 - 23

- Action Pending **(Multi)**
- Agri-Environment Scheme Consultation **(FGP)**
- Consultation Office of Fair Trading **(FGP)**
- Cooil Road Development Order **(WD)**
- Development at Poyll Dooley PA 03/00790 **(WD)**
- Northern Swimming Pool **(PL)**
- Public Health Amendment Bill **(FGP)**

- 5. Finance Officer's Report:** (FGP) pages: 24 - 27
- Revenue Accounts
 - Capital Account
 - Payment of Attendance and Travelling Allowances
- 6. Chief Technical Officer's Reports:** (WD) pages: 28 - 35
- Planning Applications
 - Appendices
 - General Report
 - Lezayre Housing Estate – Progress Report
 - Refurbishment of Properties Brookhill and Seamount Roads
 - Mooragh Park Paths
 - Department of Infrastructure Community based approach to Snow Clearance
- 7. Administration Officer's Report:** (WD) page: 36
- Enforcement Actions
- 8. Public Correspondence:** pages: 37 – 38
- Isle of Man Census 2011 (FGP)
 - Speed Limits Near Schools (WD)
 - Tynwald Advisory Council for Disabilities (FGP)
 - Strategy for the Future of the Health Services (FGP)
 - On your Doorstep Exhibition (PL)
- 9. Any other Business:**
(By permission of Chairman)

Town Clerk & Chief Executive

**RAMSEY TOWN COMMISSIONERS
CHAIRMAN'S REPORT
MARCH, 2011.**

Fellow Members,

Congratulations – Ramsey Town Band;

The opportunity is taken to record the Board's congratulations to Ramsey Town Band on their great achievement in being awarded 3rd place in the Fourth Section of the Northern Regional Band competitions held at Blackpool at the end of February.

As a result of their success the Band has been invited to take part in the National Finals to be held at the end of September in Cheltenham.

Civic Duties:

It was a privilege to represent the Commission at Malew Parish Civic Sunday and also to present to the Northern Probus Club on the ongoing progress in relation to Ramsey Regeneration.

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11th March, 2011.

**RAMSEY TOWN COMMISSIONERS
TOWN CLERK'S REPORT
ACTION PENDING
MARCH, 2011 – PUBLIC**

Mr. Chairman and Members,

As requested the table below details matters currently pending further action following consideration by the Commission.

	Topic	Action	Notes
Chief Technical Officer's Report	Appendix	Meeting with Chairman Planning Committee / Officers	Reminder has been sent via the Director of Planning and Building Control.
Public Correspondence	Control of Injurious Weeds	Further Report	Pending
Finance Officer's Report	Housing rents and maintenance allowances	Analysis of costs	To be completed
Administration Officer	Town Byelaws	Submitted to DoI for review	Pending

Recommendation: to be noted

T. P. Whiteway
Town Clerk and Chief Executive

11th March, 2011.

**RAMSEY TOWN COMMISSIONERS
TOWN CLERK'S REPORT
AGRI-ENVIRONMENT SCHEME CONSULTATION
MARCH 2011 – PUBLIC**

Mr. Chairman and Members,

The Department of Environment Food and Agriculture has issued a consultation on the Pilot Manx Agri-environment Scheme which started in 2002 as a voluntary scheme administered by DEFA (previously DAFF) Agriculture Directorate.

The aims of the Scheme are threefold:

1. to reward ecologically sound farming methods;
2. to support Manx rural communities,
3. to maintain the distinctive and beautiful landscape that traditional farming practices have created.

The Department states that in this way agriculture can make a positive contribution to the Island's biodiversity (the variety of wild plants and animals), and ensure the long term sustainability of the Islands unique and beautiful countryside while continuing to be commercial and profitable.

The pilot scheme was designed to introduce the concept of agri-environment schemes and test a typical range of agri-environment scheme prescriptions on a limited number of farms, with a view to implementing a fully developed scheme, open to more landowners, and benefitting from the findings of the pilot scheme.

The Departments website reports the current scheme is a "whole farm" scheme aimed at integrating farm management with maintenance and protection of the environment. It provides support for farmers to manage wildlife positively and maintain the distinctive beauty of the Manx countryside. The first intake years of the Agri-environment Scheme have been treated as a pilot, the results of which were intended to contribute to the development of a full Scheme. The pilot stage has taken in around thirty farms in total - over 12,000 acres. Over a five-year [10 year!] period, each of these farms receives annual payments both for good environmental stewardship of the whole farm and for targeted habitat management on individual species-rich areas such as hay meadows or coastal heathland. Participants can also add optional wildlife-friendly initiatives such as marginal tree planting, pond restoration and new birds or bat boxes.

The current situation sees the first cohort of farms in the Pilot Scheme set to finish their second 5 year agreement in March 2012. After 10 years as a Pilot Scheme the Department states that it is an opportune (and overdue) time to re-evaluate the Scheme with a view to launching a new Agri-Environment Scheme in April 2012.

**Town Clerk's Report – Agri-Environment Scheme Consultation
March, 2011 – Public Continued:**

The Department advises that challenges faced by a new Scheme are fivefold:

1. The budget has remained static £200,000 per annum reduced to £155,000 for the forthcoming year, but costs of labour, crops and capital items have risen;
2. the Scheme must be opened to all farmers;
3. the Scheme must deliver measurable benefits to the Islands wildlife and landscape;
4. the Scheme must demonstrate value for taxpayers money and the administrative burden (including monitoring of Scheme success)
5. Monitoring must not be a disproportionately large part of the Scheme budget.

In addition, the implementation of the Countryside Care Scheme has placed a responsibility on all of its participants (the majority of eligible farms) to practice good environmental standards on the farm, thus removing the requirement for the pilot Agri-Environment Scheme to make payments for adhering to basic environmental standards.

The Department has developed a broad vision of how a new Scheme might function. In order to meet the five challenges outlined in Section 1, the Department proposes to simplify the current Scheme by removing the whole-farm requirement and reducing the number of management options to no more than a few, focussing on the most threatened habitats and species. This will effectively open the Scheme to more farmers as the maximum payment to any individual farmers will be reduced as there are fewer options to avail of allowing the budget (£155,000 to be allocated over 3 years) to go further. This will also allow for more efficient administration of the Scheme as the process for payments and inspections will become simpler and monitoring of a small number of management options will now be feasible, allowing the Department to better assess the effectiveness of the Scheme.

An example of a suggested prescription to enhance populations of declining farmland birds such as tree sparrow and yellowhammer could involve sowing an arable field-margin with a cereal-linseed mix and leaving it unharvested and unsprayed to provide a winter food source rich in seeds and invertebrate food. The farmer would be paid for the loss of cropping area and the costs associated with establishing the wild bird crop. Whilst DEFA can easily assess the success of the prescription by assessing the area in cover crops and surveying the bird usages in comparison to areas with no bird cover.

The following options for an Agri-Environment Scheme have been provided by the Department:-

- Leave the Scheme unchanged
- Leave the Scheme prescriptions unchanged and review payment rates (payment rates could go down as well as up)
- Remove the 'whole-farm' element of the Scheme
- Focus on a small number of targeted prescriptions
- Allow farmers to 'bid' for funds for habitat creation and improved management.
- Terminate the Scheme

**Town Clerk's Report – Agri-Environment Scheme Consultation
March, 2011 – Public Continued:**

The Department states also that monitoring of the Agri-Environment Scheme [if continued] is required to ensure that targets are met, that prescriptions represent good value for money, and that this does not occur in the current Scheme. Presently payments are made following inspection of works. During its period of operation the scheme has supported 30 farms, from 350-400 registered farms on the Island; it is not open to other landowners, the scheme has been closed to new applicants except where an existing recipient has dropped out. Annual payments to farms range between £2,500 - £7,000, this would be reduced considerably if the scheme was opened to all farms.

Should the Commission support the continuation of the scheme in some form it may consider that it should be opened to all farms, and that it should be targeted to ensure that the maximum environmental benefit should accrue where assistance is provided.

A copy of the consultation document can be viewed on the IOM Government website.

Recommendation: for discussion.

T. P. Whiteway
Town Clerk and Chief Executive

10th March, 2011.

**RAMSEY TOWN COMMISSIONERS
TOWN CLERK'S REPORT
CONSULTATION OFFICE OF FAIR TRADING
MARCH, 2011 – PUBLIC**

Mr. Chairman and Members,

Introduction

The Council of Ministers has issued a consultation document on proposals to remove the requirement for the Chair and Vice Chair of the Office of Fair Trading to be Members of Tynwald.

The functions of the Isle of Man Office of Fair Trading as governed by legislation are “to protect, inform, advise and represent generally the interests of consumers”. The Chair and Vice-Chair of the Board of the Isle of Man Office of Fair Trading are currently Members of Tynwald.

All Board Members should be able to make effective impartial contributions to the work of the Statutory Board to which they are a member and maintain independence of judgement and avoid conflicts. Therefore Government is considering whether it continues to be appropriate to have a Member of Tynwald as the Chair and Vice-Chair on the Board of the Office of Fair Trading. The proposed changes if approved would be in place following the House of Keys General Election in September 2011 when the new Chair and Vice-Chair would be appointed.

The Council of Ministers would like to receive views on this matter, and has invited comments to be submitted in writing by post or email no later than 5.00 pm on Wednesday 27 April 2011.

Background

1.1. The Isle of Man Office of Fair Trading (the Board) is a Statutory Board of Tynwald that provides legislative, advisory and compliance services to benefit society and protect the Island's consumers and businesses from unfair trading practices.

1.2. The Board provides consumer protection services that support a safe, fair and competitive marketplace providing consumers with comprehensive and consistent advice and information to assist them in avoiding or resolving consumer disputes. The Board ensures that traders providing goods and services have access to advice on compliance with the law and on fair trading practice so that they are able to treat their customers fairly and comply with trading standards legislation. The Board works to ensure that all consumers are aware of their rights and that all businesses are aware of their obligations.

1.3. The Board operates a Financial Services Ombudsman Scheme, which provides arbitration and conciliation services and a final determination process through a panel of adjudicators. The Advice Service also incorporates a debt counselling facility which operates to assist members of the public who encounter debt problems.

1.4. The Board was first established under the Consumer Affairs Act 1981 and called the Board of Consumer Affairs. In November 1998 it was renamed the Isle of Man Office of Fair Trading. It also has certain powers under the Statutory Boards Act 1987.

1.5. The constitution of the Board is set down in section 3 of the 1981 Act and consists of five Members as follows:

- a Chairman, who shall be a member of Tynwald;
- a Vice-Chairman, who shall be a member of Tynwald; and
- three persons, not being members of Tynwald, capable of representing consumers in relation to the functions of the Board.

Each member of the Board is appointed by the Council of Ministers subject to the approval of Tynwald.

1.6. The Consumer Protection Act 1991 (section 57) includes the functions of the Board as - “to protect, inform, advise, support and represent generally the interests of consumers as such, and to provide information and advice to persons on legislation for which it is responsible”.

Proposed Change

2.1. The Council of Ministers has considered the appropriateness of requiring the Chair and Vice-Chair of the Isle of Man Office of Fair Trading (the Board) to be Members of Tynwald and has agreed that a public consultation exercise should be carried out into whether the Board should be non-political in its constitution.

2.2. The Council of Ministers appreciate that historically the Board has always had political membership and that the current arrangement has the advantage that the political Chair is well placed to brief Tynwald (the Parliament) during the passage of secondary legislation, the making of statements, answering questions and the submission of Reports. However the Minister for the Department of Community Culture and Leisure could, as sponsoring Department, as applies to other statutory bodies, provide full political support to the Board for moving items in Tynwald.

2.3. The Council of Ministers considers it appropriate for Statutory Boards such as the Water and Sewerage Authority and the Manx Electricity Authority, which are commercial trading boards, to be directly answerable through political members of the Board to both Executive Government and Tynwald for the actions their Authority is taking, which are funded by the user and includes the setting of utility charges, which residents are required to pay.

2.4. Within the Office of Fair Trading all Board Members should be able to make effective impartial contributions to the work of the Board and maintain independence of judgement, and avoid conflicts of interest.

**Town Clerk's Report – Consultation Office of Fair Trading
March, 2011 – Public Continued:**

2.5. Particularly with regard to competition policy matters, international best practice is that political independence is vital. The UK Office of Fair Trading is a non-political organisation and its Board is made up of a mix of individuals with experience in financial services, retail, public services, academics and the professions. Jersey's Competition Regulatory Authority is also non political.

2.6. With political membership on the Board there is always the possibility for a real or perceived conflict of interest to arise. Both are a problem, as the perceived interference of a conflict may, on occasions, be damaging to the reputation of the Board and especially to public confidence in relation to its independence from direct political influence.

2.7. It is important for the standing of the Board and its individual members that the public and business communities have confidence in their independence and impartiality.

2.8. It is proposed that the change would be made via an Order to Tynwald which would come into force on 1 October 2011 following the General Election.

2.9. The Order would change the membership of the Isle of Man Office of Fair Trading so that no members of the Isle of Man Office of Fair Trading would be Members of Tynwald.

2.10. The Board would continue to consist of a Chair, a Vice-Chair and no more than 3 other members and the Council of Ministers would continue to appoint at least 3 persons capable of representing consumer interests.

2.11. The appointments to the Board will remain subject to Tynwald approval.

Recommendation: for discussion and response as appropriate.

T. P. Whiteway
Town Clerk and Chief Executive

10th March, 2011.

**RAMSEY TOWN COMMISSIONERS
TOWN CLERK'S REPORT
COOIL ROAD DEVELOPMENT ORDER
MARCH 2011 – PUBLIC**

Mr. Chairman and Members,

The Commission has received correspondence with regard to the proposed Development Order in respect of land adjoining the south side of the Cooil Road between Colooney's Lane and Ballavagher in the Parish of Braddan, and, in particular, to the Public Inquiry which commenced on 5th October 2010 to which the Commission made a submission the material points of which were that:-

The CRDO is premature until other areas zoned for industrial and commercial use are developed. Also any further similar application must provide proof of the recognized need for such a zoning.

Ramsey provides ample labour opportunities, but hundreds of residents commute over 15 miles to Douglas to work. Ramsey has 10.29ha of land identified as being available for industrial use; the majority of this land is south of Sulby River and adjacent to Gladstone Park Industrial Estate. The Ramsey Commissioners wish to see land presently zoned for industrial use around Ramsey being developed and provide local employment. The Commissioners do not want Ramsey to become a dormitory town to Douglas.

The report of the person appointed to conduct the Inquiry has now been received, copies of the report are available to view on the Department's website <http://www.gov.im/transport/planning/plan/cooilroad.xml> and are also available to view or purchase at the Planning Office, Murray House, and in the Ramsey Town Library.

Within the Report the Inspector concludes that –

"There is insufficient evidence to demonstrate that there is an over-riding national need for the Cooil Road Development Order. There is insufficient evidence to show that the Cooil Road Order is the only solution to any alleged national economic need for employment" and recommends that the Order should not be made.

The Inspector continues:-

506. This conclusion that the CRDO should not be made will not be welcomed by the Dol, the DoED, or Tesdale. It is a hard decision. But the submitted justification for the CRDO falls a long way short of the standards that Tynwald would expect for such a nationally important proposal put forward by the Dol.

**Town Clerk's Report –Cooil Road Development Order
March, 2011 – Public Continued**

507. A disappointing feature of the CRDO was that too much necessary "homework" was left to the last minute. When the draft CRDO was submitted in January 2010 and June 2010 the following 5 matters were unclear: employment land requirement and supply; alternative sites; access; retention of Ballavagher farmhouse and outbuildings; and conditions. It seems that all these matters were addressed just before the Inquiry opened or during the Inquiry. This late preparation is odd given the long time - 4 years – the CRDO has been under consideration by DoLGE and Dol.

508. The CRDO clearly breaches important Strategic Plan policies and insufficient material considerations were submitted to outweigh these policy breaches.

The Department has considered the report, accepts the Inspector's recommendation, and has decided not to proceed with the Cooil Road Development Order.

Arising from this decision and from the detailed conclusions within the report are several matters on which it is appropriate for the Department to comment:

- (a) The Area Plan for the East: The identification and allocation of land for employment purposes in the East of the Island will now be undertaken as part of the Eastern Area Plan. The Department advises that it will start preparatory work on the Plan shortly.
- (b) Evidence Base for Area Plans: There is, within the report, criticism of the evidence base on which the Draft Development Order relied. The Department intends that together with other Departments and Agencies of Government, it will put in place arrangements for collecting and maintaining appropriate data to form the basis for future Area Plans and Development Orders. Work on this will also start shortly.
- (c) The abandoned Draft Braddan Parish Plan 2003: The Department has resolved that it will not have regard to the proposals in the abandoned Braddan Parish Plan 2003 in determining planning applications, or the preparation of Area Plans or Development Orders. Those major sites which were put forward in the Braddan Parish Plan 2003 will be assessed as part of the site assessment process for the Area Plan for the East. They will be assessed in the same manner as all sites are assessed and any decision to take them forward will be based on this assessment alone.
- (d) The Use of Development Orders: Whilst the Department has decided not to proceed with the proposed Cooil Road Order, it remains of the opinion that, in some circumstances, Development Orders made under section 8 of the Town and Country Planning Act will be the most appropriate instrument for granting planning approval.

Recommendation: to be noted.

T. P. Whiteway
Town Clerk and Chief Executive

10th March, 2011.

**RAMSEY TOWN COMMISSIONERS
TOWN CLERK'S REPORT
DEVELOPMENT AT POYLL DOOEY PA 03/00790
MARCH, 2011 – PUBLIC**

Mr. Chairman and Members,

The Commission has received correspondence from Mr N Sykes, Greenlands House, regarding the planning consent granted to Heritage Homes in respect land at Poyll Dooey to the east of Gardeners Lane.

Mr Sykes relays the subject of a verbal discussion with the Planning Enforcement Officer [PEO] in respect of the approved application and the commencement of development. Mr Sykes advises that he has been told by the PEO that the PEO could find no evidence that development had commenced in either field 2 or field 3 with reference to PA 03/790. Even though the builder had been on site on the 9th and 10th of July moving earth was insufficient to qualify [as development]. Development must require foundations or drainage pipes to establish work undertaken. The crushed stone and spoil in field 3 was storage, and not to raise the ground level.

The EMI unit was subject to a different planning application.

Mr Sykes states that by July 11th when the deadline for the development ran out [the planning consent was granted for a period of 4 years and unless development commences would be deemed to have lapsed] no officially recognised work was carried out. Mr Sykes states that therefore Heritage Homes must re-apply for approval, but with the new DOT flood maps showing the site as being in a 1-100 fluvial high flood risk zone, it is no longer eligible for development and would be turned down.

Mr Sykes asks “As this confirms our position that the development PA 03/790 is not legal, would the Ramsey Commissioners agree to support our case and ask for a review from the Planning Committee.”

Mr Sykes has written to the Director of Planning in the following terms:-

Dear Mr McCauley,

9th March 2011

Development of field 2 and field 3 -West Ramsey Development missed deadline for development. Heritage Homes are in breach of Planning Control.

This development identified as PA 03 / 790 was approved by the Planning Committee on the 29th June 2006 with issue date of 11th July 2006.

**Town Clerk's Report – Development at Poyll Dooley PA 03/00790
March, 2011 – Public Continued:**

This development was to begin within 4 years of the issue date. Permission was subject to many conditions, some of which relate to flood protection measures.

When I spoke to the Mr Cowan Head of the Drainage Division on the 2nd July 2010 I was told that Heritage Homes had still not satisfied the outstanding conditions.

On the 9th of July Ms Chance told me that the conditions had now been resolved.

Although a digger was on site on the Friday the 9th and Saturday the 10th of July , no work was carried out which qualified as part of the development.

On Thursday the 4th March 2011- 11am, the Planning Enforcement officer stated, foundations or drainage pipes would need to be installed to qualify as commencement of the development. Turning soil over or depositing stone or spoil would not qualify. Mr Olsen stated that he had visited Fields 2 and 3 on Wednesday 3rd March 2011 and could find no evidence that development had begun. Work had begun on the EMI unit but that was covered by a separate planning application.

To this day with the exception of the EMI unit, no “development work” has been carried out in Field 2 . In Field 3 the only activity has been the storage of crushed stone and spoil. Dated photographs available.

The Governments website under Planning Advice states; It is imperative that all aspects of the criteria set by permitted development are met before commencing any works as failure to comply in any area could result in breach of planning control and enforcement action being requested.

The EMI unit was also subject to the same “conditions” as PA 03/790 and could not begin until the conditions were resolved. Work on the EMI unit did not begin until later that year. By March 2011 the only evidence of construction are incomplete foundations below ground level. Dated photographs available.

As the old railway line was not owned by Heritage Homes, and was necessary for the development, the application was flawed. The old railway line is owned by the Ramsey Parish Commissioners.

With no evidence of development carried out in fields 2 and 3 before the 11th of July 2010 the deadline was missed, Heritage Homes are in breach of planning application PA 03/790. As field 3 is in a 1 in 100 year high fluvial flood risk zone (see DOT flood map 1B) it is no longer eligible for development.

Members are aware that Heritage Homes obtained planning consent for development of land to the East of Gardeners Lane subject to a number of pre-conditions. Following enquiry from the Town Clerk the Planning Committee confirmed in October last year that the developer had entered into a legal agreement with the Department of Infrastructure and had thereby satisfied condition 3 of the planning consent related to land drainage and flood protection.

Town Clerk's Report – Development at Poyll Dooley PA 03/00790
March, 2011 – Public Continued:

The question of whether development this confirmed as having commenced would determine whether the planning consent granted on PA 03/00790 remains valid, once development has commence planning consent is confirmed and any condition limiting the date of commencement would lapse. In the event that development had not commenced within the period set as a condition of PA03/00790 then the developer would, as Mr Sykes points out, be required to either apply to extend period to which the consent applies or to submit a fresh planning application for development of the area, and have such approved, before any development could take place. The question therefore to be addressed is whether development has commenced or not.

Recommendation: the Commission may wish to seek written confirmation from the Planning Committee that the development under PA03/00790 has, or has not, commenced.

T. P. Whiteway
Town Clerk and Chief Executive

9th March, 2011.

**RAMSEY TOWN COMMISSIONERS
TOWN CLERK'S REPORT
NORTHERN SWIMMING POOL
MARCH, 2011 – PUBLIC**

Mr. Chairman and Members,

The Commission has received a report from Dr. Allinson, who the Commission has elected to serve on the Northern Local Authorities Swimming Pool Board, which authority is responsible for the operation of the Northern Swimming Pool, in relation to recent press reports regarding potential changes to the hours of operation of the Northern Swimming Pool.

Dr Allinson reports as follows:-

In December the Swimming Pool Board received a letter from Mike Ball, Director of Community, Culture and Leisure outlining the Department's intention to cut its overall budget and to reduce the maximum deficit available to the pool by 10%. This will mean that the total maximum deficit for 2011/12 will be set at £607,500.

Very few, if any public swimming pools make a profit. For the next financial year the board faces a loan charge of £378,000, estimated fuel bill of £85,000, electricity bill of £27,000, Insurance bill of £21,000 and a significant contingency for repairs, maintenance and renewals.

The staff bill is estimated at £240,000 or 29% of the total cost of running the pool. There are a whole raft of health and safety rules concerning the number of staff that need to be poolside at any given time, and at present all staff are paid according to Whitley council rates and have terms and conditions which include double time pay at weekends and outside normal business hours.

Our potential income includes admission charges which have recently, reluctantly been increased again to match those of other facilities on the Island. The contribution from the Department of education has been reduced as they are no longer hiring the pool for the period after Easter, and the Local Authorities contribution is fixed at 2.5p in the pound.

Our only real way of saving the required £68,000 would be increase hire charges for the pool, the community room and at the same time reduce staff costs.

The Board approached the Department for assistance and suggested possible closure early on Sunday and at other times during the week when pool use was low and staff costs at a premium. It was this letter, with the draft plan to reduce opening hours, which was recently reported in the Examiner.

**Town Clerk's Report – Northern Swimming Pool
March, 2011 – Public Continued:**

The Board had a very constructive meeting on Tuesday 1st March with all the Northern Members of the House of Keys - Mrs. Craine, Messrs Bell, Cannan, and Teare were all keen for the pool to maintain the current opening hours as a priority. Steps to reduce the deficit were discussed which included central purchasing and contract negotiations for all the regional pools especially for insurance purposes, a renegotiation of terms and conditions perhaps shifting from the Whitley council terms and conditions, and looking at ways the separate regional pool boards could cooperate more closely to cut combined costs, share staff and training costs, and establish more economical grouped contracts for plant maintenance.

It is hoped that with the political will and assistance from central government and the other swimming pools on the Island, that the Northern Pool can continue to function as present and try to attract more people to use its facilities.

Members will be aware that the Northern Local Authorities Swimming Pool Board is a combination authority, with a distinct legal identity, established by Order of the then Local Government Board in 1978, which Order was amended in 2000. In common with the other swimming pool authorities, which operate regional pools at Peel and Castletown, the authority receives funding through a rate contribution of 2.5p from each of the local authorities which elect representatives to the Boards, any annual operating deficit is met by Government, previously the Department of Local Government and the Environment but now the Department of Community Culture and Leisure.

Recommendation: to be noted.

T. P. Whiteway
Town Clerk and Chief Executive

9th March, 2011.

**RAMSEY TOWN COMMISSIONERS
TOWN CLERK'S REPORT
PUBLIC HEALTH (AMENDMENT) BILL 2011
MARCH 2011 – PUBLIC**

Mr. Chairman and Members,

The Department of Environment, Food and Agriculture has issued a consultative draft of the Public Health (Amendment) Bill 2011. A copy of the Bill is enclosed for Members information; the document is also available on the IOM Government Website at <http://www.gov.im/consultations.gov>. The Appendix contains draft text of the proposed Bill with commentary on each particular clause in the Bill. Where new provision is introduced this is referred to in that commentary.

The Bill seeks to amend the Public Health Act 1990 updating the Act to enable the Island to comply with the International Health Regulations and introducing new sections to control the use of sunbeds particularly for the under 18 year olds. The Bill also makes minor amendments to Part IV (Refuse Disposal) to make it clear which Department is to make the regulations to which it refers.

The Department welcomes comments on all aspects of the proposals, however points out that whilst response will be considered it does not guarantee a change to the proposed legislation. The Department states that the new provisions reflect modern concerns about the spread of infectious disease and matters such as contamination by chemicals or radiation. It also permits the Department to give effect in the Island to the new International Health Regulations adopted by the World Health Organisation in 2007.

In addition the Bill:-

- Makes it clear which Department is to make regulations with regard to the disposal of waste
- Makes special provisions for the disposal of controlled waste on land occupied by the Department
- Removes the obligation on the DOI to make regulations about the classes of waste to be collected
- Corrects a drafting error
- Introduces new controls on the use of sunbeds particularly for the under 18 year olds
- Applies parts of the Act to aircraft and vessels
- Introduces new definitions
- Provides new penalties.

Recommendation: for discussion.

T. P. Whiteway
Town Clerk and Chief Executive

11th March, 2011.

**RAMSEY TOWN COMMISSIONERS
FINANCE OFFICER'S REPORT
MARCH, 2011, - PUBLIC**

Mr. Chairman and Members,

- **Revenue Accounts:**

Payments totalling £ 270,598.92 were made in February, 2011. Details of the net invoices paid during the period are attached as Appendix 1.

I recommend that the Board grant approval for payment of the Revenue Accounts.

- **Capital Accounts:**

Attached as Appendix 2 are details of accounts for the month of February, 2011, totalling:-

£ 518,054.03

**J. M. O. Bird,
Finance Officer.**

9th March, 2011.

CAPITAL ACCOUNTS PAID TO 28th FEBRUARY, 2011
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Acc. No.	Payee	Description	Amount	Total
112	Dalrymple Associates	Brookhill/Seamount Rd Refurb.	2,736.02	
		LHE Phases 3 - 4	2,000.00	
		LHE Phase 5	2,142.85	6,878.87
113	McGarrigle & Jackson	LHE Phases 3 - 4	4,289.17	
		LHE Phase 5	4,117.56	8,406.73
114	SafeteyNet Ltd	LHE Phases 3 - 4		5,388.37
115	Transfer to General Revenue	LHE Phases 3 - 4		343.17
116	Auldyn Construction	LHE Phase 5		312,547.59
117	Paul Jensen Associates	LHE Phase 1		1,500.00
118	Auldyn Construction	LHE Phase 2		57,611.27
119	Cameron Hall	LHE Phases 3 - 4		4,202.92
120	Transfer to General Revenue	LHE Phases 3 - 4		126.30
121	Auldyn Construction	LHE Phases 3 - 4		61,286.71
122	NK Joinery Ltd	Brookhill/Seamount Rd Refurb.		59,762.10
TOTAL				£ 518,054.03

FINANCE OFFICER REPORT

**ACCOUNTS
PAID TO 28
February 2011**

Supplier	Total
1st Galaxy Fireworks Ltd	£ 60.00
2e2 (IOM) Ltd	£ 7,837.34
Arg Beiyv Veterinary Practice	£ 71.19
Ashcrofts (1997) Ltd	£ 83.06
Ayre Mowers Ltd	£ 378.00
Ball Colegrave Ltd	£ 636.49
Bertram Library Services	£ 1,147.68
BT Global Services	£ 22.50
Cameron Hall	£ 840.58
Capita Hartshead Ltd	£ 23,961.00
Chas E Richmond Ltd	£ 4,642.63
Cleervu Aerial Specialists Ltd	£ 111.60
Dalrymple Associates	£ 3,129.33
Dave Perry	£ 6,743.28
Dennis Eagle Ltd	£ 483.62
Dickinson Cruickshank	£ 1,690.50
DMS Autocentre Ltd	£ 360.79
Douglas Corporation	£ 640.00
Farmers' Combine Ltd	£ 113.75
Feltons Ironmongers	£ 1,624.00
Fire Security Limited	£ 567.56
G4S Secure Solutions (Isle of Man) Ltd	£ 2,294.76
Go Marketing Ltd	£ 311.66
Greeba Plant Centre Ltd	£ 216.00
Haldane Fisher (IOM) Ltd	£ 478.72
Isle of Man Government	£ 42,541.48
Isle of Man Library Services	£ 468.90
Isle of Man Newspapers Ltd	£ 642.39
Magnet Ltd	£ 70.56
Manx Business Solutions Ltd	£ 1,835.83
Manx Control Systems Ltd	£ 58.32
Manx Electricity	£ 899.26
Manx Gas Ltd	£ 125.45
Manx Marine Ltd	£ 63.07
Manx Telecom Ltd	£ 1,160.70
McGarrigle & Jackson	£ 1,681.34
MFR Fire Safety Consultancy	£ 825.00
Miss S MacDonald	£ 157.55
Mr R Kissack	£ 32.99
Mr R Parry	£ 186.85
Mrs C A Fordham	£ 96.62
National Westminster Bank	£ 10.00
NK Joinery Limited Group	£ 11,952.42
Outdoor Power & Plant Ltd	£ 191.90
P & M Window Cleaners	£ 311.38
Paul Jensen Associates	£ 300.00
Paul Wheeler Ltd	£ 2,549.27
Phoenix Windows	£ 153.50

FINANCE OFFICER REPORT**ACCOUNTS
PAID TO 28
February 2011**

Pickwicks	£	59.74
Ramsey Town Band	£	1,000.00
Raymotors Ltd	£	274.67
read - The Reading Agency Ltd	£	14.69
SafetyNet Ltd	£	1,077.67
Splinters D.I.Y. Store	£	178.96
St. Paul's Bookshop	£	567.91
Swales Electrical Ltd & Hoistline	£	2,156.40
T&GWU	£	134.10
The Post Office	£	500.00
The Works Ramsey Ltd	£	2,037.45
Tip Top Cleaners (2006) Ltd	£	3,147.91
Total (IOM) Ltd	£	14,866.24
Ulverscroft Large Print Books	£	846.10
Viking Direct	£	177.79
W.D.S. Ltd	£	819.30
Westminster Car Restorations Ltd	£	89.40
Wolseley UK Ltd	£	256.32
Grand Total	£	152,965.47

**RAMSEY TOWN COMMISSIONERS
CHIEF TECHNICAL OFFICER'S REPORT
PLANNING APPLICATIONS – MARCH, 2011**

Mr. Chairman and Members,

Copies of the following applications have been received from the Department of Infrastructure, Planning and Building Control Division under the planning consultation procedures. The applications are listed for consideration subject to comments where appended.

REF NO: 2825
P.A. NO.: 11/00151/B
APPLICANT: Mrs. L. Corlett
PROPOSED: Alterations and erection of an extension to dwelling
NOTES: P.A. in Detail
SITE: **12, Riverbank Road, Ramsey**

REF NO: 2826
P.A. NO.: 11/00168/B
APPLICANT: Ramsey Town Commissioners
PROPOSED: Formation and operation of a public car park following the demolition of school building
NOTES: P.A. in Detail
SITE: **Albert Road School, Albert Road, Ramsey**

REF NO: 2827
P.A. NO.: 11/00183/B
APPLICANT: Mr. P. Corteen
PROPOSED: Installation of additional windows and rooflights, removal of chimney stack
NOTES: P.A. in Detail
SITE: **Yn Clyst, Lheaney Road, Ramsey**

REF NO: 2828
P.A. NO.: 11/00187/B
APPLICANT: Department of Health, Estate Services Directorate
PROPOSED: Access alterations and creation of additional disabled parking spaces
NOTES: P.A. in Detail
SITE: **Cummal Moor Residential Home, Queens Promenade, Ramsey**

REF NO: 2829
P.A. NO.: 11/00203/B
APPLICANT: Mrs. S. Kennaugh
PROPOSED: Installation of roof lights to dwelling
NOTES: P.A. in Detail
SITE: **Reayrt Aalin, Beaumont Road, Ramsey**

REF NO: 2830
P.A. NO.: 11/00229/B
APPLICANT: Hadron Limited
PROPOSED: Erection of an extension to form additional bedroom accommodation (amendments to PA 05/01894/B)
NOTES: P.A. in Detail
SITE: **Brookfield Nursing and Residential Home, Cloughbane Drive, Ramsey**

REF NO: 2831
P.A. NO.: 11/00232/B
APPLICANT: Isle of Man Department of Education and Children, Works Division
PROPOSED: Alterations and erection of extensions within enclosed courtyard
NOTES: P.A. in Detail
SITE: **West Building, Ramsey Grammar School, Lezayre Road, Ramsey**

REF NO: 2832 & 2833
P.A. NO.: 11/00260/C & 11/00261/CON
APPLICANT: Isle of Man Post Office
PROPOSED: Change of use of Police Station to Post Office with internal alterations to registered building
NOTES: Registered Building
SITE: **Police Station and Courthouse, Parliament Street, Ramsey**

REF NO: 2834
P.A. NO.: 11/00266/B
APPLICANT: Mr. A. W. Cowell
PROPOSED: Replacement of existing garage door with window
NOTES: P.A. in Detail
SITE: **24, Cloughbane Drive, Ramsey**

REF NO: 2835
P.A. NO.: 11/00268/B
APPLICANT: Mr. P. Beighton
PROPOSED: Erection of a conservatory to dwelling
NOTES: P.A. in Detail
SITE: **8, Cooil Breryk, Ramsey**

REF NO: 2836 & 2837
P.A. NO.: 11/00273/D & 11/00274/CON
APPLICANT: Isle of Man Post
PROPOSED: Erection of signage)
NOTES: Registered Building
SITE: **Police Station and Courthouse, Parliament Street, Ramsey**

P. S. Harrison,
Chief Technical Officer

9th March, 2011

R.T.C. - CHIEF TECHNICAL OFFICER'S REPORT - APPENDIX I - SUMMARY OF PLANNING APPLICATIONS – MARCH, 2011

<i>P.A. No.</i>	<i>Applicant</i>	<i>Proposed</i>	<i>Site</i>	<i>R.T.C. Recommendation</i>	<i>D.o.I. Correspondence</i>	<i>Appendix II</i>
09/00821/A R.T.C. 2599	Mr. John Drummond	Approval in principle to erect a dwelling south of	St Olaves, Bowring Road	Meeting held: 17/06/09 Objection	15/02/11 Application REFUSED	OO
10/01214/B R.T.C. 2771	Linda & Ray Collister	Erection of a detached dwelling with integral garage	Land adjacent to Erin Brae, Bride Road	Meeting held: 15/09/10 Objection R.T.C. requested appeal	30/09/10 Application APPROVED 20/10/10 Request for APPEAL 20/10/10 APPEAL Accepted 01/03/11 Application APPROVED	OO
10/01427/B R.T.C. 2786	Mr. & Mrs. J. McDonough	Alterations, erection of an extension and widening of driveway and vehicular access	5, Greenlands View	Meeting held: 20/10/10 Objection R.T.C. requested Appeal	20/12/10 Application APPROVED 07/01/11 Request for APPEAL 22/02/11 Appeal Hearing 16/03/11	

R.T.C. - CHIEF TECHNICAL OFFICER'S REPORT - APPENDIX II - SUMMARY OF PLANNING APPLICATIONS – MARCH, 2011

No.	P A No.	Applicant / Site / Description	Details
	09/00821/A R.T.C. 2599	Mr. John Drummond, St Olaves, Bowring Road. Approval in principle to erect a dwelling south of	The proposal would be contrary to general Policy 2 (j) which seeks to ensure all development can be provided with all necessary servicing. In this case, with no submitted percolation test, the Planning Authority is unable to determine whether the site is capable of development providing the necessary services.
	10/01214/B R.T.C. 2771	Linda & Ray Collister, Land adjacent to Erin Brae, Bride Road. Erection of a detached dwelling with integral garage	<p>Having visited the appeal site, carefully considered the proposed development and bearing in mind the zoning of the land, I concur with the Planning Committee's decision and the views of the appellants that there is no objection to the principle to one dwelling on the land. It is also my opinion that the general design would allow an acceptable transition between the two storey house to the south-west and the lower ridge level of the dwelling to the north-east.</p> <p>Turning to the point raised by the appellants, I have calculated that the land proposed for the rear garden area for the new house would be similar to those on nearby properties; beyond that area are open fields. A similar rear garden area would remain for Erin Brae. In these circumstances, I suggest there would be adequate private amenity space for both new and existing dwellings. Although part of the new development would be close to the Erin Brae boundary, as that property is owned by the applicants, any future purchaser would be able to assess the matters raised by the appellants before buying the dwelling. As far as the question of overlooking from the proposed terrace, I agree that it would be necessary to require a substantial screen to prevent any detriment to amenity. In all of these circumstances, I have concluded that the proposal would not amount to an un-neighbourly or over-intensive form of development.</p> <p>Recommendation:</p> <p>That the appeal be dismissed with the effect that the Planning Committee's decision is upheld, subject to the conditions suggested by the Planning Division.</p>

**RAMSEY TOWN COMMISSIONERS
CHIEF TECHNICAL OFFICER'S REPORT
MARCH, 2011 – PUBLIC**

Mr. Chairman and Members,

Lezayre Housing Estate – Progress Report

Phase 5

Block 28 The internal render and skim coats are now complete, floor screeds are complete, second fix joinery and M & E works are progressing and works to install the kitchens is almost complete. Internal decoration is progressing well and the external render is complete, the external decoration is nearing completion.

Block 29 The roof covering works are complete and the external render is almost complete. Internal render and skim is complete and the second fix joinery and M & E works are ongoing. Internal decoration has commenced.

Block 30 The superstructure masonry is now complete and the roof covering works are complete. The external rendering works are ongoing whilst the first fix joinery, electrical, plasterboarding and plumbing works are all complete. Works to install the new windows is now complete.

Block 31 The superstructure masonry to the Type A houses is now complete and the roof trusses are complete and the roof covering works are ongoing. whilst masonry works to the second floor of the Type C houses is ongoing. Works to install the windows to the A type properties is ongoing and external rendering works are progressing. First fix joinery and M & E works have commenced.

Block 32 The superstructure masonry is now complete and the erection of the roof trusses is complete. The external rendering works are ongoing and works to install the windows has commenced

Recommendation: For information only.

Refurbishment of Properties, Brookhill and Seamount Road

Works are now complete to the third phase of refurbishment which is No's 5, 7, 9 and 11, Seamount Road and the properties have been handed over to this Commission.

The next phase of works relates to No's 10 and 12 Seamount Road and 21 and 22 Brookhill Road which are 2 pairs of semi-detached properties. The tenants of these properties are presently being relocated to temporary transit accommodation prior to refurbishment works commencing.

Recommendation For information only.

Mooragh Park Paths

The Commission's direct labour workforce have again been carrying out extensive maintenance works to the Mooragh Park pathways during the past month, predominantly the paths from Grove Mount down to the Mooragh Park adjacent to the internal car park.

The works have included the excavation of insecure edges and the provision of gabions which are wire baskets filled with stone which assist in the retaining of the paths and dissipate the flow of rainwater which would otherwise continue to erode the banks. In addition, the provision of new surfacing on the pathways has led to a safer and drier surface for the many pedestrians who enjoy the pathways.

Recommendation: For information only.

Department of Infrastructure – Community Based Approach to Snow Clearance

A letter has been received from Mr Jeffrey Robinson, Operations Director for Department of Infrastructure in respect the Community Based Approach to achieving early resumption of basic services following a snow fall event and during icy weather. Mr Robinsons letter reads as follows:-

Following the snow events in January of 2010 I took the view that we, as a Division of government, needed to widen our objectives during a snow event of a prolonged nature. It was a change of mind set from that of opening the main routes only to one of 'how do we get the Isle of Man back into business as soon as possible,' regardless of who has notional responsibility for what. In short a move to a community based approach to tackling the problem. To this end, my Division has made several changes.

- 1. A 'Preparing for Winter' leaflet was sent to every home on the Island encouraging them to take proactive steps to prepare and help themselves and their neighbours.*
- 2. We made salt available, free of charge, to the public at the four Civic Amenity sites.*
- 3. We made salt available to businesses at a small charge i.e. at cost.*
- 4. We agreed with the Department of Education contingency plans, early warning systems and also agreed that we would clear pavements near schools if they took responsibility for clearance on school premises.*
- 5. We agreed with Bus Vannin emergency skeleton bus routes that we would focus on how to get a basic service up and running.*
- 6. We developed a 'Snow Code' to advise the public and businesses of how to deal with snow clearance safely.*
- 7. We introduced better communications systems with the local media and through Twitter.*
- 8. We invested in a new plant including two small gritters to operate inside housing estates and a small snow blowing unit. (Unfortunately they were due to arrive when the snow arrived and were delayed as a result).*
- 9. We increased the number of salt boxes from 350 to over 500.*

D.o.I. – Community Based Approach to Snow Clearance

10. Finally, but most importantly, we explored the possibility of Local Authorities and ourselves working closer together to support the effort. For reasons of practicality I met with Douglas and Onchan and we agreed a non binding Memorandum of Agreement. However, before I had chance to pass this on to other Local Authorities to consider we were hit by this year's early snow.

This snow event was, however, a good test run of our agreement and I must say that for the most part it worked well.

I would now like the opportunity to widen this Memorandum of Agreement out to all of the Island's Local Authorities for you to consider if it is something that your Authority could sign up to.

Further to this and following our review of our performance so far this year we are purchasing over 70 hand drawn salt spreaders that are suitable for pavement and narrow lanes and streets on estates. We intend to make these available to the Local Authorities at the start of each winter before being returned for servicing at the end of the winter. We will be happy to supply you with some of these units if you let us have your requirements based on the man power that you would be able to deploy.

For your information this change of tactics to a wider community based approach has resulted in a much greater demand for salt so we are currently investigating increasing the Island's strategic stores with a site in the south and a site in the north of the Island. We are also considering if additional plant and machinery should be purchased to support our efforts.

I hope that these proposals are something that you approve of and that your Authority will be able to sign up to the Memorandum of Agreement. Indeed, if you have any ideas on how we may be able to help you and your community further then I would be pleased to hear them. Until then I await your comments but hope that we have no more snow this year.

The Board will be aware that the Commissions direct labour workforce work closely with the Department of Infrastructure during times of adverse weather conditions. The Commission has its own towable salt spreader which is used in various areas throughout the town and staff use the available vehicles to spread salt where it is needed. Areas covered as a priority include the Cottage Hospital, Post Office and the Town Hall. We respond to requests from the DOI to attend to areas of difficulty as the need arises.

Recommendation: For further discussion and comment.

P. S. Harrison,
Chief Technical Officer

10th March, 2011.

**RAMSEY TOWN COMMISSIONERS
ADMINISTRATION OFFICER'S REPORT
ENFORCEMENT ACTIONS
MARCH 2011, - PUBLIC**

Mr. Chairman and Members,

Offences Against The Parking Order

At a Court Hearing on 9th February, 2011, Mr. David Moore was fined the sum of £60 plus costs of £60 for parking his vehicle in space designated for the disabled at Station Road Car Park. He was given 28 days to pay failing which he will serve 10 days imprisonment in default of payment.

At the same Hearing Miss Joanne Storey admitted the offence of parking on a space designated for the disabled and was fined £80 with £60 costs. The sum of £140 must be paid within 28 days failing which she will serve 10 days imprisonment in default of payment.

John Donnelly
Administration Officer

01 March 2011

**RAMSEY TOWN COMMISSIONERS
PUBLIC CORRESPONDENCE
MARCH, 2011.**

Isle of Man Census 2011

(FGP)

The next Isle of Man Census, which will be a full Census, will be held on 27th March 2011 and it is envisaged that the complete results will be published early in 2012.

A Census is needed to provide key information which is not available from any other source. For example, Government will use the information for planning purposes; to assess whether there are enough schools, hospital and maternity facilities etc. Business use the Census results when they are considering whether or not to establish a presence in the Island and, if so, where to site new factories, offices and shops. Local authorities also need to know how many people live in their area in order to optimise the services they provide.

Census forms will be delivered between 13th March and Census night, and collected from households in the two weeks after.

Recommendation: to be noted.

Speed Limits Near Schools

(W/D)

The Department of Infrastructure has made an amendment order which will amend the distance of the existing 20mph speed limit on a section of Lezayre Road in the vicinity of Ramsey Grammar, Auldyn and Scoill Ree Gorree Schools in term time only, when the speed signs are illuminated. The speed limit other than during the restricted time will be 30 mph.

Recommendation: to be noted.

Tynwald Advisory Council for Disabilities:

(FGP)

The Tynwald Advisory Council for Disabilities has provided a copy of its Annual Report for the year ended December, 2010. A copy of the Report will be placed for reference in the Public Library.

Recommendation: To be noted.

Strategy for the Future of the Health Services

(FGP)

The Department of Health has provided a copy of its Strategy for the Future of the Health Services in the Isle of Man, which has been placed in the Public Library for reference.

Recommendation: To be noted.

On Your Doorstep Exhibition

(PL)

Isle of Man Tourism is holding an 'On your Doorstep' exhibition in association with 3FM, which will showcase the very best of attractions, activities and events on offer right here on the Island. The exhibition will take place on Saturday 26th March at the Villa Marina and the doors will be open from 10.00am to 3pm with free admission for all.

Exhibitors on the day include Isle of Man Railways, Adventurous Experiences, and Currags Wildlife Park amongst other attraction and activity providers on the Isle of Man.

The Department provided posters to be displayed to increase awareness of the exhibition and help Isle of Man Tourism gain awareness for the local attractions and producers on the Island.

Recommendation: To be noted.

11th March, 2011.