

**Date:** 19<sup>th</sup> July 2019

## **NOTICE OF ORDINARY BOARD MEETING**

In accordance with Schedule 1 of the Local Government Act 1985, Notice is hereby given that the next Board Meeting of Port St Mary Commissioners will be held in the **Board Room** of Port St Mary Town Hall on **Wednesday 24<sup>th</sup> July at 7.30 p.m.** Private session of Port St Mary Commissioners will be held following conclusion of the Public Board Meeting.

1. Only business of a formal nature as defined in the Agenda for the meeting which is set out below, may be discussed as defined in Port St Mary Commissioners Standing Orders governed by Section 27 of the Local Government Act 1985 [as amended by Section 8 Local Government Act 2006]. All Commissioners are urged to attend and bring with them their copy of Standing Orders.

**N.B. 7 pm pre-meeting with Ian Begley, SMP Accounting**



Hayley Fargher  
Clerk

**PORT ST MARY COMMISSIONERS**

**ORDINARY BOARD MEETING**

**24<sup>th</sup> JULY 2019**

**AGENDA – OPEN PUBLIC SESSION**

<b>Item Number</b>	<b>Item</b>	<b>Action Required</b>
<b>1.</b>	<b>OPENING OF THE MEETING</b>	
1.1	Welcome, Apologies & Declarations	As required by Board members
<b>2.</b>	<b>MINUTES</b>	
2.1	Minutes of the Ordinary Meeting held on the 26 <sup>th</sup> June 2019	For Board approval
<b>3.</b>	<b>MATTERS ARISING</b>	
3.1	Matters arising from previous meetings	Clerk to provide necessary updates
3.2	Ratification of e-mail vote regarding planning matter	Members to confirm votes
3.3	Ratification of e—mail vote regarding Town Hall car park refuse & recycling bins	Members to confirm votes
<b>4.</b>	<b>MOTIONS - None</b>	
<b>5.</b>	<b>FINANCE</b>	
5.1	Invoices for payment July 2019	For Board approval
5.2	Street Light Repair Requests	For Board discussion & approval
<b>6.</b>	<b>PROJECTS</b>	

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	Traffic Consultations	For noting
6.7	Happy Valley	For noting
6.8	Boat Park	For noting
6.9	Reduction in Board numbers	For noting
6.10	Jetty Repair	For noting
6.11	Bay Queen Exhibition	For Board discussion & approval
6.12	Celebration of Christmas	For Board discussion & approval
<b>7.</b>	<b>PUBLIC CORRESPONDENCE – None</b>	
7.1	Letter from resident regarding Park Road Bank	For Board discussion

7.2	Residents Parking at Chapel Beach	For Board discussion
<b>8.</b>	<b>PUBLIC CONSULTATIONS</b>	
8.1	Telecommunications Development Order draft response	For Board approval
8.2	Draft Town & Country Planning (use classes) Order 2019 & Draft Change of Use (Development) Order 2019	For Board approval
<b>9.</b>	<b>PLANNING MATTERS</b>	
9.1	Planning Applications	For Board discussion
9.2	Planning Amendments & additional information	For Board discussion
9.3	Planning Approvals	For noting
9.4	Planning Refusals	For noting
9.5	Alleged Breach of Planning Control	For noting
<b>10.</b>	<b>POLICY &amp; RESOURCES</b>	
10.1	Internal Audit Report	For Board discussion
10.2	Management of green areas	For Board discussion
10.3	Commissioners Information Pack	For Board discussion
10.4	Local Authority Transition – document circulated electronically with Agenda	For Board discussion

10.5	2019 Meeting Dates	For noting
<b>11.</b>	<b>INVITATIONS – None</b>	
<b>12.</b>	<b>ANY OTHER BUSINESS OF AN URGENT NATURE (BY PERMISSION OF THE CHAIR)</b>	



	<p>3.1.4 Derelict Properties – The item was moved to the private agenda.</p> <p>3.2 Coffee Van request – The item was moved to private.</p> <p>3.3 Gansey Parking – HF provided a verbal update regarding the meeting held with the new Highways Liaison Officer. It was agreed for HF to work with Highways on the matter to bring it to a suitable resolution for all concerned and to ensure residents are kept fully informed at all times.</p>	HF
4.	Motions: None	
5.	<p>Finance:</p> <p>5.1 Invoices for payment June 2019 and rates were circulated.  <b>BW/IS proposed the Invoice List for June 2019 and rates be approved for payment. LVW, RH, AG, AM, NME, AP &amp; MH in favour. Carried.</b></p> <p>5.2 Donations to Mona’s Queen III participants – <b>BW/AG proposed that the suggested donations were approved for payment. AM, RH, IS, AP, NME, LVW &amp; MH were in favour. Carried.</b></p>	<p>RW</p> <p>RW/MD</p>
6.	<p>Projects:</p> <p>A Projects Update Report was circulated.</p> <p>6.1 <b>PSM16/155</b> Mariners Shelter – MH advised that the shelter had been boarded up and would be dealt with by Harbours after the nesting pigeons had left.</p> <p>6.2 <b>PSM16/129</b> Manxonia House – The update was noted.</p> <p>6.3 <b>PSM16/213</b> Remembrance Garden- the trialling of lights was noted.</p> <p>6.4 <b>PSM16/127</b> Skate Park – The update was noted. HF to chase regarding the outstanding drawings.</p> <p>6.5 <b>PSM16/285</b> Public Convenience – HF advised that the external doors will need replacing in order to fit a timer lock, HF to bring back prices.</p> <p>6.6 <b>PSM16/271</b> Traffic Consultation – The updated was noted.</p> <p>6.7 <b>PSM18/363</b> Happy Valley – The update was noted.</p> <p>6.8 Boat Park – MH had advised that she had met with the Harbour Master to discuss the most viable options for the site and would bring a plan back to the Board, terms &amp; conditions were also being updated.</p>	<p>HF</p> <p>HF</p> <p>MH</p>

	<p>6.9 Reduction in Board numbers – The update was noted.</p> <p>6.10 Jetty Repair – The update was noted.</p> <p>6.11 Celebration of Christmas – A discussion was had regarding previous formats. <b>NME/IS proposed that the event is more community based, excluding invited guests. RH, AG, AP &amp; MH were in favour. LVW &amp; BW were against. AM abstained. Carried.</b>          BW &amp; HF to bring a proposed format to the Board.</p>	HF/BW
7.	<p>Public Correspondence:</p> <p>7.1 Letter of appreciation re Day in the Life exhibition from ratepayer – the correspondence was noted and welcomed.</p> <p>7.2 Donny Collister Grant – The correspondence was noted.</p>	
8.	<p>Consultations:</p> <p>8.1 Development Orders Consultation – HF to respond and bring back to the Board for approval.</p>	HF
9.	<p>Planning Matters</p> <p>9.1 Planning Applications –          Creg dy Shee – A discussion was had in relation to parking and access to the site. HF was requested to write to planning to note the concerns.          Stanhowe – No objections and development was welcomed.          Quay Cottage – No objections.</p> <p>9.2 Planning Approvals - Noted</p> <p>9.3 Planning Refusals: None</p> <p>9.4 Planning Amendments: None</p> <p>9.5 Planning Appeals – None</p> <p>9.6 Planning Objection – The correspondence was discussed.          HF to respond and thank.</p>	HF           HF
10.	<p>Policy &amp; Resources:</p> <p>10.1 Internal Audit Report – HF to bring back in a format with action points for Board discussion.</p> <p>HF advised that she was intending to produce a pack prior to the upcoming Local Election to enable candidates to be fully informed on their responsibilities as a Commissioner. HF advised it would be an Agenda item for July.</p> <p>10.2 PSM Strategy Document Review – The report was discussed with some minor amendments made. <b>NME/AG proposed to accept the Strategy Document. BW, IS, RH, AM, AP, LVW &amp; MH in favour. Carried.</b></p> <p>10.3 Second Supplemental List – The report was discussed and noted.</p>	HF  HF  HF



	<p>10.4 Final Report of the Independent Health and Social Care Review – The report was noted.</p> <p>10.5 2019 Meeting Dates – List was circulated. It was agreed that there would be no requirement for the Internal Auditors to present to the Board this financial year.</p>	
11.	Invitations – None	
12.	<p>Any Other Business:</p> <p>12.1 Notification of suspension of parking along Primrose Terrace – The item was noted.</p>	

There being no further business the Public Session of the meeting closed at 8.45pm.

**PORT ST MARY COMMISSIONERS**

**MATTERS ARISING & PUBLIC CORRESPONDENCE REPORT**

**Matters Arising**

**Draft Complaints Procedure** – Ongoing.

**Wall Art** – The Arts Council have agreed to fund the project in PSM, discussions regarding the design are ongoing with the Artist.

**Manx Utilities** – The lighting audit document was circulated to all members. The Board are asked to consider if they would like to meet with Manx Utilities to discuss the lighting in PSM further. The private property was written to regarding the tree overhanging and obscuring the light on Fistard Road.

**Fencing** – The contractor is still due to return and complete the work to bevel the fencing at The Paddocks. This has been chased several times and a formal written request has now been issued.

**Street Signs by Rushen Heritage Trust** – A sample will be available to view at the meeting for Board approval.

**Ganseay Parking** – The correspondence received has been passed to Highways and a meeting is being arranged to discuss the matter further.

**Strategy Document** – The approved document was uploaded to the website.

**Derelict Buildings** – A reply from the remaining building owner follow on the next page.

**Public Correspondence**

**Letter of appreciation re the Day in the Life Exhibition** – A letter of thanks was issued.

# Red Pen Limited

Ballakilley Farm, Church Rd, Port St Mary, Isle of Man, IM9 5LW

RECEIVED  
- 8 JUL 2019

Ms H Fargher  
Clerk  
Port St Mary Commissioners  
Town Hal  
Isle of Man  
IM9 5DA

03 July 2019

Dear Ms Fargher

**Re: Bay View Hotel, Port St Mary**

Thank you for your letter of 17 June 2019 and for your earlier communication in April.

As you will be aware, permission was granted for the building to be demolished and for the construction of three apartments in its place. This remains the company's objective.

At this stage we are unable to provide you with a schedule or timeline to achieve this, but we will let you know further to our progress.

Yours sincerely



Malcolm Jamieson

Registered Office: Ballakilley Farm, Church Rd, Port St Mary, Isle of Man, IM9 5LW  
Company No: 127177C

Item 3.2

**PORT ST MARY COMMISSIONERS**  
**RATIFICATION OF E-MAIL VOTES**

For; IS, AP, BW, LVW, NME & MH

Against; AG

No response; RH & AM

Hayley Fargher  
Thu 27/06/2019 11:06

Good Morning All

Further to our discussion in relation to the planning application for Creg Dy Shee last night, I have been visited by the resident who submitted the application this morning.

He has brought to my attention the fact that they still intend to have off road parking for 4 vehicles and that highways have deemed this sufficient and satisfactory (please see the attached letter).

I would recommend given this information, that we do not lodge the note regarding parking and access as discussed.

Can you please respond by e-mail to advise of your wishes.

Kind regards

*Hayley Fargher*

Item 3.3

**PORT ST MARY COMMISSIONERS**  
**RATIFICATION OF E-MAIL VOTES**

For; LVW, AG, NME, BW, AP, IS & MH

Against; None

No response; RH & AM

Hayley Fargher  
Fri 05/07/2019 16:25

Good Afternoon all

I hope you are all enjoying Tynwald Day!

Some of you may have seen on social media a complaint regarding the refuse bins at the Town Hall and the fact that they are permanently overflowing. We have seen an increase in issues since we tightened up on charging for commercial refuse and the facility is most definitely being abused, which is a shame. After consulting with other local authorities, very few offer 1100L refuse bins, I would like to suggest that after the bin round on Tuesday, the two refuse bins are removed. I have requested Waste Operations provide an extra glass recycling bin, which they are just sourcing for us. Can you please let me know if you would be happy with this course of action?

We are having to send DLO staff a couple of times a week to tidy up the mess people are leaving. Every house and commercial property should have their own wheelie bin and realistically there should be no need for extra refuse bins in central locations.

If you could please let me know by close of business on Monday if you are happy with this, we can then bring the bins in on Tuesday. We will provide the Town Hall with an extra wheelie bin to accommodate bookings.

Enjoy the long weekend!

Regards

Hayley

Item 5.1

PORT ST MARY COMMISSIONERS

Rate Born Expenses										
Inv #	Date	Inv Number	Supplier	Description		Category	NL Code	Total Net	VAT	Total Cost
990	26/06/2019	447854	Agrimark	Refreshments - office		Office Expenses	5170	£24.99	£0.00	£24.99
991	26/06/2019	447854	Agrimark	Refreshments - Workshop		Stores	6020	£24.35	£0.87	£25.22
992	20/06/2019	513750	Argon	Photocopying 1705-170619		Photocopying	5060	£103.50	£20.70	£124.20
993	21/06/2019	10223920	Auto Electrical	Battery items re: gardens		Gardens & Flowerbeds	5260	£112.87	£22.57	£135.44
994	28/06/2019	237996	BHX Stationery & Furniture	Stationery		Office Expenses	5170	£99.64	£19.93	£119.57
995	19/06/2019	985830018	B & Q	Seeds		Gardens & Flowerbeds	5260	£12.65	£1.33	£13.98
996	16/04/2019	3350	J Clawson Ltd	Manxonia House refurbishing work		Manxonia House	3330	£1,659.08	£331.82	£1,990.90
997	19/06/2019	G19C2005	Colas	Protective clothing		Stores	6020	£18.99	£3.79	£22.78
998	01/07/2019	G19C2184	Colas	Protective clothing		Stores	6020	£75.70	£15.14	£90.84
999	29/06/2019	1180290619	Cool Bros	Office milk June		Office Expenses	5170	£9.00	£0.00	£9.00
1000	29/06/2019	1270290619	Cool Bros	Workshop milk June		Stores	6020	£15.00	£0.00	£15.00
1001	03/07/2019	1236	Heattech	Replace damaged pipe		Public conveniences	5400	£70.00	£3.50	£73.50
1002	17/06/2019	1244	Heattech	WC Ball valve		Public conveniences	5400	£47.00	£2.35	£49.35
1003	02/07/2019	20731	Island IT	Email hosting 25.06-24.07.19		Computer expenses	5140	£70.00	£14.00	£84.00
1004	04/07/2019	20769	Island IT	New monitor		Computer expenses	5140	£123.75	£24.75	£148.50
1005	28/06/2019	4119029	Isle of Man Newspapers	Finance Officer advert		Advertising	5190	£325.08	£65.02	£390.10
1006	12/07/2019	4119356	Isle of Man Newspapers	Warden advert split MCHC/C&M EPH		MCHC recharge	6106	£162.54	£32.51	£195.05
1007	12/07/2019	4119356	Isle of Man Newspapers	Warden advert split MCHC/C&M EPH		C&M EPH recharge	6108	£162.54	£32.51	£195.05
1007	30/06/2019	153609	JDW Engineering Ltd	Empty portaloos Promenade June		Public conveniences	5400	£100.00	£20.00	£120.00
1008	13/06/2019	9673	John Gray Ltd	Manxonia House report		Manxonia House	3330	£451.25	£90.25	£541.50
1009	01/07/2019	12672585	Manx Telecom	Rent July calls June		Office phone	5160	£123.55	£24.71	£148.26
1010	01/07/2019	12708357	Manx Telecom	E-Biz rent July to Sept 19		Office phone	5160	£25.50	£5.10	£30.60
1011	08/07/2019	19358375	Nisbets	Gopak tables		Town Hall	5150	£320.97	£64.19	£385.16
1012	01/07/2019	10605	Orb	Payroll office June		Office Expenses	5170	£77.00	£15.40	£92.40
1013	01/07/2019	10631	Orb	Payroll SCASB June		Office Expenses	5170	£40.00	£8.00	£48.00
1014	30/06/2019	86327	Onchan District Commissioners	April to June refuse collection		Refuse vehicle	5220	£4,062.50	£812.50	£4,875.00

1015	03/07/2019	8733	Reliance	West Room emergency light	Town Hall Cleaning	5150	£57.00	£11.40	£68.40	
1016	09/07/2019	8744	Reliance	Upgrade CCTV for TH WC opening hours	TH	5150	£987.00	£197.40	£1,184.40	
1017	19/06/2019	001/085571/102	JR Riley	Stihl head	Gardening - Machinery	5267	£44.16	£8.84	£53.00	
1018	20/06/2019	001/003902/105	JR Riley	Repairs to garden machinery	Gardening - Machinery	5267	£59.07	£11.81	£70.88	
1019	27/06/2019	32500	Signrite	Parking signs Sandford recharge	C&M EPH recharge	6108	£24.00	£4.80	£28.80	
1020	27/06/2019	32510	Signrite	PSM road sign	Signage	5880	£37.00	£7.40	£44.40	
1021	30/06/2019	107532	SCASB	Refuse disposal June	General Refuse	5270	£71.64	£14.33	£85.97	
1022	30/06/2019	201900000478	Station Garage	Petrol for C&MEPH mower - recharge	C&M EPH recharge	6108	£7.06	£1.41	£8.47	
1023	28/06/2019	298914	WDS Ltd	Toilet maintenance items	Public conveniences	5400	£351.16	£70.24	£421.40	
1024	02/07/2019	299408	WDS Ltd	Toilet maintenance items	Public conveniences	5400	£16.45	£3.29	£19.74	
1025	11/07/2019	299601	WDS Ltd	Toilet maintenance items	Public conveniences	5400	£66.15	£13.23	£79.38	
1026	19/06/2019	357269	WI-Manx	Phone calls May hosting July	Office Telephone	5160	£259.31	£51.85	£311.16	
<b>Sub Totals - Rate Born</b>								<b>£10,297.45</b>	<b>£2,026.94</b>	<b>£12,324.39</b>

**PORT ST MARY COMMISSIONERS**  
**INVOICES TO BE PAID IN JULY 2019 (continued)**

<b>Housing Expenses</b>										
Inv #	Date	Inv Number	Supplier	Description	House	Category	NL Code	Total Net	VAT	Total Cost
1027	01/04/2019	1004	Heattech	Fix pumps	2 PR	Housing Repairs	6100	£294.00	£14.70	£308.70
1028	24/06/2019	1221	Heattech	Fix burst pipe	16 LA	Housing Repairs	6100	£201.67	£10.08	£211.75
1029	24/06/2019	1222	Heattech	Flow switch	8 PR	Housing Repairs	6100	£79.98	£4.00	£83.98
1030	24/06/2019	1223	Heattech	Fan and flooring fitted	11 PR	Housing Refurbishment	6104	£1,257.00	£62.85	£1,319.85
1031	24/06/2019	1224	Heattech	Toilet cistern re-fitted	13 BB	Housing Repairs	6100	£31.00	£1.55	£32.55
1032	26/06/2019	1226	Heattech	Install bathroom	2 PR	Bathroom scheme	6099	£3,302.02	£165.10	£3,467.12
1033	03/07/2019	1232	Heattech	WC siphon repair	14 BB	Housing Repairs	6100	£38.50	£1.93	£40.43
1034	03/07/2019	1233	Heattech	Low water pressure	10 BB	Housing Repairs	6100	£24.50	£1.23	£25.73
1035	29/06/2019	2025627	J. Qualtrough & Co Ltd	Window furniture	11 PR	Housing Repairs	6100	£34.89	£6.98	£41.87
1036	08/07/2019	31555	Manx Glass and Glazing	Window restrictors fit	11 PR	Housing Repairs	6100	£122.85	£24.57	£147.42
1037	10/07/2019	U1413204	Manx Utilities	Void power 0605-040719	2 PR	Housing Repairs	6100	£12.80	£0.64	£13.44
1038	27/06/2019	9	J & P Metcalfe	Joiner work	11 PR	Housing Repairs	6100	£210.00	£0.00	£210.00
1039	26/06/2019	3842	Raven	EICR and electrical work	11 PR	Housing Repairs	6100	£185.17	£37.03	£222.20
1040	02/07/2019	220	T & E Decorators	Decorating	11 PR	Housing Repairs	6100	£1,250.00	£0.00	£1,250.00
<b>Sub Totals - Housing</b>								<b>£7,044.38</b>	<b>£330.66</b>	<b>£7,375.04</b>
<b>Totals</b>								<b>£17,341.83</b>	<b>£2,357.60</b>	<b>£19,699.43</b>

<b>Summary Breakdown of Expenditure (excluding VAT)</b>	
Office, Stationery, Telephone, Photocopying, Computer Exps	£956.24
Advertising	£325.08
Refuse, stores, garden, paths, golf, WC's	£5,191.75
Town Hall Expenses	£1,364.97
Recharges	£349.08
Manxonia House	£2,110.33
Housing	£7,044.38
<b>Total</b>	<b>£17,341.83</b>

<b>Rate Born Payments in July 2019</b>	<b>Salaries Gross</b>	<b>Employers' NI Contribution</b>	<b>Contributions</b>	<b>Members' Attendance Allowance</b>
Office	£9,858.51	£1,031.36	£2,416.85	
DLO	£12,473.18	£1,110.93	£2,942.42	
Members Allowance May and June paid 1st July				£585.00
<b>Total</b>	<b>£22,331.69</b>	<b>£2,142.29</b>	<b>£5,359.27</b>	<b>£585.00</b>



Item 5.2

**PORT ST MARY COMMISSIONERS**

**STREET LIGHTING**

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**From:** Wassall, Dale <Dale.Wassall@manxutilities.im> on behalf of MU, Public Lighting <PublicLighting@manxutilities.im>

**Sent:** 21 June 2019 09:31

**To:** Hayley Fargher

**Cc:** MU, Public Lighting

**Subject:** Streetlights PM125 / PM033 / PM253 / PM069

Good morning

Whilst undertaking a recent maintenance run of Port St. Mary streetlights our street lighting technicians have identified four lights that require maintenance, please see the attached reports

Please find below a list of the street light numbers with options including estimates

PM125, Howe Road / Replacement 6m column & LED Ampera fitting estimated at £1809 + VAT

PM033, Beach Road / Replacement 6m column estimated at £1496 + VAT

PM253, Perwick Road / Replacement 6m column estimated at £1496 + VAT

PM069, Creggan Mooar / Replacement 6m column & LED Ampera fitting estimated at £1809 + VAT

Please advise how you wish to proceed. Should you require any additional information please do not hesitate to contact me on 693591

Kind Regards

**Dale Wassall**  
**Administration Officer**

**Network Services**

Public Light - Report a problem

ID

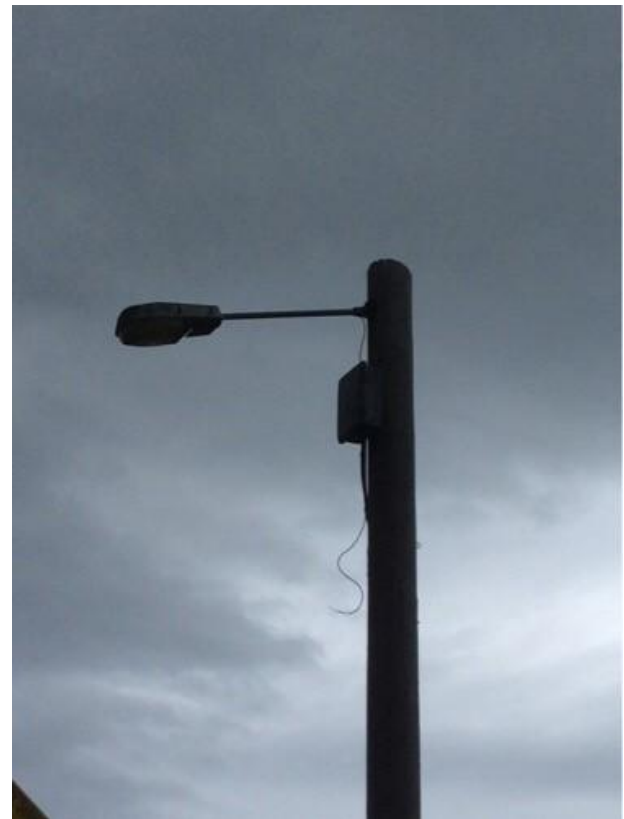
50

Report Date 2019-06-12

Road Name Truggan road the howe road

Reported Problem Loose Fitting

Additional Details Fitting and arm removed for safety  
Wooden pole very rotten needs changing  
May require metal column or replacement wooden pole



Public Light - Report a problem

ID

49

Report Date

2019-06-12

Unit Ref

Pm033

Road Name

Beach Road

Reported Problem

Other

Additional Details

Corroded column. Cut down for safety, disconnected. Possible traffic management required.

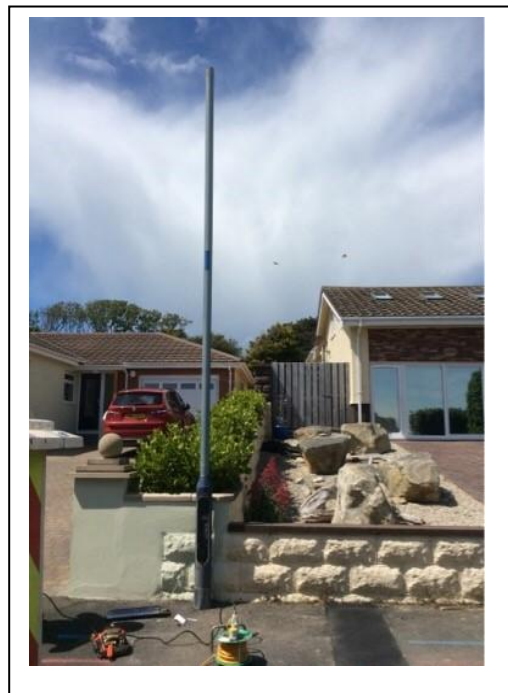


**Public Light Damage Report**

ID

190

Reported Date	2019-06-10
Treetlight Number	Pm253
Location	Perwick bay
Reported Issue	Column Corroded
Additional Details	Cut column down for safety Column made safe Fitting ok zx1
Light suspended?	Yes
Type of Service	10mm 2/3c
Service Pot End required to change column?	Yes
Action Required	New Column





**Public Light Damage Report**

ID

189

Reported Date	2019-06-10
Streetlight Number	Pm069
Location	Creggan beg
Reported Issue	Column Corroded, Fitting Damaged
Additional Details	Column cut down for safety Made safe
Light suspended?	Yes
Type of Service	10mm 2/3c
Service Pot End required to change column?	Yes
Action Required	New Column, New Fitting



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

6.1	<p><b>Mariners Shelter</b> Repairs are ongoing.</p>
6.2	<p><b>Manxonia House</b> The property is on the market and to date there has been 8 viewings to date. One of these was a recent return viewing.</p>
6.3	<p><b>Remembrance Garden</b> Lighting options for the new sentinels are currently being explored.</p>
6.4	<p><b>Skate Park</b> The contractor is currently working on the drawings, however has been delayed due to the construction of the skate park in Castletown.</p>
6.5	<p><b>Public Conveniences</b> The CCTV has been fitted &amp; the internal doors ordered. A price is awaited on the replacement front door and timer lock.</p>
6.6	<p><b>Traffic Consultations</b> Highways have confirmed that Beach Road is scheduled to be resurfaced this financial year.</p> <p>The below dates have also been identified for patching work throughout the village;</p> <p>Bay View Road 22nd - 26th July (this will be run by lights) Station Road &amp; Four Roads 29th - 31st July (road closure in place but access will be maintained) Creggan Moor 23rd - 29th August High Street 30th August</p> <p>Highways are liaising directly with any affected residents and businesses.</p> <p>The following requests have also been issued;</p> <ul style="list-style-type: none"> <li>• Repainting of yellow lines along Bay View Road (and the end of the avenues leading onto Bay View Road)</li> <li>• Pot hole at the top of Loch Road/Flitter Street by the Fishery Restaurant</li> <li>• Completion of parking controller training</li> <li>• Several abandoned vehicles around the village identified and reported.</li> </ul>

6.7	<p><b>Happy Valley</b> The final report is awaited.</p>
6.8	<p><b>Boat Park</b> Ongoing. Chair to provide update.</p>
6.9	<p><b>Reduction in Board numbers</b> Report from the Chair is awaited, no further update is available at this time.</p>
6.10	<p><b>Jetty Repair</b> A response from the Department is still awaited.</p>
6.11	<p><b>Bay Queen Exhibition</b> After the success of the Day in the Life Exhibition and the proposed demolition of the Bay Queen, the Clerk would like to request permission from the Board to run a similar exhibition in 2020 focused on the Bay Queen. Rushen Heritage Trust have agreed to assist and Hartford Homes have agreed to financially contribute towards costs.</p>



Item 6.12

**PORT ST MARY COMMISSIONERS**  
**CELEBRATION OF CHRISTMAS**

A meeting was held between Commissioner Bernadette Williams, the Clerk & Margaret Davies to discuss the Celebration of Christmas event and format and the following proposal is brought to the Board for discussion and approval;

It is recommended not to ticket the event but to advertise it as a 'first come first served' basis.

The following performers are recommended;

- School choir (approached)
- Rushen Silver Band (approached)
- Ministers (approached)
- Parker & Snell Theatre Company regarding a panto sketch
- Paul Costain (approached)
- Southern Young Farmers (initial approach made)

The Board voted at their last meeting to not hold the event with invited guests, it is recommended to either extend the MQ Event budget to allow for a civic event or hold a further one on a later date. The events budget would be required to reflect an extra event.

Item 7.2

**PORT ST MARY COMMISSIONERS**  
**PUBLIC CORRESPONDENCE**

**From:** Davlin <davlin@manx.net>  
**Sent:** 05 July 2019 17:25  
**To:** Port St Mary Commissioners  
**Subject:** Re: Your plot at the corner of Park Road

Dear Commissioners

Your men keep the ground level area of this plot tidy but, for at least the last three years, the higher level has not been touched – it was previously cleared once a year in September/October. I asked the workman last Thursday and was told that the new policy was to leave this area to aid the growth of wild flowers. In principle this might be commendable, but if you viewed the area you would see that there are certainly no wild flowers here – they have long since been choked by brambles, thistles, hogweed, nettles, bindweed, ivy and sticky weed.

We try to keep our garden in good order, but the neglect of your plot is thwarting our efforts due to the seeds of all these weeds coming across to us. Some of these weeds are 3 to 4 feet tall and some are continually encroaching over the wall into our garden making it feel quite claustrophobic. As well as being an eyesore from our perspective it is also a breeding ground for vermin.

I attach photos to show some of these weeds.

I therefore ask if you could please clear this area of the overgrown weeds on at least an annual basis. When cleared perhaps wild flowers could be sown and managed so that this area could in fact in time become an attractive 'wild' area.

I trust that you will consider my request favourably and look forward to your reply.

Best regards

David Little

(33 High Street, Port St Mary)





Item 7.3

## **PORT ST MARY COMMISSIONERS**

### **PUBLIC CORRESPONDENCE**

An approach has been made by some residents from Chapel Bay regarding parking. They are finding more and more camper vans and cars parked long term in the area is causing them difficulty parking at their homes.

They have requested the Board consider residents or limited parking with increased signage.

The Clerk would be happy to discuss the matter further with Highways regarding options should the Board wish.



**PORT ST MARY COMMISSIONERS  
PUBLIC CONSULTATIONS  
TELECOMMUNICATIONS DEVELOPMENT ORDER**

## Introduction

### 1. What is your name?

Name

Hayley Fargher

### 2. What is your email address?

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

Email (Required)

commissioners@portstmary.gov.im

### 3. Are you responding on behalf of an organisation?

- Yes
- No

Organisation

Port St Mary Commissioners

### 4. May we publish your response?

Please read our Privacy Policy ([/privacy\\_policy/](/privacy_policy/)) for more details and your rights.

► More information

(Required)

- Yes, you can publish my response in full
- Yes, you may publish my response anonymously
- No, please do not publish my response

## Small scale equipment

Schedule 2 of the 2019 Order sets out development that can be carried out without prior approval.

Four parts (each with classes) are set out:

- Telecommunications Cabinets
- Telecommunications Structures
- Mounted Equipment
- Underground telecommunications structures.

► Town and Country Planning (Development) (Telecommunications) Order 2019

**5. The order is intended to make it easier to install smaller-scale telecommunications equipment - do you think the order will achieve this?**

- Yes
- No
- Neutral

Do you have any further comments?

**6. What outcome do you think this could have for the Island?**

An opportunity for Local Authorities to directly be able to provide input on behalf of concerned residents.

## Prior approval process

Schedule 3 of the 2019 Order sets out development that can be carried out subject to prior approval. It has the same four parts (each with classes) as Schedule 2, but with less restrictive conditions in relation to size, numbers, proximity to primary windows, conservation areas and watercourses (given the prior approval process considers these matters).

Schedule 4 of the 2019 Order sets out the prior approval process including:

- Application details and submission
- determination
- timescale.

The order is intended to ensure that the prior approval process is a quick and efficient way of identifying proposals which are unlikely to have an impact and so should be able to proceed as permitted development, and those where greater scrutiny is required – through a full planning application.

- ▶ Town and Country Planning (Development) (Telecommunications) Order 2019

### 7. Do you think the proposed prior approval process is appropriate?

- Yes
- No
- Neutral

Do you have any further comments?

## General conditions and limitations

Schedule 1 sets out general conditions and limitations that will apply to anything permitted under the order.

- ▶ Town and Country Planning (Development) (Telecommunications) Order 2019

**8. Are there any issues which you think are missing from this list and not adequately covered elsewhere?**

- Yes
- No
- Neutral

Do you have any further comments?

### Further comments

**9. Do you have any further comments in relation to the Order?**

N/A



**PORT ST MARY COMMISSIONERS**

**PUBLIC CONSULTATIONS**

**DRAFT TOWN & COUNTRY PLANNING (USE CLASSES) ORDER 2019 &  
DRAFT CHANGE OF USE (DEVELOPMENT) ORDER 2019**

Your information

**1. What is your name?**

Name

Hayley Fargher

**2. What is your email address?**

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

Email

commissioners@portstmary.gov.im

**3. Are you responding on behalf of an organisation?**

Yes

No

Organisation

Port St Mary Commissioners

**4. May we publish your response?**

Please read our Privacy Policy ([/privacy\\_policy/](/privacy_policy/)) for more details and your rights.

► More information

(Required)

Yes, you can publish my response in full

Yes, you may publish my response anonymously

No, please do not publish my response

## Use classes

### 5. Do these adequately set out the relevant uses?

In the Schedule (Part 1) Class 1.1 sets out a 'Shops' Use Class and Class 1.2 sets out a 'Financial and Profession Services' Use Class.

- Yes
- No
- No opinion

Please give further comment in the box below

### 6. Do you agree with this approach?

In the Schedule (Part 1) Class 1.4 makes hot food takeaway a use class rather than Sui Generis use to enable easier referencing in permitted development orders, policies and conditions attached to planning approvals.

- Yes
- No
- No opinion

Please give further comment in the box below

### 7. Please tick any use you disagree with as being Sui Generis and give your reasons below, including which of the use classes you think they should be included within.

Article 5(2) sets out a list of exclusions from the use classes (things which are Sui Generis) in the interests of clarity. The definition of a special industrial building is as per the Strategic Plan (2016).

- as a retail warehouse  
for the sale of fuel for motor vehicles

- for the sale, display or washing of motor vehicles
- as a pay day loan shop
- as a betting office/shop
- as an amusement arcade or centre, or a funfair;
- as a night club or casino
- for the provision of boarding kennel for pets (including daycare)
- for a taxi business or business for the hire of motor vehicles
- as a laundrette or dry cleaners
- for the direction of funerals
- as a scrapyard, or a yard for the storage or distribution of minerals of the breaking of motor vehicles
- as a special industrial building
- as a residential school
- as a hostel
- as a secure residential institution (such as prisons, young offenders' institutions, detention centres, secure training centres, custody centres, short term holding centres, secure hospitals, or military barracks)
- as agricultural land or buildings.

Please state your reason

Casino, pay day loan shop & betting office/shop could all come within a sub category together

**8. Is there anything else you would like to tell us in relation to the Changes of Use?**

Please give your answer here

## Change of use

**9. Do you agree with the proposed changes of use allowed within Schedule 1?**

Schedule 1, Part 1 sets out Changes of Use which will apply to Specified Land Only. The order intends to encourage investment in town centres, and avoid empty units, by providing more flexibility to change between different uses without the need for a planning application. The Department considers these proposals to be beneficial for the vitality and continued success of the Town Centres.

- Yes
- No

Please state your reason

**10. Do you agree with the land that has been included or excluded from these maps?**

Schedule 2 defines the areas to which Schedule 1, Part 1 will apply (Specified Land Maps).

- Yes
- No

Please state your reason

**11. Is there anything else you would like to tell us in relation to the Changes of Use?**

Please give your answer here

Items 9.1 – 9.3

## **PORT ST MARY COMMISSIONERS**

### **PLANNING**

**Item 9.1 APPLICATIONS:** None

**Item 9.2 AMENDMENTS & ADDITIONAL INFORMATION:**

**Amended plans.** PA/00637/GB Bayqueen Hotel, The Promenade, Port St Mary. Hartford Homes Ltd. Demolition of existing building and sub-station, and construction of two buildings containing a total of 45 apartments and a restaurant, including car parking, landscaping and a new sub-station (in connection with registered building application 18/00638/CON)

**Additional information.**

PA/00638/CON Bayqueen Hotel, The Promenade, Port St Mary. Hartford Homes Ltd. Registered Building Consent for the demolition of existing building and construction of two buildings containing a total of 45 apartments and a restaurant, including car parking, landscaping and a new sub-station RB 183 (in connection with registered building application 18/00637/GB)

**Item 9.3 APPROVALS:**

PA18/00764/A Waitara and site to north, Clifton Road, Port St Mary. Mr D Tomlinson. Approval-in-principle for the demolition of existing dwelling and construction of 3 detached dwellings with garages approved.

PA.00610/B Shanhowe, Station Road, Port St Mary. Ballacreggan Farms Ltd. Alterations, erection of extension, installation of replacement roof slates and additional use of dwelling as tourist living accommodation approved.

**Item 9.4 REFUSALS:**

PA18/00158/B Vallaveg, 11 Lime Street, Port St Mary. Mr R Hartnoll. Installation of replacement front door refused.

The inappropriate design and lack of detail of the door coupled with the UPVC material finish fails to preserve or enhance the character and appearance of the existing building or the wider historic character of the streetscene which is designated as a proposed conservation area and thus fails General Policy 2 (b), (c) and (g) and Environment Policies 34 and 35 of the IOM Strategic Plan 2016.

**PORT ST MARY COMMISSIONERS  
PLANNING**



**Department of Environment, Food and Agriculture**

Rheynn Chymmyltaght, Bee as Eirinys

6802 1100 01  
06/06/19

*Please reply to Planning Enforcement Officer*  
Our ref: 15/00107/COMP  
Your ref: 15/00107/COMP

Email: [planningen@gov.im](mailto:planningen@gov.im)  
Tel: (01624) 685162  
Fax: (01624) 686443  
**Director of Planning  
and Building Control  
Jennifer Chance, MRTPI**

Mr A Hamilton  
Clerk to the Commissioners  
Commissioners' Office  
Town Hall  
Port St Mary  
Isle of Man  
IM9 5DA

Date: 17th June 2019

Dear Mr Hamilton,

**Re: Alleged Breach of Planning Control  
Use of the site as a builder's compound, Bayqueen Hotel, The Promenade, Port  
St. Mary, Isle Of Man**

I am writing further to your enquiry regarding Use of the site as a builder's compound, and to let you know the outcome of the Department's investigation into the matter.

The Department considers that the breach of planning control has been resolved as the unauthorised works have been removed.

The current items on site, harris fencing and concrete posts are deemed to be on the site to keep it safe from intruders. There is a current Planning Application (18/00637/GB) in the system at the moment for the re-development of the site and the odd items left on site could be deemed in connection with this application off stripping the current building.

If you wish to discuss the contents of this letter, please do not hesitate to contact me.

**Yours sincerely**

A handwritten signature in black ink, appearing to be 'V. Wilson'.

**Vanessa Wilson  
Planning and Enforcement Assistant**

**PORT ST MARY COMMISSIONERS**

**INTERNAL AUDIT REPORT**

The below report sets out the priority order of identified areas from the Internal Audit which need to be dealt with and the action to be taken.

**High Risk Areas** – None reported

**Moderate Risk Areas**

<b>Area Identified</b>	<b>Recommendation</b>	<b>Action to be taken</b>
Data Protection	<p>Data Protection Matrix to be completed and assessed by the external DPO</p> <p>Publish private minutes</p>	<p>Ongoing with the DPO.</p> <p>The Board are requested to consider publishing private minutes going forward.</p>
Social Media	<p>There is currently a website &amp; Facebook page maintained by the Commissioners</p> <p>Social Media Policy</p>	<p>Remove use of commenting from facebook page to avoid risks. <b>Resolved.</b></p> <p>It is recommended to introduce a policy to eliminate risk and educate both staff and Board members.</p>
Interruption to Services/Contingency Planning	<p>There is no agreement in place regarding an alternative place of operation for a skeleton clerical staff in case of emergency</p> <p>There is no arrangement for the provision of computers or software.</p>	<p>Discussions are ongoing with other Local Authorities with regards to facilitating the use of space in case of an emergency and a plan be put in place for Board approval.</p> <p>Discussions are ongoing with the IT provider regarding options.</p>



	There is no succession planning	The Clerk is to investigate options.
Disability Discrimination Act 2006	Legislation to be reviewed by the Acting Clerk and Board	Self-assessment checklist to be completed by the Clerk.

Acceptable, Low and Mitigated Risks are not included on this report as it is accepted that they are as controlled as possible, but a risk is still present (for example the handling of cash).

This report will be brought back to the Board for review on a quarterly basis with updates on progress provided.

Item 10.2

**PORT ST MARY COMMISISONERS**  
**PROPOSAL FOR MANAGEMENT OF GREEN AREAS**

The following proposal has been put produced by the Chair, Clerk & Foreman for Board discussion and approval.

**Gansey Point**

The first bank (pictured below), is recommended for wildflower seeds and to cut a border around along the edge of the path and around the seating areas, leaving the rest of the area cut just twice a year.



The remaining banks are recommended to leave as is with an edge cut along the path and around the seats and the rest cut twice a year.



The remaining of the space at Gansey Point is considered an amenity area. It is recommended that no amendments are made to the current schedule to retain the use of the area.

### **Top Promenade**

It is recommended to leave the far side of the path (by the edge) and just cut the amenity areas.

### **Beach Road**

The bank that backs out from Rhenwyllan Close to Beach Road, it is recommended for wildflowers with a border cut and the rest cut twice a year. It would be advisable to notify the affected residents in writing.



### **Town Hall car park**

Perennial shrubs to be planted in the planters.

### **Bank at the corner of Park Road**

Due to the scale of the bank, this is not considered an amenity area and it is recommended to cut the bank twice a year.

### **The Glebe**

There is an area at the Glebe managed by the PSMC team. It is recommended for wildflowers with a border and to cease cutting the hedges. It would be advisable to notify the affected residents in writing.



### **Kallow Point**

It was suggested to allow the grass to grow a little longer, however upon trialling this several complaints were received that the area was then unusable for recreational use. It is recommended to scatter wildflower seeds from the triangle along the banks and retain the current maintenance schedule.



### **Planters**

Herbs & fruit plants will be trialled in the planters next year alongside more wildflowers.

Item 10.3

**PORT ST MARY COMMISSIONERS**  
**COMMISSIONERS INFORMATION PACK**

The Clerk would like to put together an information pack to advise possible candidates of the role of a Commissioner, this can then be provided alongside any nomination paper. A draft will be brought to the Board for further comment in due course and will also be provided to the Local Government Unit for comment.

Training will also be arranged for the Board after the election in 2020. The Board are requested to consider areas they think it would be advantageous to explore training and talks. Areas already identified are listed below;

- Discussion with the Southern Neighbourhood Policing Team,
- Discussion with the Accountant,
- Planning training/discussion on the role of the Board,
- Equality training/discussion,
- Discussion with Highways on current situation and scheduled work.

**PORT ST MARY COMMISSIONERS**  
**LOCAL AUTHORITY TRANSITION**



Office of the Minister  
and Chief Executive

Contact: Mary Hall  
Telephone: (01624) 686603  
Email: mary.hall@gov.im  
Date: 12<sup>th</sup> July 2019

To: All Local Authorities

Dear All

**Local Authority Transition**

I am pleased to enclose a copy of the findings of the Local Authority Transition Review, completed in line with the Programme for Government and as agreed during the sittings of the House of Keys on 14<sup>th</sup> May 2019 and Tynwald in June 2018.

The review confirmed that the focus for future transition should be to improve the services that are delivered, rather than the future structure of Local Authorities, and identified that different delivery structures are appropriate for different services.

Since completing the review, my Department has continued to support the evolving development of Local Authority services and structures. Members may recollect that a reduction in the number of Douglas Borough councillors has already been agreed, with two other Local Authorities also committed to a reduction in the number of their political representatives. The Department has also been actively engaged in supporting discussions regarding mergers and/or joint service commissioning.

Earlier this year, I wrote to all Local Authorities in the western region with an offer to facilitate a meeting to discuss the potential options for public sector rental housing in their region. The invitation has been accepted and a meeting is to take place during the evening of 23<sup>rd</sup> July 2019.

The next major focus for the Department will be to concentrate on the arrangements for waste collection and disposal, including the preparation of a recycling strategy and consulting with Local Authorities on the introduction of regulations for waste collection.

If you have any further questions or concerns regarding progression of Local Authority transition, I would welcome the opportunity to listen to your views and provide any further clarification if required.

Yours sincerely

**Hon R Harmer MHK**  
**Minister for Infrastructure**  
Enc

**Department of Infrastructure**  
Sea Terminal Building, Douglas, Isle of Man, IM1 2RF

Item 10.5

**PORT ST MARY COMMISSIONERS**

**MEETING DATES 2019**

Below is a list of scheduled meeting dates for the coming year along with annual leave dates for the Clerk.

<b>2019 Meeting Dates</b>	
24 <sup>th</sup> April 2019	
8 <sup>th</sup> May 2019	AGM
22 <sup>nd</sup> May 2019	Postponed to 12 <sup>th</sup> June due to illness
12 <sup>th</sup> June 2019	Notice to be issued by 7 <sup>th</sup> June if meeting is required
26 <sup>th</sup> June 2019	Supt. Maddocks, Policing Operations
10 <sup>th</sup> July 2019	Notice to be issued by 5 <sup>th</sup> July if meeting is required
24 <sup>th</sup> July 2019	Ian Begley attending
14 <sup>th</sup> August 2019	Notice to be issued by 9 <sup>th</sup> August if meeting is required
28 <sup>th</sup> August 2019	
11 <sup>th</sup> September 2019	Notice to be issued by 6 <sup>th</sup> September if meeting is required
25 <sup>th</sup> September 2019	
9 <sup>th</sup> October 2019	Notice to be issued by 4 <sup>th</sup> October if meeting is required
23 <sup>rd</sup> October 2019	
13 <sup>th</sup> November 2019	Notice to be issued by 8 <sup>th</sup> November if meeting is required
27 <sup>th</sup> November 2019	
11 <sup>th</sup> December 2019	

**PORT ST MARY COMMISSIONERS**

**ORDINARY BOARD MEETING**

**24<sup>th</sup> JULY 2019**

**AGENDA – PRIVATE SESSION**

<b>Item Number</b>	<b>Item</b>	<b>Action Required</b>
<b>1.</b>	<b>MINUTES</b>	
1.2	Minutes of the Private Meeting held on the 26 <sup>th</sup> June 2019	For Board approval
<b>2.</b>	<b>MATTERS ARISING</b>	
2.1	Matters arising from previous meetings	Clerk to provide necessary updates
<b>3.</b>	<b>FINANCE</b>	
3.1	Quotations to reinstate fencing at the Paddocks car park – housing	For Board discussion & decision
3.2	Tenant arrears report	For Board discussion
<b>4.</b>	<b>HOUSING</b>	
4.1	Housing Officers report	For Board discussion
<b>5.</b>	<b>HEALTH, SAFETY &amp; ENVIRONMENTAL PERFORMANCE – None</b>	
<b>6.</b>	<b>PROJECTS</b>	
6.1	Marina	Verbal update from Chair
<b>7.</b>	<b>POLICY &amp; RESOURCES – None</b>	
7.1	Manxonia House	For Board discussion & decision



<b>8.</b>	<b>STAFFING</b>	
8.1	Finance Officer	For Board decision
<b>9.</b>	<b>REPRESENTATIVE CONFIDENTIAL REPORTS</b>	
9.1	Southern Civic Amenity Site Board	Relevant member to provide update
9.2	Marashen Crescent Housing Committee	Relevant member to provide update
9.3	Castletown & Malew Elderly Persons Housing Board	Clerk to provide update
9.4	Southern Swimming Pool Board	Relevant member to provide update
9.5	IoM Municipal Association	Relevant member to provide update
9.6	Rushen Emergency Ambulance Committee	Relevant member to provide update
9.7	Southern Authorities Health Care Committee	Relevant member to provide update
9.8	Youth Liaison Officer	Relevant member to provide update
9.9	Port St Mary & District Allotments Committee	Relevant member to provide update
9.10	Ballakilley Working Party	Relevant member to provide update
<b>11.</b>	<b>PRIVATE CORRESPONDENCE</b>	
11.1	Rate reduction request	For Board discussion and response

11.2	FOI Update	For Board discussion & noting
<b>12.</b>	<b>ANY OTHER BUSINESS OF AN URGENT NATURE (BY PERMISSION OF THE CHAIR)</b>	

**PORT ST MARY COMMISSIONERS  
ORDINARY BOARD MEETING  
26<sup>TH</sup> JUNE 2019 at 8.50PM**

**MINUTE – CLOSED PRIVATE SESSION**

Present:	Dr M Haywood (Chair), Mr N McGregor Edwards (Vice Chairman), Mr A Merchant, Mrs B Williams, Mr A Grace, Mr R Hirst, Mr L Vaughan Williams, Mr I Skelly & Mr A Phair
Apologies:	None
In Attendance:	Miss H Fargher (Clerk)

1.	1.1 The Chairman welcomed the Board, declared the meeting open and sought Declarations of Interest.	
2.	Minutes for Adoption: 2.1 Minutes of the Private Ordinary Meeting of 12 <sup>th</sup> June 2019 (originally scheduled for 22 <sup>nd</sup> May 2019). <b>It was noted that the Vice Chair required updating. Subject to the requested amendment of Vice Chair, IS/NME proposed the Minutes of the Private Ordinary meeting held on 12<sup>th</sup> June 2019 be approved and signed as a correct record. AG, AP, AM, LVW, RH, BW &amp; MH in favour. Carried.</b>	MD
3.	Matters Arising: 3.1 An update report on matters from the previous meeting was circulated and noted. The following was discussed further:  3.1.1 Commercial Refuse debtors – HF advised that a query had been lodged with the rates department.	HF
4.	Finance: 4.1 Tenant Arrears Report – was circulated. HF provided the necessary updates regarding the arrears.	
5.	Housing: 5.1 Housing Officers Report. The report was discussed and noted. 5.1.1 <b>IS/BW proposed that the mutual exchange request is approved subject to written confirmation of the rent account being held in good order and a six month probation period. AM, NME, AP, AG, RH, LVW &amp; MH in favour. Carried.</b>	DG
6.	Health, Safety & Environmental Performance: None	
7.	Projects: 7.1 Gellings Avenue discussion on consultation process – A discussion on how the process should be run was had, it was agreed that the most suitable option would be a paper consultation. HF to draft and bring back for Board approval.	HF
8.	Policy & Resources: None	
9.	Staffing: 9.1 Staffing Cost for Wedding ceremonies – <b>LVW/BW</b>	RW



	<b>AP returned to the room at 9.44pm</b>	
--	--	--

There being no further business the meeting closed at 9.45pm

Item 2.1

**PORT ST MARY COMMISSIONERS**  
**MATTERS ARISING & PRIVATE CORRESPONDENCE REPORT**

**Matters Arising**

**Town Hall hire terms & conditions** – Ongoing with assistance from NME.

**Commercial Refuse Debtors** – Please see e-mail below from the Rates Department.

Hi Hayley

In my opinion this is not a rates matter as it is a direct contract between PSM Commissioners and the businesses you have contracted with, so the owners of the premises could not be held liable.

Kind regards

Jonathan

---

Good Morning Jonathon

I hope you are well?

I have a (hopefully quick) query for you. We have a couple of commercial businesses who owe us money for commercial refuse collection, these businesses have now ceased trading and cannot be contacted (have left the Island etc). Can you confirm if you are aware if the landlord of the building would be responsible for the settlement of the outstanding rates in this case?

This might not be your remit, so I do apologise if that is the case!

Could you also please send through an up to date rates spreadsheet for PSM?

Thank you

*Hayley Fargher*

Clerk

**Arqiva** – Lease discussions are still ongoing.

**Stone Wall Repairs** – A further quote is still awaited.

**Golf Club shed** – The planning query raised has been sent to the planning department and a response is awaited.

**'One World' IT system** – The Clerk attended a meeting with Port Erin Commissioners where the system was explored. A price estimate has been requested.

**Derelict properties** – The below correspondence was received in relation to the Railway Station, but marked private & confidential.

Dear Hayley,

Thank you for your letter regarding the above and apologies for having not been able to respond to you sooner.

I can advise yourself and your board, in confidence, that the purchase of the building from the DoI has not yet completed and contract drafting remains between our Advocate and the Attorney General's Chambers. At present, the DoI currently remain owners of the building.

You may recall that when we first obtained planning approval with the intention of refurbishing the building it was, at that point, not a registered building. The registration of the building took place ahead of our purchasing the building and would subsequently mean that in addition to the planning approval granted it would be necessary to obtain Registered Building Consent before we could carry out the proposed works.

Consequently, it was agreed with the DoI that we would re-submit a planning application along with an application for Registered Building Consent ahead of completing the purchase. This has been slightly hindered with the recent departure of the Registered Buildings Officer although we are still hopeful of submitting within the next 4 weeks. We will forward a copy of the proposals beforehand so that your board may view and comment.

Assuming we see a timely and favourable turn around from planning we would hope for building works to be underway before the end of the year.

Best regards  
Dave  
Haven Homes

**Town Hall curtain rail** – The Clerk & Foreman are exploring options to bring to the Board.

**Coffee van request** – The request was denied as per the Board discussion.

**Gellings Avenue Consultation Paper** – The paper is currently being drafted.

### **Private Correspondence**

**Freedom of Information Request regarding fly tipping** – The response has been issued.

Item 3.1

**PORT ST MARY COMMISSIONER**

**FENCING AT THE PADDOCKS CAR PARK**

Several residents have voiced concern regarding the prior removal of the fencing separating the car park from the back of the Paddocks houses. There are now larger vehicles parked along there and many overhang the pavement, causing a hazard. A concern has also been raised that the larger vehicles would struggle to see children while reversing. This would be allocated as a housing expense and the attached quotes have been received.

**The Paddocks, Port St Mary**

Michael Buckley <michael.buckley@jck.co.im>

Fri 03/05/2019 14:51

To: Workshop <workshop@portstmary.gov.im>

Cc: jeff.robertson <jeff.robertson@jck.co.im>; james.cubbon@jck.co.im <james.cubbon@jck.co.im>

Afternoon Tom

After our meeting on site, please find our quote below.

Labour:

2 men x 50hrs x £23.50 x 2wks =£4700

o/time 2 men x 11hrs x £6.00 x 2wks =£264

Plant:

Small excavator £250 x 2wks =£500

Delivery =£65

Breaker + fuel =£350

Materials:

Concrete =£120

Spoil disposal =£40

Armco Barrier =£2980.90

Resin fixings + resin 10x4x£9 =£360

£9379.90

OH+P@12% £1125.59

Total= **£10,505.49**

-  
-  
-

Kind Regards



# METALCO

**ENGINEERING LTD.**  
**GENERAL ENGINEERS AND FABRICATORS**  
THE DESIGN & MANUFACTURE OF FINE ORNAMENTAL  
GATES AND BALLUSTRADES OUR SPECIALITY

METALS HOUSE,  
ATHOL STREET,  
PORT ST. MARY,  
ISLE OF MAN,  
IM9 5DS, U.K.  
Telephone: (01624) 833345  
Fax: (01624) 835705

Ms H Fargher – Clerk  
Port St. Mary Commissioners  
Commissioner's Office  
Town Hall  
Promenade  
Port St. Mary  
Isle of Man

29<sup>th</sup> April 2019

Dear Ms Fargher

**Armeo Barrier to Rear of Parking Bays, The Paddocks, Port St. Mary**

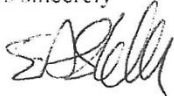
Further to a recent request and discussions with your Works Foreman, we have pleasure in submitting our quotation for the supply and installation of galvanised Armeo Barrier to the rear of the parking bays in The Paddocks lane in the sum of **£4,084.00 + VAT**.

We have included for providing a barrier along the entire length of the parking bays with 5 No. pedestrian access points distributed evenly. The ends of the barrier at the access points would be fitted with high visibility end caps.

Please be aware of our Terms & Conditions overleaf.

We trust this will be acceptable & look forward to being of service to you.

Yours sincerely



S A Skelly



Directors: B. Skelding, S. A. Skelly, J. M. Chinn, D. Hall. Company Registered in the Isle of Man No. 36215

**Kevin Taubman** <stjohnssteel@ic24.net>

Wed 17/07/2019 15:15

- Workshop

□

Hi Tom

Thank you for your enquiry, we are pleased to offer you the following quotation:

For supply and fixing in position of 600mm high "Armco" barrier, four runs at approx. 11m and one at approx. 12m with fishtail ends where the openings are to be situated would be £5,187.00 + VAT.

Barrier to be supplied in galvanise finish.

Regards

Kevin Taubman

St Johns Steel Services Ltd

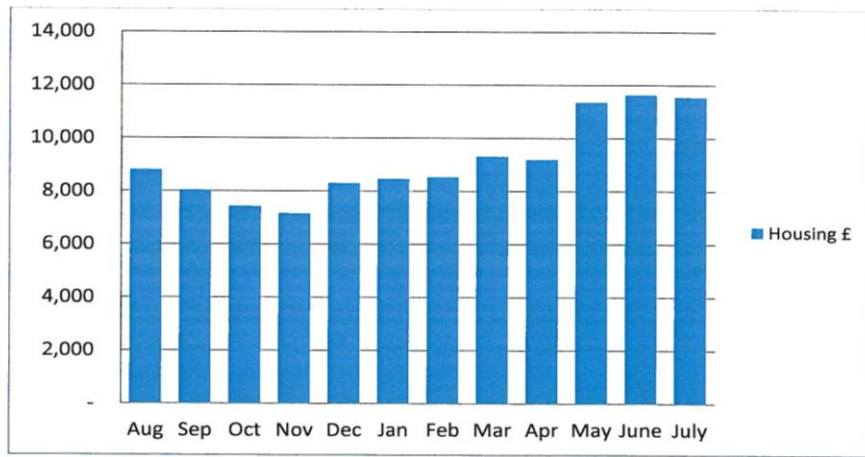
## PORT ST MARY COMMISSIONERS TENANT ARREARS REPORT

**Week 16 2019 commencing 15<sup>th</sup> July 2019**

### Management Summary

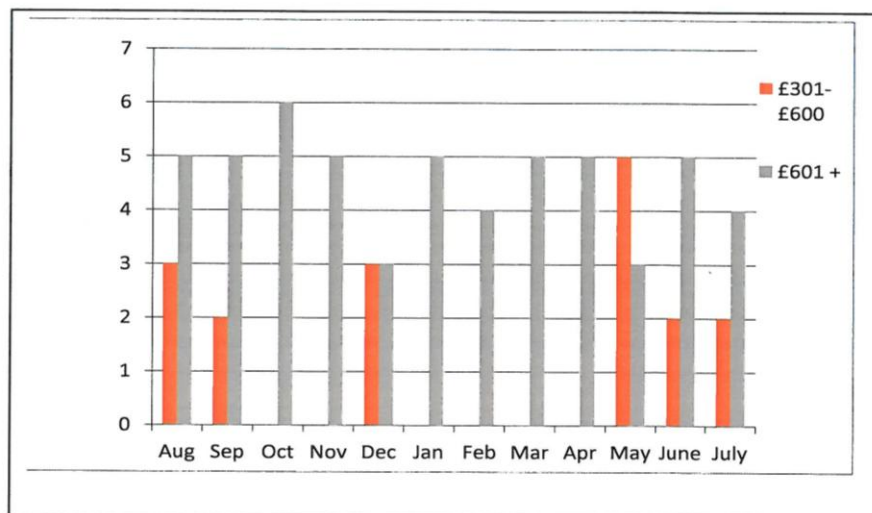
Unpaid rents currently stand at £11,546.06. This has decreased by £89.92 since the previous report.

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 July Meeting**

### **Week 16 2019 commencing 15<sup>th</sup> July 2019 (continued)**

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

#### **Uncontrolled debt**

There are currently 3 tenants with uncontrolled debt.

#### **Tenant 1- Miss Shireen Kneale, 9 Park Road. Arrears £863.34**

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

#### **Tenant 2 – Arrears remain at £3,767.83**

The ex-tenant has agreed to pay £75 per month commencing the last week of July to clear the arrears.

#### **Tenant 3 - Arrears £5,160.30 (increased by £824.67 since previous report)**

The tenant has agreed to pay £600 per month commencing the last week of July.

#### **Controlled Debt**

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

#### **Tenant 4 - Arrears £469.18 (decreased by £90.99 since previous report)**

The tenant is paying regularly as agreed.

#### **Tenant 5 – Arrears £785.76 (increased by £216.25 since last report)**

The tenant has agreed a payment plan to pay £120 per week by direct debit to clear the arrears.

#### **Tenant 6 – Arrears £499.65 (decreased by £206.83 since last report)**

The tenant has been ill and lost some weeks wages. The tenant is continuing to pay rent and is gradually paying off the arrears.

**PORT ST MARY COMMISSIONERS**  
**HOUSING OFFICERS REPORT**

**Housing Officer's Report to Port St Mary Commissioners**  
**Private Session – 24<sup>th</sup> July 2019**

<b>Decisions Sought</b>	<ol style="list-style-type: none"> <li>1. To note summary of housing works &amp; repairs.</li> <li>2. To note Bathroom Refurbishment Scheme Update</li> <li>3. To note government rent arrears policy</li> <li>4. To note mutual exchange update</li> <li>5. To note shared housing waiting list update.</li> <li>6. To note transfer waiting list.</li> <li>7. To note callouts in June.</li> </ol>
<b>June 2019 Summary of Housing Works &amp; Repairs</b>	<ul style="list-style-type: none"> <li>• 7 responsive repairs carried out by DLO</li> </ul> <p>9 responsive repairs were carried out by contractors in June:</p> <ul style="list-style-type: none"> <li>• 4 plumbing jobs</li> <li>• 5 boiler related issues</li> </ul>
<b>Bathroom Refurbishment Scheme Update</b>	<ol style="list-style-type: none"> <li>1. On 10<sup>th</sup> July the I3 report, extract of PSM Commissioners' approved minute regarding decision and petition letter for borrowing was sent to central government.</li> <li>2. On 16<sup>th</sup> July a meeting with the Senior Project Manager, DoI was held. He raised the following issues with the tender process: <ul style="list-style-type: none"> <li>• Cost: PSM Commissioners to consider whether they want to proceed with Cost: Quality criteria used or retender with revised criteria (any quality criteria and scoring system must be stated in tender docs).</li> <li>• If 100% cost, any issues with lowest tenderer should be clarified with them before rejecting lowest tender.</li> <li>• I3 report does not contain all the details required in Capital Procedure Notes, these include <ul style="list-style-type: none"> <li>o See section 8.5.29 for examination of tender details</li> <li>o See Appendix 9 &amp; 11</li> <li>o One tenderer is to be recommended</li> <li>o Undertaking From Design team Form to be completed (Appendix 13)</li> <li>o Report does not state if this is a 1090% cost only evaluation criteria</li> </ul> </li> <li>• Petition letter omitted professional fees from the value requested. To be revised.</li> </ul> </li> </ol> <p>These issues have been raised with the Chartered Quantity Surveyor, an update will be provided.</p> <p>Note: The Procedure Notes for the Management of Construction Projects mentioned above is a 131 page document available on the government website : <a href="https://www.gov.im/media/383284/procedure_notes_for_management_of_const_ruction_projects.pdf">https://www.gov.im/media/383284/procedure_notes_for_management_of_const_ruction_projects.pdf</a></p>
<b>Rent Arrears Policy</b>	<p>DoI Housing rent arrears policy procedure is as follows:</p> <ul style="list-style-type: none"> <li>• When a tenant misses their first weeks rent payment they are sent a standard warning letter giving 7 days to pay the arrears.</li> <li>• After 7 days if the tenant has not paid their arrears or contacted the office a second more severe warning letter is sent giving a further 7 days to pay.</li> </ul>

	<ul style="list-style-type: none"> <li>• If still no payment is received a third and final warning letter is issued to the tenant.</li> <li>• If after a further 7 days has passed with no contact or payment from the tenant, instruction is sent to the Lawyer to commence notice to quit proceedings.</li> </ul> <p>When a tenant at any point during the procedure does contact the housing office but is unable to pay off the arrears in full, a payment plan is agreed with the tenant.</p>
<b>Mutual Exchange Update</b>	Written confirmation was received from DoI that the incoming tenants kept their rent account and current home in order. The new tenants are happy to be placed on a temporary six month probationary period.
<b>Southern Shared Housing Waiting List Update</b>	There were no applications processed in June.
<b>Transfer List</b>	Attached for information
<b>Out of Hours Callouts in June</b>	None

**Rent & Rates**

**Port St Mary Commissioners**

**Transfer Waiting List**

17-Jul-2019 16:56:47

**Name** **Address** **Ref**

**General Housing**

<b>Hunnisett-Biggs Elliott Mr &amp; Hunnisett-Biggs Alexandra Mrs</b>		9 Barna Beg Port St Mary Other Authority	
Bedrooms: 3	Ground Floor: No	Doctors Note:	Doctor:
List Date: 14/09/2017	Birth Date: 14/09/2017	Age: 1	Request:
Current Res:Public Sector	No. to House: 4	No. of Children:2	
<b>Notes</b>	<b>Special Needs</b>	<b>Medical</b>	<b>Refusal</b>
2nd child born 8.10.18			
<b>Watterson Sammy Jo Miss</b>		18 Barna Beg 2 bedroom House	
Bedrooms: 3	Ground Floor: No	Doctors Note:	Doctor:
List Date: 12/01/2018	Birth Date: 12/11/1997	Age: 21	Request:
Current Res:Public Sector	No. to House: 4	No. of Children:2	
<b>Notes</b>	<b>Special Needs</b>	<b>Medical</b>	<b>Refusal</b>
2nd child born 13/6/18			
<b>Corrin Alan Mr &amp; McGrory Claire Miss</b>		13 Park Road 2 bedroom House	
Bedrooms: 3	Ground Floor: No	Doctors Note:	Doctor:
List Date: 24/04/2019	Birth Date: 24/04/2019	Age: 0	Request:
Current Res:Public Sector	No. to House: 4	No. of Children:0	
<b>Notes</b>	<b>Special Needs</b>	<b>Medical</b>	<b>Refusal</b>
Expecting 2nd child in October 2019			

Item 7.1

**PORT ST MARY COMMISSIONERS**  
**MANXONIA HOUSE**

The recommendation received from the consultant is to highlight the below areas as incomplete and request that the contractor returns to rectify.

Dear Hayley

Following my inspection of the property in your company, I comment as follows: It is understood that there is less than £2,000 retention to "encourage" the contractor to return to site to complete the contract. Therefore, unless it is the Commissioners' intention to take legal action to instruct the contractor return to site and complete the work or to seek compensation, I briefly summarise my observations and opinions as follows:

The schedule of work involves

a) re-slating the roof, renewing lead valleys soakers, flashings and render fillets, *Generally, the roofing work appears to be satisfactory. Internally, decayed timber rafters have been exposed. The decay has been caused by water ingress from a faulty valley gutter. The valley gutter has been repaired and the timber is no longer wet. Therefore, fungal decay should cease. It would be prudent to treat the affected timber and the surrounding area with a fungicide. An unsightly concrete verge has been cast on top of the slates to the pitched roof over the entrance porch, which does not match the neighbouring porch.*

b) remove existing cement-based pointing to masonry and rendered panels to window openings and lintels and replace with lime-based mortar and render. *The repointing of the walls in lime mortar is incomplete in several areas. The rear wall in the neighbour's garden has not been touched but is not know if this was in the contract. Generally, the removal of loose and perished render and repair with lime-based render to lintels, cills, reveals, buttress cappings etc has not been satisfactorily carried out. The chimney stack and its capping have not been repaired.*

c) replace all rainwater goods with cast iron. *Not all of the rainwater goods have been replaced, some brackets have not been fixed to the masonry and coated, rather than galvanised or stainless steel, screws have been used.*

I trust the above is adequate for your present needs. Please call me on 210 545 or 623332 if you wish to discuss. If a more comprehensive report is required, I would require the quantity surveyor to accompany me whilst I carried out an inspection.

Kind regards

John Gray



Item 8.1

**PORT ST MARY COMMISSIONERS  
FINANCE OFFICER RECRUITMENT**

Seven applications were received for the post, with three being shortlisted for interview after a scoring process was undertaken by the selected panel.

Interviews were carried out on Tuesday, 23<sup>rd</sup> July and the Chair will make a verbal recommendation to the Board at the meeting.

**Salary**

The updated pay scale is awaited and will be tabled at the meeting.

The current FO is on £38,076 (due to experience and qualifications)

The previous permanent FO was allocated spine points 22-27 (at the time £26,451 - £30,877)

The temporary Finance Officer employed when the FO initially went on maternity leave received spine point 27 (£30,877) due to qualifications.

**PORT ST MARY COMMISSIONERS**

**RATE REDUCTION REQUEST**



**Isle of Man  
Government**  
*Reillys Ellan Vannin*

**The Treasury**

Yn Tashtey

Ms H Faragher  
Clerk to Port St Mary Commissioners  
Commissioners' Office  
Town Hall  
Port St Mary  
IM9 5DA

**Valuation and Asset Management**  
Chief Financial Officer: C Randall FCCA

**Valuation Office**  
Government Offices  
Bucks Road, Douglas  
Isle of Man, British Isles  
IM1 3PX  
Telephone (01624) 685659  
E-mail [brian.johnson@gov.im](mailto:brian.johnson@gov.im)  
Government Website: [www.gov.im](http://www.gov.im)

RECEIVED  
28 JUN 2019

Date: 27 June 2019

Contact: Brian Johnson  
Our Ref: CM/SK

Dear Ms Faragher

**Re: Rating Objections**

As requested by the Chairman of the Isle of Man Rent and Rating Appeal Commissioners, I forward copies of letters relating to an offer of a rates reduction to an objector in your area for your information and comments.

If you require any further information please do not hesitate to contact this office.

Yours sincerely

**Brian Johnson**  
**Valuation Assistant**

**Encs**

RECEIVED  
03 MAY 2019

Mrs B M Moore  
The Studio  
Park Road  
Port St Mary  
IM9 5HQ

2<sup>nd</sup> May, 2019

Property ref number: 59/0290/0160

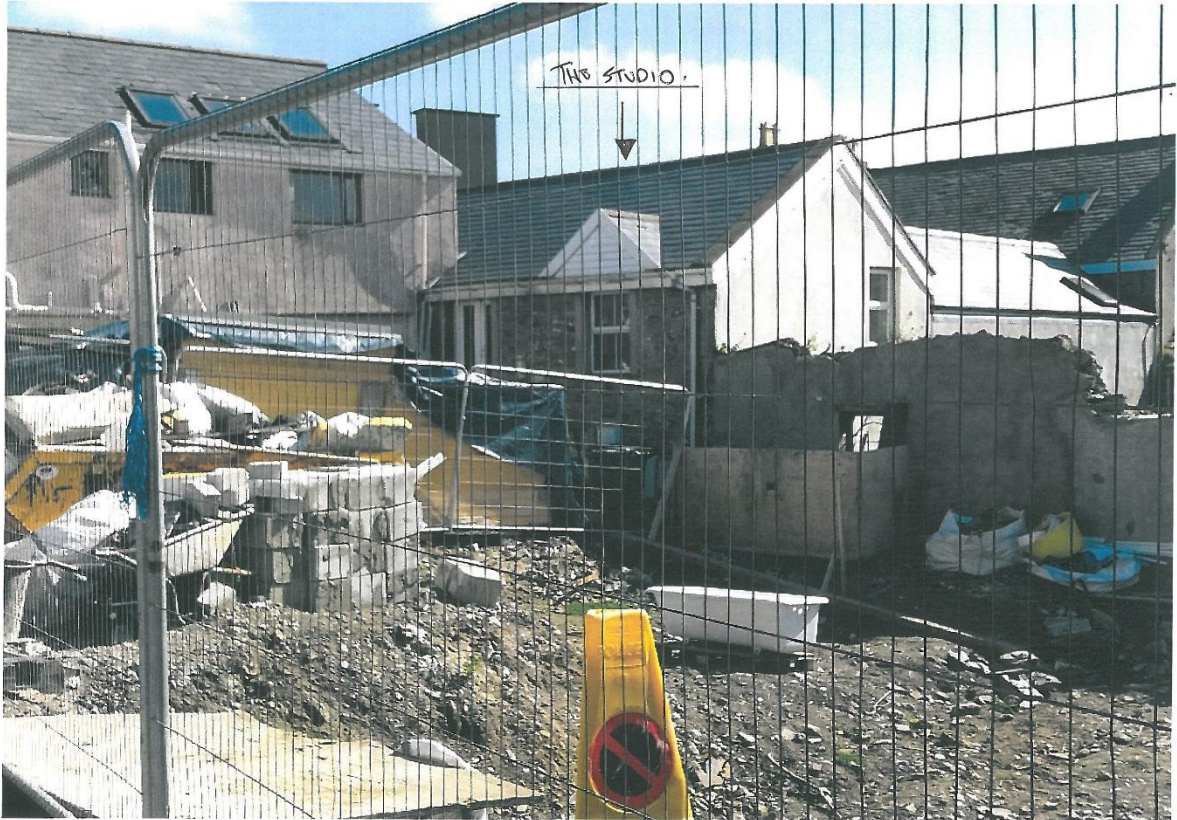
Dear Mr Johnson,

Further to our telephone conversation yesterday (Wednesday). I am writing to confirm that at the moment I am living in a house that has building work on either side and I think it is unfair that I have to pay full rates for it.

I live in the bottom of a court yard, on the right (as you look at the front of the yard), there will be development, and on the left renovations are taking place. I would appreciate it if somebody could check this out, they will clearly see what I mean.

Yours sincerely

Beverley Moore



**PORT ST MARY COMMISSIONERS**  
**FREEDOM OF INFORMATION UPDATE**



Ref: FOI/PAInfoCover

11 July 2019

Ms Hayley Fargher  
Freedom of Information Co-ordinator  
**Port St Mary Commissioners**  
Town Hall  
The Promenade  
PORT ST MARY  
Isle of Man  
IM9 5DA

Public Authority Email: commissioners@portstmary.gov.im

**Freedom of Information Act 2015 (the Act)**  
**Review of decision by the Information Commissioner**

Dear Ms Fargher,

The Information Commissioner has received a request under section 42 of the Act from Mrs Jillian Hamilton ('the Review Applicant') to review the handling of their Freedom of Information request.

This relates to the request made to the Port St Mary Commissioners under section 9 of the Act on **27 February 2019** referenced **173268** with the subsequent internal review referenced **181287**.

The Commissioner must make a decision as to whether the Port St Mary Commissioners:

- has responded to the request in accordance with the requirements of Part 2 of the Act; or
- was justified in refusing to give the information requested.

That decision must be made as soon as possible and notice of that decision given to the Review Applicant and the public authority in a Decision Notice.

In this case, the Review Applicant's request to the Commissioner relates to:

**Whether the public authority was justified in refusing to give the information requested based on**

- *its application of an absolute exemption*
- *its application of a qualified exemption and/or the associated public interest determination*
- *a practical refusal reason, which cannot be removed despite the provision of advice and assistance to the Review Applicant*

This matter formed the basis of the Review Applicant's internal review request to the public authority.

The Port St Mary Commissioners may continue to discuss the case with the Review Applicant, particularly if this will result in an informal resolution. If an informal resolution is reached with the Review Applicant, this must be communicated to the casework officer as soon as possible.

The Port St Mary Commissioners is required to provide the Commissioner with the information requested in the attached documents to enable him to undertake his statutory duty to make a decision. To assist the Commissioner to make an informed decision, the Port St Mary Commissioners should provide complete, cogent and comprehensive information about how it complied with the request in accordance with its duties under the Act and how it formulated its decisions including demonstrating the rationale in applying any exemption and its consideration of the public interest where relevant.

**Guidance on how the Commissioner handles requests for review [is available on the website](#).**

Please contact us if you have any queries.

Yours sincerely,

*Karel Garrett*

**Mrs. Karel Garrett  
Casework Officer  
Encs.**

### **Action required and guidance on submission**

This review is in respect of whether the public authority has responded to the request for information in accordance with the requirements of Part 2 of the Act and/or was justified in refusing to give information requested.

This relates to a request made to the Port St Mary Commissioners by **Mrs Jillian Hamilton** under the reference **173268** with internal review reference **181287**.

#### **Action Required**

The public authority is required to make a submission to the Commissioner by **26 July 2019**. If a submission is not received by this date, the Commissioner is likely to issue an Information Notice.

The onus is on the public authority to provide the Commissioner with all relevant information.

If the public authority fails to provide the Commissioner with any relevant information, then it may have difficulty relying upon that information in court at a later date.

The public authority **must** submit:

- Appendix 1 - FOI request handling administrative documentation
- Appendix 2 - Internal review documentation

#### **Either or both (as relevant):**

- Appendix 3 - Practical refusal records
- Appendix 4 - Withheld information

The public authority **may** submit:

- Appendix 5 - Late reliance on exemptions
- Appendix 6 - Any other information

Public authorities are encouraged to use the included appendices, but may submit substantially similar documentation which includes all the information sought by the Commissioner in the appendices.

The submission can be sent in hard copy or electronically. Folders, files, documents and information must be referenced clearly and should be chronological as far as possible.

A **Document ID** must be allocated to enable the Commissioner to identify the correct document or information being referred to. This may be a new reference allocated for the purpose of this submission or a reference previously allocated by the public authority during its response to the FOI request.

If information supporting the submission is available online, provide a functioning URL.

Issue date: 11/07/2019

**Appendix 1 - FOI request handling administrative documentation**

**Copies** of the following documentation are to be provided in chronological order, indicating the Document ID allocated. Please tick (✓) if included or mark as N/A if not applicable.

	✓ or N/A	Document ID
Request for information from Applicant (section 9)		
Any acknowledgement of request sent to Applicant		
Request for additional information sent to Applicant (section 14)		
Response to additional information request received from Applicant (section 14(2))		
PA decision, and reasoning, to extend processing period (if applicable)		
Advice to Applicant of extended processing period (section13)		
Any correspondence sent to, or received from third parties when consulting in connection with an extended processing period (section 13(3))		
Refusal Notice issued to Applicant (section 17 & 18)		
Review/complaint received from Applicant (Code of Practice)		
Response to review/complaint (Code of Practice)		
Any other correspondence sent to the Applicant, inc. advice and assistance provided (section 15)		
Any other correspondence received from the Applicant		
Any chronology, log or other record maintained by the PA in respect of the handling of the request		
Details of the searches undertaken to establish whether the information sought was held by the PA at the time of the request (section 8, 10 & 11)		

Issue date: 11/07/2019



## Appendix 2 - Internal review documentation

Provide **copies** of all information relating to internal reviews of the original decision made by the public authority.

The submission must be clearly indexed and should include, but not be limited to:

- Correspondence with the applicant
- Chronology or other log
- Copy of all contemporaneous records of the internal review including the public authority's rationale in making its decision (in the case of qualified exemptions this should include the prejudice/harm and public interest considerations as appropriate)
- Details of any information originally withheld but released on review by reference to the Document ID allocated
- Detail of any decision to rely on alternative exemptions, including the relevant rationale, by reference to the Document ID allocated

Issue date: 11/07/2019

### Appendix 3 – Practical refusal records

If the public authority has refused to, or cannot, comply with the request due to a practical refusal reason, it is required to submit **all** documentation relevant to its **initial consideration** of the request.

The contemporaneous records of the decisions taken by the public authority are to be provided.

If no contemporaneous records were made, full details of the considerations and decisions are to be compiled in a new document and provided to Commissioner.

**Please tick (✓) if the contemporaneous record is included, mark as 'New Document' if no contemporaneous record is held and a new document has been compiled, or mark as N/A if not applicable.**

If parts of the request were **refused on different grounds** (practical refusal reasons and/or exemptions) this should be made clear.

Decision to refuse the request for a Practical Refusal Reason:	Date(s) of decision	✓, 'New Document' or 'N/A'	Document ID
Information not held (section 11(3)(a))			
Complying with request would require PA to undertake actions set out in section 8(3) (section 11(3)(b))			
Request does not comply with section 9 (section 11(3)(c))			
Request is vexatious, malicious, frivolous, misconceived or lacking in substance (section 11(3)(d))			
Identical or substantially similar to previous request and a reasonable time has not passed (section 11 (3)(e))			

Issue date: 11/07/2019

### Appendix 4 – Withheld information

This Appendix (or a substantially similar document) should be submitted where the public authority's **initial decision** was to **withhold some, or all, of the information requested**.

A copy of the withheld information **must\*** be provided.

This Appendix should be used to:

- Provide the Document ID of withheld information
- Identify where the withheld information can be located in the submission
- State the precise exemption(s) relied on
- Indicate the location of the contemporaneous record(s) detailing:
  - Reasons for applying the exemption
  - Prejudice/harm test (where relevant)
  - Public interest considerations (where relevant)

\* If the **withheld information** is of such sensitivity that the public authority considers it should not be sent to the Commissioner, that concern should be raised as soon as possible and arrangements may be made to view the information in situ. The Appendix should still, however, be completed for referencing purposes.

Issue date: 11/07/2019

Appendix 4 – Withheld information

ID of Document containing the WITHHELD INFORMATION	Reference to withheld information within the Document	Exemption applied – detail the precise section and subsection	Reference to explanation of application of the exemption	Reference to prejudice/harm test if required	Reference to the public interest test if required
<p><b>EXAMPLE:</b>                      "Folder 2, Doc.1"                      "Red tab, Doc.3"</p>	<p><b>EXAMPLE:</b>                      Pages 12-25                      Para 3 &amp; 4</p>	<p>Detail which exemption set out in Part 3 or 4 of the Act has been applied – taking care to identify the precise relevant subsection.                      Where more than one exemption has been applied to the same information, each exemption must be detailed</p>	<p><b>EXAMPLE:</b>                      Annex A, page 1</p>	<p><b>EXAMPLE:</b>                      Blue Tab, pages 1-3</p>	<p><b>EXAMPLE:</b>                      Folder 4, page 12</p>

### **Appendix 5 - Late reliance on exemptions**

The public authority may provide the Commissioner with details of late reliance on any exemption not previously cited in the refusal notice or in correspondence following the public authority's internal review.

Details must include the precise section or subsection being applied, which information the exemption is being applied to, together with the full rationale, consideration of prejudice (where relevant) and how the balance of public interest has been balanced (where relevant).

The submission must be clearly indexed.

Issue date: 11/07/2019

### **Appendix 6 - Any other information**

Appendix 6 gives the public authority an opportunity to provide the Commissioner with any other information it wishes to be taken into account when making the decision. This could include the background to the request, URLs to relevant information not included elsewhere, any alternative resolution it has proposed to the applicant, etc.

The submission must be clearly indexed.

Issue date: 11/07/2019