

Date: 17th March 2025

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 at the Town Hall on **Wednesday 26th March 2025 at 6.30p.m.** The Private session of Port St Mary Commissioners will be held following the 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.

Hayley Kinvig
Clerk

PORT ST MARY COMMISSIONERS
ORDINARY BOARD MEETING
26TH MARCH 2025
AGENDA – OPEN SESSION

Item Number	Item	Action Required
1.	OPENING OF THE MEETING	
1.1	Welcome, Apologies & Declarations	As required by Board members
2.	MINUTES Four Members who were present are required to approve Minutes	
2.1	Minutes of the Ordinary Meeting held on the 26 th February 2025	For Board approval
3.	MATTERS ARISING	
3.1	Matters Arising from Previous Meetings	Clerk to provide necessary updates
4.	MOTIONS – None	
5.	FINANCE	
5.1	Invoices for Settlement in March	For Board approval
6.	PROJECTS	
6.1	PSM Events	For Board discussion
6.2	Mariners Shelter	HK to provide a verbal update
6.3	Chapel Beach facilities	For noting
6.4	Highways Updates	For discussion

7.	HOUSING	
7.1	Housing Officers Report	For Board discussion
7.2	Tenancy Arrears Report	For Board discussion
7.3	Housing Provision – report to be circulated prior to the meeting	For Board discussion
8.	PUBLIC CORRESPONDENCE & COMMUNICATIONS	
8.1	Email from Southern Civic Amenity Site re fly tipping	For Board discussion and response
8.2	Letter from Southern Swimming Pool re primary school swimming lessons	For Board discussion
9.	PLANNING MATTERS	
9.1	Planning Approvals	For noting
10.	POLICY & RESOURCES	
10.1	Local Authority Elections update – the Clerk to provide a verbal update following the close of nominations.	For noting
10.2	Meeting & event dates 2025	For noting
11.	PUBLIC CONSULTATIONS	
11.1	Local Government (Amendment) Bill 2023	For Board discussion
11.2	Consultation on the introduction of fees and cost limits for Freedom of Information requests	For Board response
12.	INVITATIONS - None	
13.	ANY OTHER BUSINESS OF AN URGENT NATURE (BY PERMISSION OF THE CHAIR)	

**PORT ST MARY COMMISSIONERS
ORDINARY BOARD MEETING
26TH FEBRUARY 2025 at 6.40pm**

MINUTE – PUBLIC SESSION

Present:	Mrs B Williams MBE (Chairman), Mr C O’Meara, Mr D Scott, Mrs J Teare & Mr N McGregor Edwards
Apologies:	Mr L Vaughan-Williams (Vice Chairman) & Mrs R Gelling
In Attendance:	Mrs H Kinvig (Clerk)

A pre meeting was held with Inspector Wendy Barker

1.	1.1 The Chair welcomed the Board, noted the apologies and declared the meeting open.	
2.	2.1 Minutes of the Ordinary Meeting held on the 29 th January 2025 were circulated. DS/JT proposed the Minutes of the Ordinary Meeting held on 29th January 2025 be approved and signed as a correct record. CO’M & BW were in favour, NME abstained through absence. Carried.	
3.	Matters Arising: 3.1 The Matters Arising Summary and response to public correspondence by the Clerk from the previous meeting were circulated and noted. The Board ratified their electronic votes regarding the release of the Rates media statement. HK to chase Minister regarding conservation area correspondence.	HK
4.	Motions: None	
5.	Finance: 5.1 Invoices for settlement in February – HK to check details of #4507. NME/COM approved the invoices for settlement in February to be paid. All were in favour. Carried.	MK HK
6.	Projects: 6.1 Events – Monas Queen –Details of event were discussed and noted as follows; Minister Haywood will be the speaker Catering and location TBC Invitations to participants have been issued The Governor will be attending but will not participate The Manx Bard will be invited to perform The Young Singer of Man will be invited to perform	HK SAM

	<p>6.2 Mariners Shelter – The update was noted.</p> <p>6.3 Chapel Beach facilities – The update was noted.</p> <p>6.4 PSM Reserved Parking Spaces Order– The Order is now approved and available for view at the Town Hall office and online.</p> <p>6.5 20mph speed limits – HK was requested to ensure the map and information were publicly available.</p> <p>6.6 High Street – The update was discussed and noted.</p> <p>6.7 Traffic Speed Data – The data was discussed and noted.</p>	HK
7.	<p>Housing:</p> <p>7.1 Housing Officers Report – the report was discussed and noted.</p> <p>7.2 Tenancy Arrears Report – The Board requested progress is made with the small claims debtors.</p> <p>7.3 Letter from Mr Hooper re housing provision – HK to clarify if just LA owned land is to be looked at. HK & DG to provide a report.</p>	MK HK DG
8.	<p>Public Correspondence:</p> <p>8.1 Easter Festival of Running – The Board were happy to offer assistance of additional bins and a portable toilet for the event.</p> <p>8.2 Communication received regarding the public toilet at the Town Hall – the correspondence was welcomed.</p>	SAM
9.	<p>Planning Matters</p> <p>9.1 Planning Applications:</p> <p>9.1.1 25/90105/B – Rivelin, 9 Kallow Point Road for erection of a front porch and 2 first floor dormers to front elevation; replacement of roof and addition of roof lights; replacement conservatory with porch to rear elevation; replacement render; installation of flue for wood burner. There were no objections.</p> <p>9.1.2 25/90064/B Oirr-Ny-Marrey, The Promenade for replacement windows on side and rear elevations (retrospective). There were no objections.</p> <p>9.1.3 25/90107/B This-Ny-Marrey, 8 Perwick Road for extensions and alterations to existing residential dwelling, installation of PV solar panels, landscaping work and erection of a garden shed. There were no objections.</p>	DG
10.	<p>Policy & Resources: None.</p> <p>10.1 Dates – The forthcoming dates were discussed and noted.</p> <p>10.2 1st Supplemental List 2025 – The list was discussed and</p>	

	<p>noted.</p> <p>10.3 Proposed Reserved Parking Places Order – The Order was reviewed, discussed and there were no objections.</p> <p>10.4 Local Authority Rates – The report was discussed and noted.</p>	
11.	<p>Public Consultations:</p> <p>11.1 Local Government (Amendment) Bill 2023– A discussion was had, HK to draft a circulation a letter to the Legislative Council regarding the consultation process.</p>	HK
12.	<p>Invitations: None</p>	
13.	<p>Any Other Business:</p> <p>13.1 Rushen Parish Flower Festival – The Board agreed to partake in the flower festival due to be held 2nd to 9th July 2025.</p> <p>13.2 Arbory & Rushen Civic Service – HK to electronically circulate details of the service to all members.</p> <p>13.3 Douglas City council invitation to discuss Isle of Man Municipal Association – HK to provide DS with the details.</p> <p>13.4 3fm Easter event – The Board agreed to participate for a fee of £500. HK to approach the Business Association to see if they could financially assist.</p>	<p>SAM</p> <p>HK</p> <p>HK</p> <p>HK</p>

There being no further business the Public Session of the meeting closed at 7.50pm.

PORT ST MARY COMMISSIONERS

MATTERS ARISING & PUBLIC CORRESPONDENCE REPORT

Matters Arising

Draft conservation area – The designation of a Conservation Area is a Cabinet office function, the letter was therefore forwarded to Minister Ashford on 2nd March, the Clerk has chased the Department for a response.

Query invoice #4507 re hoist hire – The hire fee included the installation and removal of the lights.

Arbory & Rushen Civic Service – The information was circulated.

3fm Easter trail – The Business Association have advised that they do not have sufficient funds to contribute.

Public Correspondence

N/A

Item 5.1

PORT ST MARY COMMISSIONERS - Invoices to be paid in March 2025

Inv#	Date	Invoice number	Supplier	Details	Housing	Net (£)	VAT (£)	Total Cost (£)	Nominal code
4585	14/02/2025		Andrew McEwan	14 LA - take out kitchen units and replace floor	LA	562.67	0.00	562.67	6100
4586	28/02/2025	133834	BHW	Address stamp for office		89.00	17.80	106.80	5170
4587	26/02/2025		Rick Buckley	Clean Town Hall windows in February 25		45.00	0.00	45.00	5150
4588	05/03/2025	037412	Discount Carpets	14 LA - supply and fit safety flooring	LA	658.33	131.67	790.00	6100
4589	10/02/2025	600149961	Douglas City Council	FRS102 actuarial report - LA contribution for y/e 31.03.24		221.74	44.35	266.09	5040
4590	25/02/2025	2434	Harbour Marine	4mm stainless rigging wire and countersunk bolts and lock nuts		47.04	9.41	56.45	5850
4591	12/02/2025	34253	Island IT	Labour - PC checks		60.00	12.00	72.00	5140
4592	14/02/2025	34281	Island IT	Labour - workshop emails		30.00	6.00	36.00	5140
4593	25/02/2025	INV2270	JB Fire Safety Management	Fire risk assessment and report		475.00	95.00	570.00	6020
4594	24/02/2025	148226	JCK Limited	Hire of sweeper and tipping		227.36	45.47	272.83	6056
4595	17/02/2025	0001/00181762	J Qualtrough	Everbuild, washer repair, pozi screws		49.02	9.80	58.82	6020
4596	17/02/2025	0001/00181763	J Qualtrough	Square plate washer		30.96	6.19	37.15	6020
4597	20/02/2025	0001/00182833	J Qualtrough	WD40, handsaw		73.34	14.67	88.01	6020
4598	20/02/2025	0001/00182834	J Qualtrough	Tee hinges, padbolt		12.52	2.50	15.02	6020
4599	20/02/2025	0001/00182835	J Qualtrough	Fence post cap		23.20	4.64	27.84	6020
4600	28/02/2025	0001/00184407	J Qualtrough	Coach screw		4.35	0.87	5.22	6020
4601	17/02/2025	3704	Mc2 Consulting	Inspect Town Hall for water ingress		515.60	103.12	618.72	5150
4602	01/03/2025	26063	Orb	Payroll for February 2025		105.50	21.10	126.60	5170
4603	25/02/2025	00010003059049	Riley's	Stihl super 5l, Honda 4 stroke oil and 3mm bulk strimmer line		85.84	17.17	103.01	6056
4604	27/02/2025	167024	SCS	3 CB - repair wash basin cold tap	CB	178.50	35.70	214.20	6100
4605	27/02/2025	167025	SCS	20 SFA - tighten loose nut on oil tank	SFA	70.13	14.03	84.16	6100
4606	27/02/2025	167026	SCS	14 LA - repairs to fittings for plumbing in washing machine	LA	109.18	21.84	131.02	6100
4607	27/02/2025	167027	SCS	13 SFA - stripped down and repaired taps	SFA	71.43	14.29	85.72	6100
4608	21/02/2025	166862	SCS	3 TP - replaced seasonal valve on boiler	TP	219.55	43.91	263.46	6100
4609	21/02/2025	166863	SCS	14 LA - remove and replace kitchen sink for floor repairs	LA	211.03	42.21	253.24	6100
4610	13/02/2025	166694	SCS	1 SFA - repairs to boiler room stat and dial	SFA	93.50	18.70	112.20	6100
4611	13/02/2025	166695	SCS	17 SFA - vent and repair radiators	SFA	145.53	29.11	174.64	6100
4612	13/02/2025	166696	SCS	6 FR - install outside tap	FR	126.66	25.33	151.99	6100
Sub total Pg1						4,541.98	786.88	5,328.86	

Inv#	Date	Invoice number	Supplier	Details	Housing	Net (£)	VAT (£)	Total Cost (£)	Nominal code
4613	13/02/2025	166697	SCS	16 BB - repair washer in fill valve in toilet	BB	39.25	7.85	47.10	6100
4614	13/02/2025	166698	SCS	10 LA - topped up boiler pressure	LA	46.75	9.35	56.10	6100
4615	28/02/2025	167124	SCS	11 CB - extrator fan complaint, working fine	CB	59.50	11.90	71.40	6100
4616	24/02/2025	166932	SCS	4 PR - remove extractor fan vent blockage	PR	87.00	17.40	104.40	6100
4617	21/02/2025	166876	SCS	6 FR - remove defective pendant and replace	FR	70.71	14.14	84.85	6100
4618	21/02/2025	166877	SCS	14 LA - replace fluorescent fitting	LA	131.82	26.36	158.18	6100
4619	20/02/2025	166860	SCS	10 SFA - extend cord on extractor fan	SFA	87.00	17.40	104.40	6100
4620	21/02/2025	166871	SCS	12 SFA - replace heat alarm and test	SFA	186.16	37.23	223.39	6100
4621	21/02/2025	166872	SCS	3 FR - unblock extractor fan and replace	FR	193.11	38.62	231.73	6100
4622	21/02/2025	166874	SCS	15 SMA - repair bathroom light	SMA	118.64	23.73	142.37	6100
4623	21/02/2025	166875	SCS	Replace faulty light in Workshop		160.30	32.06	192.36	6020
4624	26/02/2025	10123	Southern Civic Amenity Site Board	Green waste - 15 kg		7.07	1.41	8.48	5260
4625	07/03/2025	10213	Southern Civic Amenity Site Board	Commercial waste - 300 kg		7.56	1.51	9.07	5210
4626	04/03/2025	10164	Southern Civic Amenity Site Board	Commercial waste - 580 kg		14.62	2.92	17.54	5210
4627	01/03/2025	202503000042	SPAR	Fuel for DLO vehicles		14.16	2.83	16.99	6020
4628	25/02/2025	SINV15902	Viking	Ink for Town Hall printer		113.61	22.72	136.33	5060
4629	17/02/2025	SI-00046461	WDS Limited	Handtowels, soap, toilet cleaner, toilet tissue		85.63	17.13	102.76	5152
4630	19/02/2025	SI-00046589	WDS Limited	Cleaning supplies for Workshop		305.49	61.10	366.59	6020
Sub total Pg2						1,728.38	345.66	2,074.04	
Total						6,270.36	1,132.54	7,402.90	

Breakdown by type of expense (rates and housing)

Nominal code	Nominal description	Amount (£)
5040	Legal and Professional Fees	266.09
5060	Photocopying	136.33
5140	Computer Expenses	108.00
5150	Town Hall Expenses	663.72
5152	Town Hall Cleaning	102.76
5170	Office Expenses	233.40
5210	Refuse Expenses	26.61
5260	Gardens and Flowerbeds	8.48
5850	Chapel Beach	56.45
6020	Sundry - Store	1,378.00
6056	Vehicles - General	375.84
6100	Housing Repairs	4,047.22
		7,402.90

Breakdown of invoices by supplier (rates and housing)

Supplier	Amount (£)
Andrew McEwan	562.67
BHW	106.80
Discount Carpets	790.00
Douglas City Council	266.09
Harbour Marine	56.45
Island IT	108.00
J Qualtrough	232.06
JB Fire Safety Management	570.00
JCK Limited	272.83
Mc2 Consulting	618.72
Orb	126.60
Rick Buckley	45.00
Riley's	103.01
SCS	2,886.91
Southern Civic Amenity Site Board	35.09
SPAR	16.99
Viking	136.33
WDS Limited	469.35
	7,402.90

Breakdown of invoices for Housing only

Supplier	Amount by property (£)	Total by supplier (£)
Andrew McEwan		562.67
LA	562.67	
Discount Carpets		790.00
LA	790.00	
SCS		2,694.55
BB	47.10	
CB	285.60	
FR	468.57	
LA	598.54	
PR	104.40	
SFA	784.51	
SMA	142.37	
TP	263.46	
	4,047.22	4,047.22
Other housing expenses	0.00	0.00
	4,047.22	4,047.22

PORT ST MARY COMMISSIONERS

PROJECTS UPDATE

<p>6.1</p>	<p>Events</p> <p><u>Monas Queen Event</u></p> <p>The Board are requested to discuss the option of having the catering provided in the Town Hall after the event.</p>
<p>6.2</p>	<p>Mariners Shelter</p> <p>A deed of Surrender is being drafted to provide to the Department.</p>
<p>6.3</p>	<p>Chapel Beach facilities</p> <p>Research into prefabricated designs is ongoing, including the possibility of installing smaller changing only facilities which can be moved (example provided below).</p> <div data-bbox="608 949 1129 1462" data-label="Image"> </div>
<p>6.4</p>	<p>Highways</p> <p><u>Resurfacing</u> The resurfacing work at Creggan Mooar is now complete.</p> <p><u>PSM Speed limits consultation</u> The plan has been added to the website for public viewing.</p> <p><u>High Street</u> Excavation works is due to get underway at the High Street to ascertain where the services, voids and cellars are located, this information will then be passed onto the design team to see if any amendments to the current design are required. – <i>No further update is available.</i></p>

Road closure application

An application for a further road closure on the Promenade follows this report for information.

Public communication plan

- It is the applicant's responsibility to consult with and give notice to those affected as early as possible. When this takes place may depend on the impact of the work, however we expect ample time to be provided to residents and businesses to allow them to plan and mitigate for the effects of your restriction.
- A public communication plan must be submitted with this application. It should outline who is affected and when and how information will be given. The relevant local authority should be notified in all cases.
- Failure to communicate the impact of your work could lead to refusal of this application or future applications. Any approval in principle already given may also be revoked.

Further conditions

- A notice board displaying the applicant/contractors name, address and telephone number must be displayed on site at all times during the duration of the restriction.
- All costs incurred by the Department in the implementation of the road closure must be paid by the applicant.
- Requests for extensions must be made at least as soon as practicable and in all instances not less than 7 days prior to the end of the existing closure, by submission of a new application form.
- The granting of a closure does not absolve the applicant for the need to apply for a skip permit, scaffold permit or approval to open up the carriageway. Prior to the re-opening of a highway to traffic the applicant **must** inform the Department's Control Room by phone on 850000; or 672000 if outside normal working hours. This should be at least two hours before the re-opening of the road. It would be preferable if 24 hours' notice is given.
- In making this application the applicant agrees to the sharing by the DOI of all details forming part of the application by any means, or media deemed appropriate and proportionate in order to consult, or to inform the public of the details of the application.

All fields marked * are mandatory and must be completed.

Filming conditions

Events conditions

Data Protection

The Department of Infrastructure is a controller under current Data Protection Legislation. We will hold the personal information provided for the purpose of answering your enquiry, customer services or other statutory or legal obligations.

Further details can be found [DOI's Data Protection page](#); it provides more information about the way in which we use, share and store your personal information, and what your rights are.

You can also contact our Data Protection Officer by emailing DPO-DOI@gov.im or ringing +44 1624 686785.

Road works closure details

Road closure details

Is this an extension to a previous application?*

Yes

No

Please provide previous TTRN reference number e.g. RCO RCO170
123*

Name of road*

The Promenade

Town/Parish*

Port St Mary

From its junction with*

Promenade Back Lane

To its junction with*

Point adjacent to western boundary of property Awin Mooar

Please select all of the requirements of this application*

- Temporary closure
- Prohibition of parking
- Temporary speed limit
- Suspension of an existing One-Way Order
- Other (please specify below)

Do you wish to add another road?*

- Yes
- No

Is your closure / restriction for less than a day?*

- Yes
- No

Date closure required from*

01/04/2025

Date closure required to*

01/08/2025

The Notice for the restriction you have applied for will have default **6am start**, and **6pm finish** time on the respective start and finish dates. If you require alternate times then please list these in the 'Any other information' box at the bottom of this page.

Please give details of an alternative route

none required

A **map based plan** is required to be uploaded with your application. This needs to include the full extent of the affected area and all signage that will be used to manage traffic through, or to divert traffic around, the area.

Please attach map based plan*

HH-002-01 r02 Bayqueen Site Development, Promenade PSM-A1.pdf

Please confirm that you have checked www.one.network online mapping to ensure that there are no clashes for the restriction you are applying for on the dates you are applying for also considering any diversion routes you may be utilising

Please confirm that you have checked www.one.network



Affected parties MUST be advised of your restriction in advance by both advance signage and a letter drop / personal visit. Please indicate the date this will be carried out by *

10 Mar 2025

Who is prohibited? *

- Vehicles (as defined in the guidance document)
- Pedestrians

Any other information regarding this closure request

Extension of closure associated with The Bayqueen Development

Applicant details

Name of person making request*

Paul Brew

Name of Company*

Hartford Homes

Who is this work on behalf of?*

Hartford Homes

Name of firm undertaking work*

Hartford Homes

Office address (to which invoice will be sent)

Address line 1*

Unit 2,

Address line 2*

Middle River

Address line 3

Postcode*

IM2 1AL

Contact telephone number (for inclusion in advert)*

1624631000

Contact email address (to which a confirmation of receipt will be sent)*

paul@hartford.im

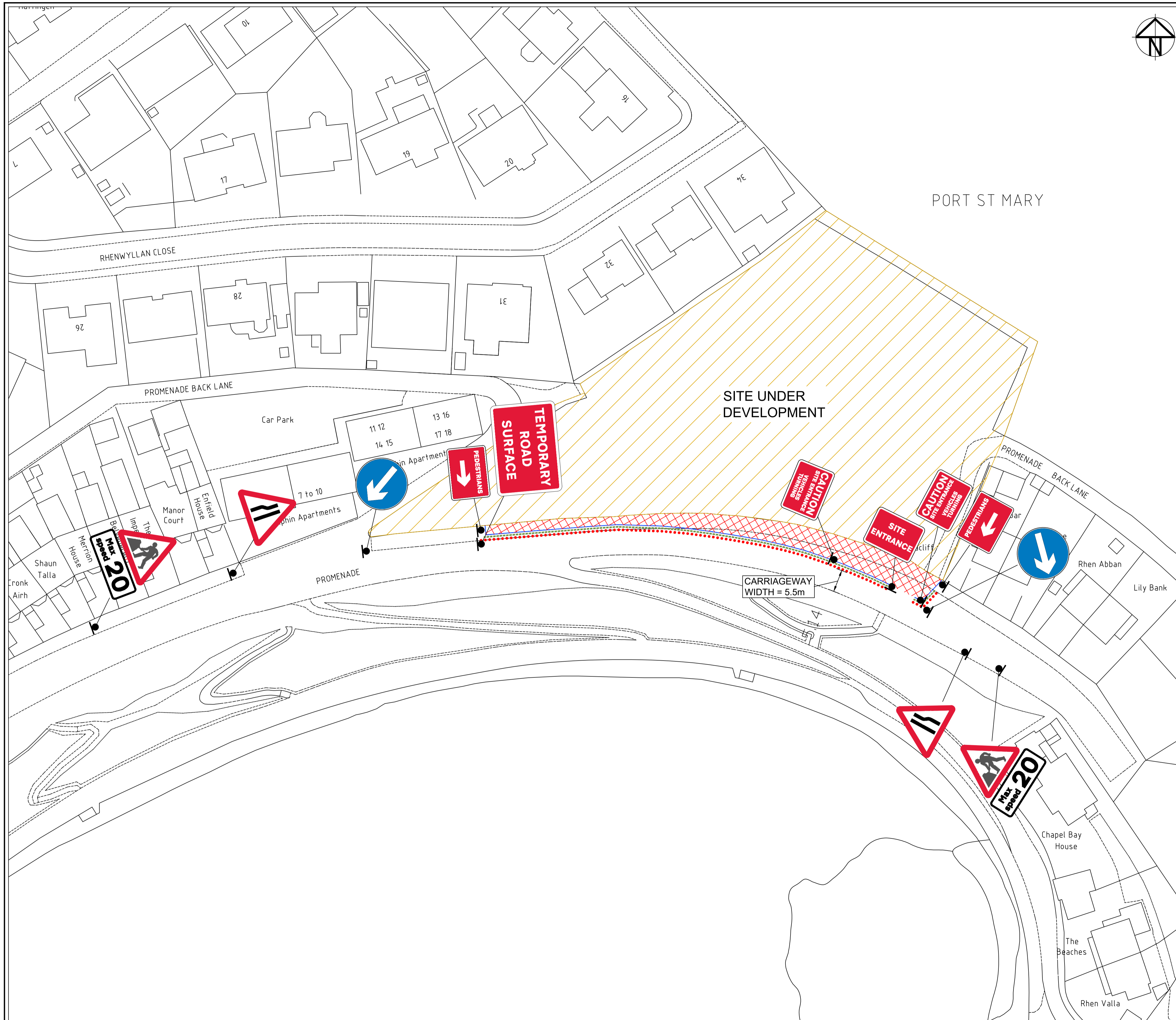
Please confirm email address

paul@hartford.im

If required, please include a purchase order number to cover advertising cost

Declaration

In consideration of the Department of Infrastructure granting a TTRN, I, **Paul Brew**, agree to comply with the conditions set out in the introduction to this form and any special conditions or restrictions which the Department may impose when granting permission.



NOTES

- 1) DO NOT SCALE FROM THIS DRAWING, USE FIGURED DIMENSIONS ONLY.
- 2) ALL DIMENSIONS ARE IN METRES UNLESS STATED OTHERWISE.
- 3) ALL LEVELS ARE IN METRES ABOVE DOUGLAS 02 DATUM.
- 4) DURING DARKNESS WARNING LIGHTS TO BS EN 12352:2006 SHOULD BE PROVIDED IN ACCORDANCE WITH TABLE A1.3 (APPENDIX 1).
- 5) 45° TAPERS HAVE 1.5m SPACING, NO RELAXATIONS.

PERMANENT SPEED LIMIT

	SAFETY ZONE DIMENSIONS
	PERMANENT SPEED LIMIT 30mph
	SIDWAYS SAFETY ZONE 0.5m
	LONGWAYS SAFETY ZONE 0.5m (DIMENSIONS ARE MINIMA)

SETTING OUT DIMS

2 WAY PTS - DISTANCE =
3/4 WAY PTS - 1 =
2 =
3 =
4 =

LEGEND

- TRAFFIC SIGN
- TRAFFIC CONE
- 'NO WAITING' CONES
- ● ● ● 750mm TRAFFIC CONES, SPACING 1.5m, RELAXATION 3m.
- SITE HOARDING
- TEMPORARY FOOTWAY (1.2m WIDE)
- ▨ AREA OF HIGHWAY CLOSED FOR DURATION OF WORKS

TRAFFIC SIGN SCHEDULE

(SIGN SIZE 750mm)

Qty: 1 Ref: 13.9 Schedule 13.9 - Site Entrance	
Qty: 2 Ref: 13.9 Schedule 13.9 - Caution Site Entrance - Vehicles Turning	
Qty: 2 Ref: 513.2 Max Speed	
Qty: 1 Ref: 517 Road narrows on one side only ahead - left	
Qty: 1 Ref: 517 Road narrows on one side only ahead - right	
Qty: 1 Ref: 610 Keep right	
Qty: 1 Ref: 610 Keep left	
Qty: 2 Ref: 7001 Road works ahead	
Qty: 1 Ref: 7010-FP-13-9 Nature of temporary hazard ahead - Temporary Road Surface	
Qty: 1 Ref: 7018 Pedestrian diversion Right	
Qty: 1 Ref: 7018 Pedestrian diversion Left	

02	02/09/21	ADDITIONAL SIGNAGE ADDED	PWB	DKW	DKW
01	01/09/21	FIRST ISSUE	PWB	DKW	DKW
Issue	Date	Description	Drn	Chk	Appv

Area/ Road: THE PROMENADE, PORT ST. MARY					
Drawn: PWB	Checked: DKW	Approved: DKW	Date: 01/09/21		
Original Size: A1	Scale: Not to Scale	Dimensions: Metres			
Drawing Number: HH-002-01					Issue: 02

Watling Streetworks
2 Premier Road
Ramsey, Isle of Man IM8 3AS
Telephone: 07624 495166
Email: Doug@watlingstreetworks.com

Drawing Title:
**BAYQUEEN SITE DEVELOPMENT
THE PROMENADE, PORT ST. MARY
TRAFFIC MANAGEMENT PLAN**

Client:
HARTFORD HOMES

Traffic Management By

Housing Officer's Report to Port St Mary Commissioners
26th March 2025

Subject	Information
February Summary of Housing Works & Repairs	<ul style="list-style-type: none"> • 9 Responsive repairs were carried out by DLO in February. <p>24 responsive repairs were carried out by contractors in February:</p> <ul style="list-style-type: none"> • 7 Boiler related issues • 3 Plumbing repairs • 6 Electrical issues • 5 Window/Door repairs • 1 repair to communal satellite system • 1 property had a repair to the rendering • 1 property had the kitchen floor replaced
Void Properties	No properties were handed back in February.
February Allocations	None
Fixed Term & Annual Tenancies	Following review and inspection, two tenants had their fixed five-year tenancy renewed for a further five years on the same terms.
Southern Shared Housing Waiting List	<ul style="list-style-type: none"> • One application was processed at this office in February • There are currently 159 applicants on the waiting list. • 28 applicants have selected Port St Mary in their area choices, 14 have chosen 'all Island' and 49 have selected 'all South'.
Transfer Waiting List	<ol style="list-style-type: none"> 1. One tenant in a three-bed house needs to transfer to a level access property. 2. One family currently housed by another authority wishes to transfer to a three-bed house in PSM for health/welfare reasons. 3. One tenant in a three-bed house wishes to downsize. 4. One tenant in a two-bed ground floor flat wishes to transfer to another area. 5. A tenant with another housing authority wishes to transfer to a bungalow in PSM for welfare reasons. 6. A tenant in a bungalow wishes to transfer to a flat further up the Port.

Tenancy Arrears Report for the March 2025 Meeting

Week 50 2024/25 commencing 10 March 2025

Management Summary

Unpaid rents have increased in the period from £29,698.20 in February to £31,315.59 in March 2025, an increase of £1,617.39 or 5.45%. Economic headwinds remain high keeping costs elevated and ensuring some tenants struggle to pay their rent. A detailed analysis of rents follows.

The **first graph** shows the rent arrears by sector over the last 12 months. As in previous months, all arrears are housing related:



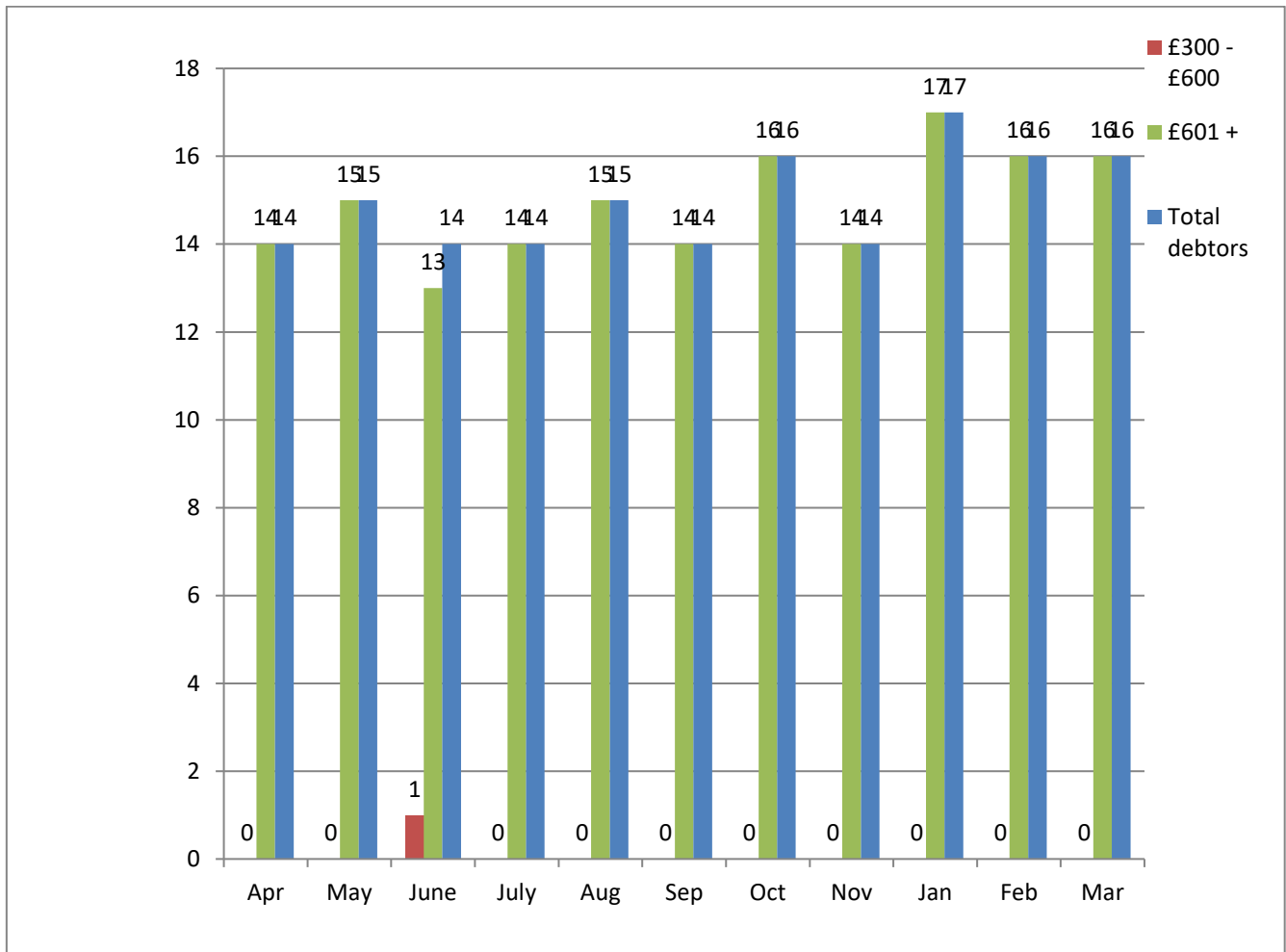
Tenancy Arrears Report for the March 2025 Meeting

Week 50 2024/25 commencing 10 March 2025

(Continued)

Number of Debtors and Actions Taken

The **second graph** shows the number of debtors by debt level:



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

Uncontrolled debt

There are currently 5 tenants with uncontrolled debt. The Finance Officer has started the small claims process with regards to tenants 1 and 3 and will keep the Clerk and Board updated on progress.

Tenant 1 – Arrears £2,842.83 (no movement since previous report)

A request was made for a judgment on an instalment order which was granted by the court with payments of £100.00 per month to be received from 14th September 2020. The finance officer instructed the then tenant to make payments no later than the 23rd of each month, but the now former tenant defaulted on the court order. The party has been written to and advised that

small claims proceedings will commence unless a payment plan is agreed and adhered to, however, a reply hasn't been received. Small claims paperwork has been prepared and will be submitted soon.

Tenant 2 – Arrears £863.34 (previous tenant)

This amount was previously removed from the report and reinstated at the request of the Board. The Authority's staff cannot locate the former tenant.

Tenant 3 – Arrears £782.78 (no movement since the previous report)

Dependent has spoken to the housing officer and has promised to clear arrears once they receive their inheritance.

Controlled Debt

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

Tenant 4 – Arrears £1,492.72 (no change since the previous report)

The former tenant had experienced difficulties obtaining the correct wage from their employer and had agreed to pay an extra £50 per month. The former tenant has been adhering to their payment plan with £50 expected later this month.

Tenant 5 – Arrears £2,845.10 (decreased by £165.06 since the previous report)

The tenant is adhering to their payment plan.

Tenant 6 – Arrears £5,538.31 (increased by £464.60 since the previous report)

The tenant has contacted the Housing Officer and agreed to seek debt advice before agreeing a new payment plan.

Tenant 7 – Arrears £1,384.07 (decreased by £48.40 since the previous report)

The tenant is adhering to their payment plan.

Tenant 8 – Arrears £927.78 (no movement since the previous report)

The former tenant is now in a residential home and the family are paying down the arrears in instalments with another payment due.

Tenant 9 – Arrears £5,152.49 (increased by £336.16 since the previous report)

The tenant has retired from full time employment and is now living in a smaller property which, along with now receiving benefits, would allow them to cover their rent. The tenant had been written to previously with a firmer letter sent as a follow up and has agreed to a new payment plan but is yet to adhere to it. The housing officer is arranging a meeting with the tenant.

Tenant 10 – Arrears £1,653.70 (increased by £102.31 since the previous report)

The tenant is adhering to their payment plan with several payments due this month.

Tenant 11 – Arrears £1,484.78 (decreased by £66.61 since the last report)

The tenant is adhering to their payment plan.

Tenant 12 – Arrears £1,062.93 (decreased by £43.48 since the previous report)

The tenant is paying extra each week to reduce arrears with three more payments due this month.

Tenant 13 – Arrears £1,160.10 (increased by £54.94 since the last report)

The tenant is adhering to their payment plan with another payment due this month.

Tenant 14 – Arrears £2,108.88 (increased by £589.52 since the last report)

The tenant has had problems with their bank. The tenant has agreed a payment plan.

Tenant 15 – Arrears £826.86 (decreased by £10.48 since the last report)

The tenant has liaised with the Housing Officer explaining that they have been in hospital for a protracted period of time and are returning to work in February whereupon arrears will be dealt with. The tenant has arranged a payment plan with the Housing Officer.

Tenant 16 – Arrears £1,199.40 (new addition to the report)

The tenant is no longer adhering to their payment plan and will be written to.

One tenant has been removed from the report. One tenant has been added to the report.

Item 8.1

PORT ST MARY COMMISSIONERS

SCASB RE FLY TIPPING

Clerk<clerk@scas.im>

Fri 28/02/2025 09:14

Dear All,

The Southern Civic Amenity Site Board has been considering the potential risks of an increase in fly tipping since the introduction of the WEEE regulations by Isle of Man Government.

With some of the Southern LA areas and other areas on the Island reportedly experiencing fly tipping to varying degrees this year, the Board would like to suggest an approach to dealing with any incidents with the five Southern LA area.

With the low staffing levels with which the SCAS operates, unfortunately it is not possible for staff to leave the site to deal with any fly tipped material, however the Board feels that the contributing LA which employ outside staff are perhaps better placed to deal with fly tipping with both staff numbers and suitable vehicles.

As such, the Board would like to suggest the outline idea of a rolling weekly rota of those LA which employ outside staff to be responsible for collecting any fly tipped material(s). This would require at least two persons being available with suitable training and risk assessments due to the nature and location of some fly tipping. The cost for attending the 'call out' to deal with fly tipping would be invoiced by the LA on the collection rota to the SCAS (an agreed cost per hour/call would be ideal) with the cost of disposal of fly tipped materials to also be met by the SCAS. The Board is of the opinion that this would fairly share costs and ensure that the South is kept as neat and tidy as it can be.

If you could please raise this with each of your respective Boards, the SCAS Board would welcome feedback on the suggestion.

Kind regards,

Jason

Jason Roberts
Clerk to Southern Civic Amenity Site Board
Tel: 01624 832298
Web: www.scas.im

Response from Castletown Town Commissioners:

To:Clerk <clerk@scas.im>

Hayley Kinvig;Port Erin Commissioners <hello@porterin.gov.im>;Clerk <clerk@arbrus.gov.im>;+6 others
Tue 3/4/2025 12:00 PM

Dear Jason,

Thank you for your email.

I am writing to inform you that Castletown Town Commissioners unanimously rejected the proposal from the Southern Civic Amenity Site (SCAS) Board at last night's meeting.

My Board believe that the Town is sufficiently resourced to manage routine matters within its own boundaries and maintain that responsibility for addressing fly tipping should rest with the relevant authorities, ensuring that adequate resources are allocated for their own parish through existing budgeting processes or direct collaborative agreements.

During discussions and subsequent public feedback, concerns were raised over SCAS's budgeting strategy. The Board believes that a funding model which mitigates point of use charges for residential ratepayers would be preferable, eliminating the need for additional gate fees on listed items and reducing unexpected financial burdens on residents.

I anticipate that my Chairman will be making a broader statement following interest from the media at last nights meeting.

Best wishes

Hugo



Southern Swimming Pool Board
Arbory Road, Castletown,
Isle Of Man IM9 1HA
01624 823930
admin@southernswimmingpool.im

21 February 2025

Mr S Murphy
Headteacher
Scoill Phurt le Moirrey
Port St Mary IM9 5RB

Dear Mr Murphy

As the Chairman of the Southern Swimming Pool Board, I am writing to you to ask for your views on DESC's proposed primary school swimming programme, which will be introduced in September 2026. We understand DESC's stated reason is a desire to rationalise the programme to take account of changing school pupil numbers and to maximise water time per child.

The Board fears however, that DESC's failure to bring all stakeholders together during the proposal drafting could result in a suboptimal outcome. We may all have concerns which if they had been shared, perhaps could have easily been addressed. The Board wants the best possible swimming experience for southern primary school children at the Southern Pool. Travel time and disruption to classroom learning must be minimised as swimming is only one aspect of the school day and a child's learning.

The Board also wants to ensure the ongoing provision of a pool in the south for children to enjoy outside of school. In the new scheme DESC have transferred 2 primary schools from the regional pools to the NSC. This centrist trend if left unquestioned may encourage DESC to transfer more distant schools with travel times and disruption increasing accordingly. Children will have less opportunity to appreciate their local pool. For the Southern Swimming Pool, this will not just result in a decrease in much needed revenue but also weaken its ties within the local community where it has been the swimming pool that generations in the South of the Island have enjoyed. This link could now be broken. The Board has fought to save the pool and now asks for your support.

The Board has already raised its concerns with DESC. However, it now feels that a stronger approach would be a letter detailing all the issues from Southern stakeholders. Therefore, if you have any feedback on the new school swimming scheme, please could you email it to me by the end of this month. I will then draft a letter to DESC which I will share with you for comment before sending.

I look forward to hearing from you.

Kind regards



Laurence Vaughan Williams
Chairman
Southern Swimming Pool Board



Southern Swimming Pool Board
Arbory Road, Castletown,
Isle Of Man IM9 1HA
01624 823930
admin@southernswimmingpool.im

cc Arbory & Rushen Parish Commissioners
Castletown Town Commissioners
Malew Parish Commissioners
Port Erin Village Commissioners
Port St Mary Village Commissioners
Santon Parish Commissioners
Minister D Caine
Minister M Haywood
Mr T Glover MHK
Mr J Moorhouse MHK
Mr J Watterson MHK
Mr Paul Bridson

PORT ST MARY COMMISSIONERS

PLANNING MATTERS

Planning Applications

None

Planning Approvals

24/00877/B – Merrion House, The Promenade for conversion of existing basement for additional tourist accommodation.

24/90994/B – Springfield, Plantation Road for single storey extension to rear elevation.

24/91198/B – Loen, Fistard Road for installation of replacement of roof covering.

24/91224/B – 1 Creggan Mooar for alterations and conversion of existing garage to home office (Retrospective).

24/91229/B – Almorah, Fistard Road for conversion of garage to living space.

24/91295/B – Beach House, Bay View Road for erection of two-storey extension to create two-bed first floor holiday accommodation; side extension to create internal staircase, change of use to provide commercial kitchen and change of use to provide front office or retail space.

24/90074/B – Grey Ladies, Clifton Road to replace existing integral sunroom with new sunroom, widen existing driveway and vehicle access.

25/90001/B – Mannin Veg, Gansey for extension of existing dwelling including new dormer structures, replacement of windows, doors and front porch.

PORT ST MARY COMMISSIONERS**MEETING & EVENT DATES 2025**

2025 Meeting & Events Dates	
23 rd April 2025	Board meeting
24 th April 2025	Local Authority Elections
7 th May 2025	Annual General Meeting
28 th May 2025	Board meeting
29 th May 2025	Monas Queen memorial event
25 th June 2025	Board meeting
30 th July 2025	Board meeting
27 th August 2025	Board meeting
24 th September 2025	Board meeting
29 th October 2025	Board meeting
11 th November 2025	Remembrance Day service
26 th November 2025	Board meeting
17 th December 2025	Board meeting

Members are requested to keep the second Wednesday of each month free for additional meetings as and when required.

PORT ST MARY COMMISSIONERS

LOCAL GOVERNMENT (AMENDMENT) BILL 2023

DS & HK to provide a verbal update on the meeting held at Onchan Commissioners 14th March 2025.

Ratification of vote from below e-mail;

Hayley Kinvig

Bernadette Williams;Laurence Vaughan-Williams;Norman McGregor Edwards;Callum O'Meara;+3 others

Tue 3/4/2025 2:41 PM

Draft LegCo letter re LGA Amendment Bill March 2025.docx

Good afternoon all

Please find attached a draft letter to LegCo for approval, as discussed at the last meeting.

I would be grateful if you could please provide any amendments/comments to me by close of business this Thursday (6/3)

Kind regards

Hayley

Attachment:

The President
Isle of Man Legislative Council
Legislative Buildings
Douglas
Isle of Man
IM1 3PW

Subject: Concerns Regarding the Local Government Act (Amendment) Bill 2023 and Lack of Stakeholder Consultation

Dear members,

I write to you on behalf of Port St Mary Commissioners, where at a meeting on Wednesday 26th February 2025, consideration was given to the above Bill. The Board wish to express our concerns regarding the Local Government Act (Amendment) Bill 2023 and the way it has been progressed to the third reading without adequate stakeholder consultation. While we acknowledge and appreciate that the Bill has now been paused to allow for proper consultation, we remain deeply concerned about the initial approach taken in its drafting and introduction.

The immediate concern from the Commissioners being that the amendments and new clauses were independently introduced by a member of the Department, apparently with support of the Department. This is surely disingenuous. The Commissioners feel that in the interests of openness the Department

should have included the amendments in the main Bill if it feels that they are worthy of support, and that process would have required suitable consultation with the affected parties. In essence, the use of the Private Members Clauses by the Department results in no consultation and no consideration by local authorities to respond.

As a key stakeholder in local governance, it is imperative that local authorities be afforded the opportunity to review and provide input on legislation that directly impacts our responsibilities, operations, and the communities we serve. The lack of initial engagement and transparency in the legislative process undermines the principles of good governance and collaboration, which should be at the core of any changes to local government legislation.

We urge the Legislative Council to ensure that, moving forward, any amendments to the Local Government Act, or any other legislation affecting local authorities, are subject to meaningful and early consultation with all relevant stakeholders. It is essential that local authorities, as the entities most directly affected, are fully informed and have the opportunity to contribute to discussions on legislative changes that will shape the future of local governance on the Isle of Man.

We would appreciate clarification on how future legislative proposals concerning local government will be handled to prevent a recurrence of this situation. Furthermore, we request assurances that local authorities will be fully engaged in any further discussions on this Bill before it is reintroduced.

Thank you for your time and consideration of our concerns. We look forward to your response and to a more inclusive and transparent approach to legislative development in the future.

Yours sincerely,

Hayley Kinvig
Clerk

cc: All Local Authorities.

For: BW, LVW, NME, RG, COM, JT & DS

Dear All

I have been asked to send this letter on behalf of Minister Dr Haywood. It is related to a 6 week consultation upon a proposed New Clause 2. Details are set out in the letter.

I have shared (bcc) this email with as many local authority members as I could , namely the ones that the Local Government Team holds emails addresses for. However, I ask by means of this email that all Clerks and other local authority and Joint Board officers that receive this email to please make sure your Members are aware of this letter and the consultation therein.

The deadline is set ahead of the Local Authority General Election next month so as to avoid this being mixed up in that process.

May I also point out that any responses should if possible be sent to the dedicated email address for the Local Government Team (LocalGovernment@gov.im) so as to avoid potentially getting lost within hundreds of other emails sent to Nadia and I's inboxes.

Kind Regards

Steve

Stephen Willoughby | Executive Officer | Local Government Team

To All Local Authorities and Joint Boards

Contact: Steve Willoughby
Telephone: (01624) 686246
Email: Stephen.Willoughby@gov.im
Ref: LA General
Date: 5 March 2025

Dear All

Re: Local Government (Amendment) Bill 2023

At the 28th January 2025 sitting of the House of Keys, the consideration of Clauses for the Local Government (Amendment) Bill 2023 took place. The Government brought forward a number of minor amendments to improve the substance of existing clauses within the Bill, for example the new byelaw approval process by the Department, and to further clarify the quorum of a local authority. These amendments were approved.

At that same sitting Mr Hooper MHK moved a number of amendments. The Department would like to stress that these amendments were not Government amendments, i.e. they were not put forward by the Department. As part of the process of the Clauses stage of a Bill any Member of the Legislature is able to table amendments to a Bill without the need to consult on those amendments, whether it being considered in the House of Keys or the Legislative Council. Mr Hooper exercised that right.

I would like to take this opportunity to set out the new clauses that Mr Hooper proposed. The first new clause (NC1) would provide the Department the power to prepare regulations to impose on a local authority a duty to perform a specified function. The Department would be required to consult the local authority concerned before making such regulations and they would not come into operation unless approved by Tynwald.

At the 11th February 2025 sitting of the House of Keys, Mr Thomas MHK, proposed a number of amendments to Mr Hooper's NC1 which included some minor word changes but also the clarification that NC1 would apply to the Joint Boards as well. This Clause was approved and now forms part of the Bill.

The second new clause (NC2) which is linked to NC1 also suggested by Mr Hooper, intended to bring sanctions where a local authority fails to:

- (a) perform, within a reasonable time, a function imposed on it by any enactment; or
- (b) perform any such function to, or above, the minimum standards specified by the Department under the Local Government Act 1985.

The Department is now determining whether to take this forward as a Government amendment to the Bill as part of the Legislative Council consideration. For ease, a copy of new clause 1 (as amended) and new clause 2 (NC2) is attached as an annex to this letter. NC2 failed to receive the support of the House of Keys, and therefore does not currently form part of the Bill. As a result of this Mr Hooper's third new clause relating to personal liabilities for a local authority was not debated as this cannot stand alone without New Clause 2 being in the Bill.

Department believes there is merit in bringing forward proposals that enable sanctions to be placed on a local authority or a joint board (NC2) where they have failed to perform any function which they are statutorily required to carry out by law.

Whilst there is concern that this has not been consulted on with the LAs. The Department believes that local authority functions should be carried out at a local level. At the moment, where a local authority fails to perform a function that function could be transferred to the Department or another authority using powers under section 5 of the Local Government Act 1985. This power should only be used as a last resort. Currently, there are no powers available to encourage Local Authorities to carry on delivering the service themselves. The intention of NC2 is to simply provide a mechanism to ensure the LA delivers the service i.e. it is a step to be used ahead of the service being transferred as a last resort. The Department believes this power will ensure local authority functions are carried out at a local level, which is clearly of benefit to the rate payer.

The Department is minded to bring forward NC2 to the Legislative Council. The Department believes that this logically follows NC1 and thus NC2 should be introduced when the Bill is considered at the Legislative Council. It should be noted that the current NC2 refers to local authorities; however, we would amend NC2 to include joint boards in a similar fashion to Mr Thomas' amendments to NC1.

Before the Department determines whether to proceed to move NC2 as a Government amendment at the Legislative Council, I would be grateful for your views upon the proposals contained within NC2. Please bear in mind that the House of Keys has voted that NC1 is part of the Bill. NC2 is an adjunct to NC1 and should be considered in this light. We do not intend to remove or amend NC1. We do, however, fully intend to consult with the Local Authorities and Joint Boards and Committees on any regulations that will be required to be made under this Clause before we introduce anything legislatively.

Furthermore, I would like to stress that it is not the Department's intention to move any amendment which would create direct personal liability for local authority members (Mr Hooper's original NC3).

I feel that a consultation period of 6 weeks should suffice to allow your Authority or Board to consider the proposed new clause and its implications. I am aware that these clauses have been publicly available for some weeks and that Mr Thomas MHK has also been in contact with you all on these, so, although the consultation is for six weeks I am sure that many of you will have already formed an opinion around the new clauses and their impact. I would appreciate your view on the implication of NC2 before this goes for consideration by Legislative Council. Due to the parliamentary process used to introduce NC1, a consultation on that clause was not required. However, I hope that you will take this opportunity to share your opinion about NC2. I have paused the progression of this Bill through Legislative Council to allow for this consultation to take place.

The Department asks that you please respond to this consultation by the proposed deadline of the end of Friday April 18th to the Local Government Team by email.

(LocalGovernment@gov.im). After any responses have been received the Department will review the responses with respect to NC2 and make a determination about whether to reintroduce this clause in the Legislative Council consideration of the Bill.

Please can you indicate in any response if you are not willing for your response to be shared outside of the Department as part of the reporting on the consultation process?

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M Haywood', with a stylized flourish at the end.

**Hon. Dr M Haywood MHK
Minister for Infrastructure**

Annex

INSERTION OF NEW CLAUSE 1

1. Page 11, after line 18 insert the following new clause —
«**[NC1] Power to require performance of functions**

- (1) The Department may by regulations —
- (a) impose on a local authority or joint board a duty to perform a specified function;
 - (b) amend any enactment to, by such means as it considers appropriate, impose on a local authority or joint board a duty to perform a function that the enactment empowers the local authority or joint board to perform at its discretion.

Tynwald procedure – approval required.

(2) Before making regulations under subsection (1), the Department must consult

- (a) the local authority or joint board concerned; and
- (b) any other body likely to be affected by the regulations.

(3) When making regulations under subsection (1), the Department may specify minimum standards in a manner equivalent to that provided for in section 4A(1) and (2)(b).

(4) For the avoidance of doubt, section 5 applies to regulations made under this section.

(5) Regulations under subsection (1) may require a local authority or joint board to discharge its duty to perform a function by making a financial contribution to the performance of that function by another person where —

- (a) the function entails provision of a facility or service;
- (b) the function is identical to that of another person in close geographical proximity to the district of the local authority; and
- (c) joint provision of a single facility or service by the local authority and the other person would be efficient and therefore in the public interest.

INSERTION OF NEW CLAUSE 2

2. Page 11, after line 18 insert the following new clause —

«[NC2] **Sanctions for failure to perform functions**

(1) Where a local authority fails to —

(a) perform, within a reasonable time, a function imposed on it by any enactment; or

(b) perform any such function to, or above, the minimum standards specified by the Department under this Act,

the Department may serve on the local authority a notice setting out the failure and requiring the local authority to remedy the failure by a specified date.

(2) Failure to comply with a notice under subsection (1) is an offence.

(3) In the prosecution for an offence under subsection (2), the Department must provide evidence of the failure.

(4) On summary conviction of an offence under subsection (2), a local authority is liable —

(a) to a fine at level 5 on the standard scale;

(b) where applicable, to an additional fine of £1000 for each day after conviction for which the failure persists.

(5) A local authority may discharge its liability to prosecution for an offence under this section by paying a civil penalty of £1000 less than level 5 on the standard scale, such penalty (should the local authority opt to pay it) becoming payable the day after the specified date in the notice.

(6) A civil penalty under subsection (5) must be paid to the Treasury, which must in turn pay it into the General Revenue of the Island.».



Isle of Man Government

Reiltys Ellan Vannin

Council of Ministers

Consultation on the introduction of fees and cost limits for Freedom of Information requests

March 2025

Contents

- 1. Overview**
- 2. Impact of the Act**
- 3. Options for Managing the Impact of FOI Requests**
- 4. Issues on which views are sought**
- 5. Summary**

1. Overview

1.1. The Freedom of Information Act 2015¹ ("the Act") sets out the requirements and duties of public authorities when responding to Freedom of Information ("FOI") requests. The Act came into effect on a phased basis from 1 February 2016.

1.2. In December 2023 Tynwald debated a motion from Mr Thomas MHK which called on the Council of Ministers ("Council") to lay its intentions in respect of amending Schedule 1 of the Act regarding publicly-owned companies.

1.3. The full motion was as follows:

"That Tynwald calls on the Council of Ministers to lay before Tynwald its intentions in respect of amending Schedule 1 regarding the definition and specification of publicly-owned companies by March 2024."

1.4. Council of Ministers has since laid its intentions before May's sitting of Tynwald (GD/0037²) and outlined that:

"Work on this topic has prompted thinking towards a wider discussion and review of how the FOI regime is operating. The impact on some public authorities on the volume and complexity of requests received were alluded to in the debate in Tynwald in December 2023.

As a consequence Council has agreed that it wishes to revisit the principle of initial charges and cost limits for requests, the latter last being considered in 2016, and will hold a public consultation on the topic in summer 2024."

1.5. The Isle of Man Government's ongoing commitment to openness and transparency is resolute. The policy proposals outlined in this consultation are in no way intended as a barrier to access; rather they seek to strike a careful balance over the right to information alongside effective government and value for the taxpayer.

1.6. The Cabinet Office looks forward to receiving comments from the public and interested parties and would encourage feedback on this consultation.

2. Impact of the Act

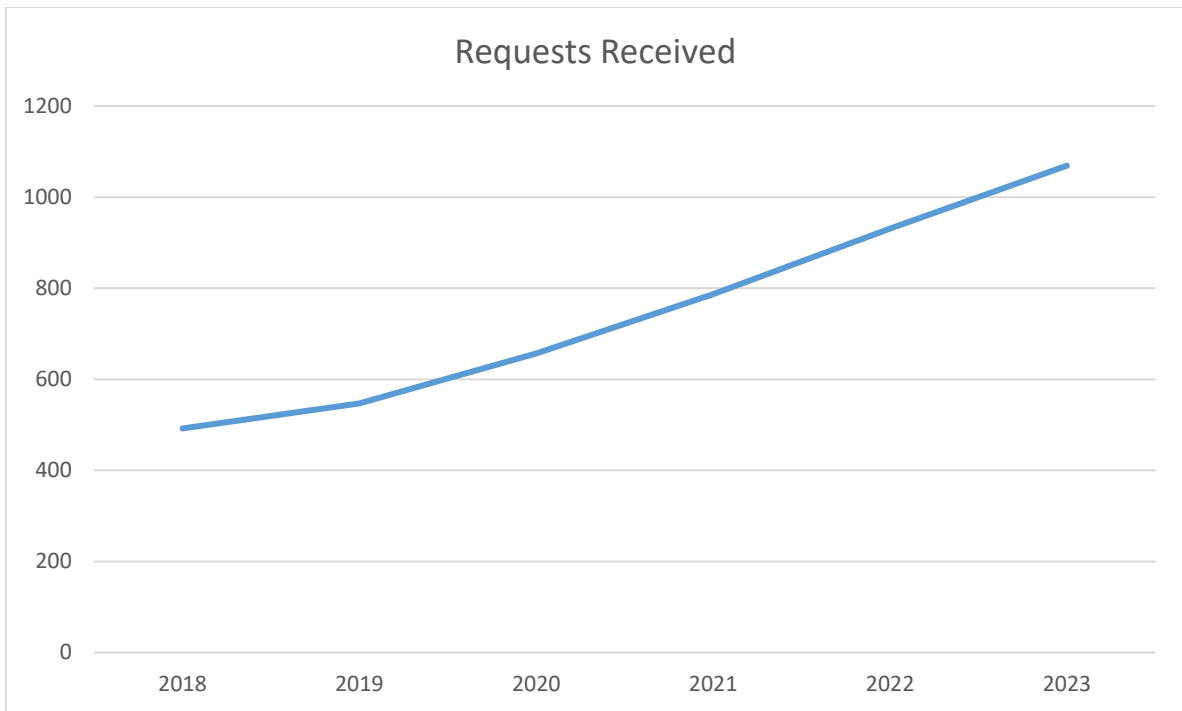
Year on year FOI volumes

2.1. Since 2018 (the first year which the system reported figures for cases within all the defined hourly thresholds), requests received have increased at an average rate of 17% per annum. Government received 982 requests in the 2024 calendar year with the time taken to resolve requests continuing to rise.

2.2. It should also be noted that the data included in this section is only for Government Departments, Statutory Boards & Offices only.

¹ [Freedom of Information Act 2015](#)

² [Council of Ministers' Report on the Freedom of Information Act 2015 and Publicly-Owned Companies](#)



	2018	2019	2020	2021	2022	2023	2024
Percentage Increase	0%	11.18%	20.11%	19.79%	18.3%	14.82%	-9%

2.3. We can also observe that requests are taking longer to resolve:

Hourly Threshold	2018	2019	2020	2021	2022	2023	2024
0 – 1	227	238	303	369	437	336	172
1 – 7	211	271	304	370	441	542	567
7 – 18	44	37	43	47	48	158	194
18 +	10	1	7	1	5	33	49

Costs to Process FOI Requests

2.4. The below table outlines the estimated costs to respond to FOI requests, as the system currently stands. An hourly rate of £34.00 has been used which was calculated from 2016's Consultation on a Cost Limit for Freedom of Information Requests³ rate of £25.00 and allowing for inflation.

³ [Consultation on a Cost Limit for Freedom of Information Requests](#)

2.5. To provide an example from the report, in applying the hourly thresholds to 2024's cases received, and the hourly rate(s) we can observe;

Hourly Threshold	Cases received:	Total Processing Hours:	Average Hours p/Case:	Average Cost p/Case based on Hourly Rate:	Total Cost to Process all Cases:
0 – 1	172	83	0.49	£16.50	£2,839
1 – 7	567	1958	3.45	£117.39	£66,560
7 – 18	194	1995	10.28	£349.63	£67,828
18+	49	1293	26.38	£896.97	£43,951
Total Cumulative Costs					£181,178

2.6. It should be noted that the time estimates included above are likely to be the minimum amount of time spent responding to FOI requests and the actual amounts of time expended are likely to be much higher. It is also important to recognise that the time expended by teams and staff making enquiries and co-ordinating large requests can have a real and significant impact on officers providing essential and / or front-line services.

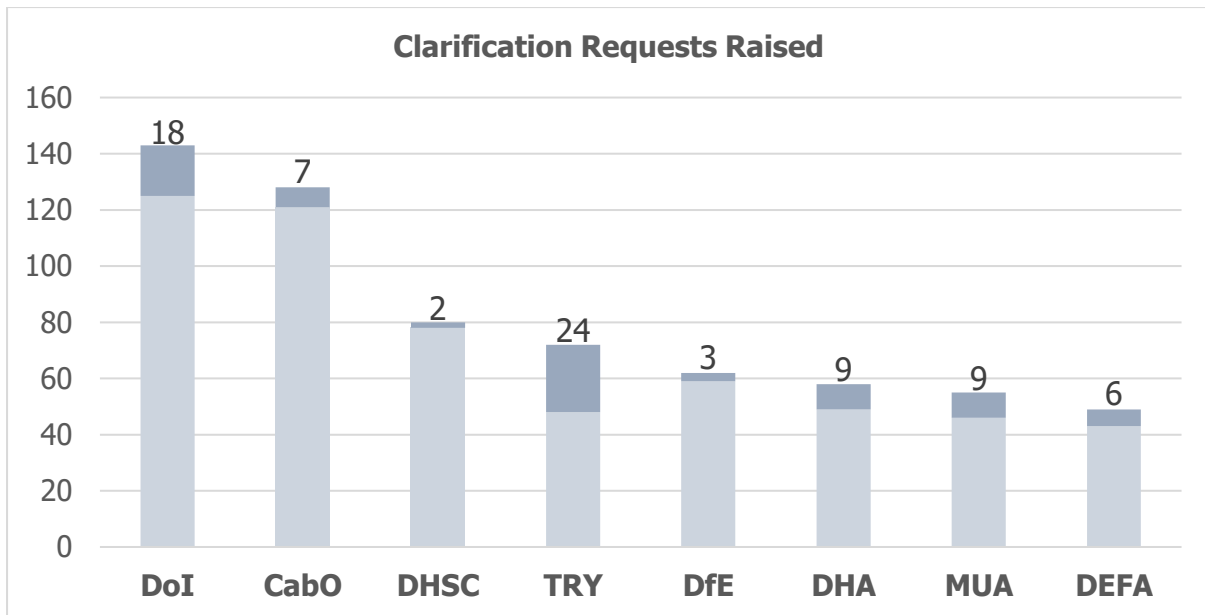
2.7. It is clear from the data, that the cost to Government is increasing, along with an increasing number of requests which indicates that the time is right to revisit consulting on possible policy options to address the issue and provide better value for money for the taxpayer.

Proportion of FOI Requests which has information supplied or provided via the application of a Section 20 (Information Accessible by other means) exemption.

2.8. The following data has been sourced from the below Public Authorities during the time period of 28/08/2023-28/08/2024.

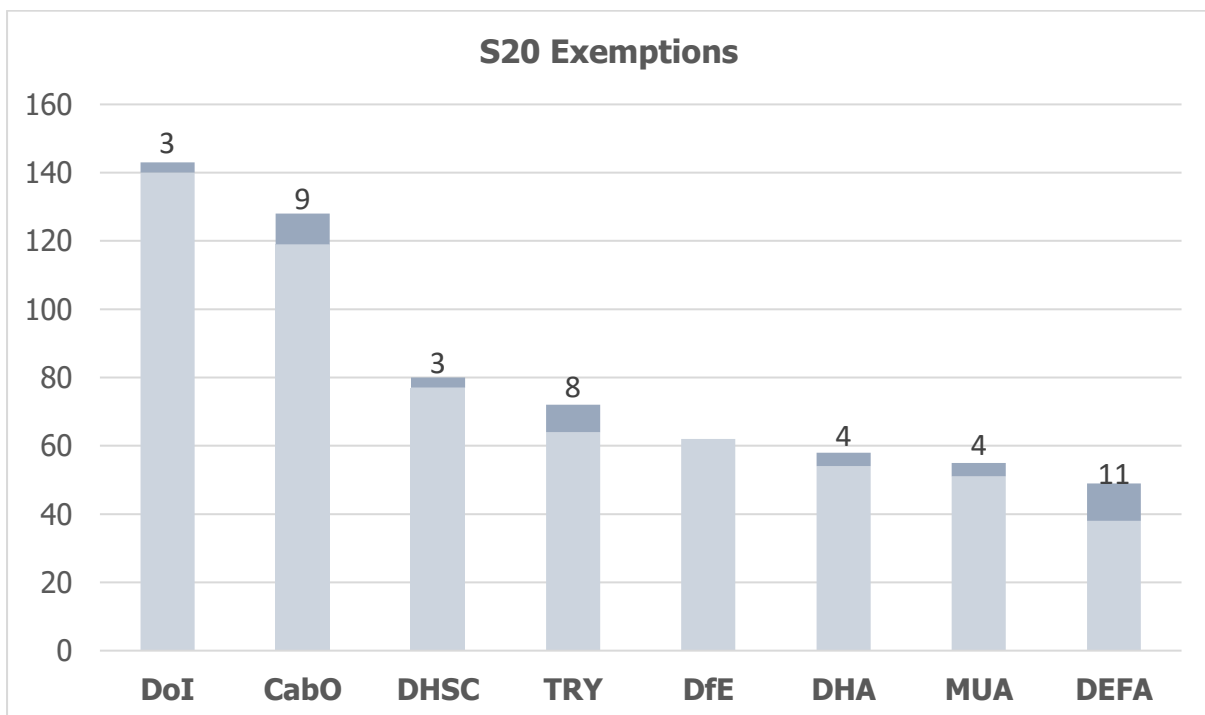
Public Authority	Total Requests Received
Department of Infrastructure	143
Cabinet Office	128
Department of Health & Social Care	80
The Treasury	72
Department for Enterprise	62
Department of Home Affairs	58
Manx Utilities Authority	55
Department of Environment, Food & Agriculture	49
Grand Total	647

2.9. Of the total requests received in the period, 78 (12%) were clarified with the applicant.



2.10. Of those requests where clarification was raised, 44 lapsed due to information not being provided.

2.11. 42 (7%) warranted a Section 20 (Information Accessible by other means) exemption.

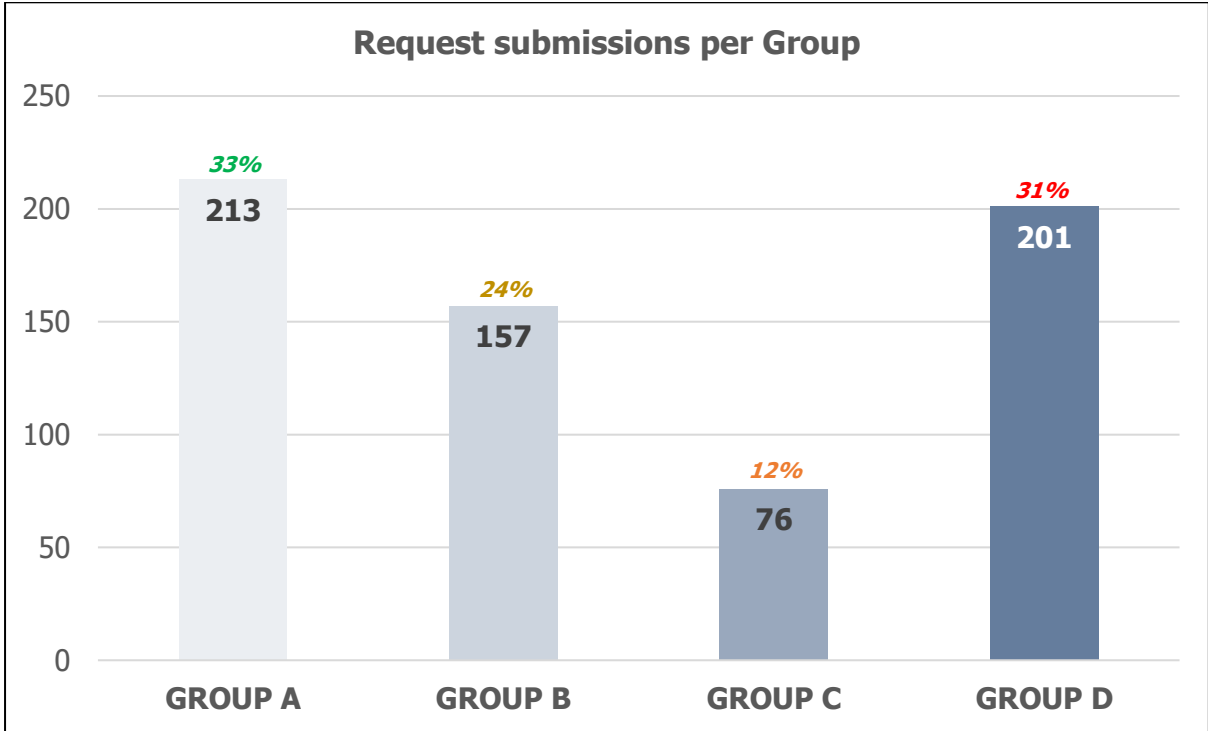


2.12. There are only 7 total requests (1%) where both a clarification request was raised with the applicant, and a Section 20 exemption was applied to the request in some way (either wholly or partly).

Number of individuals which submit FOI requests to Departments, Boards & Offices annually.

2.13. For the purpose of illustrating this at a broader level, requesters have been grouped together based on the number of requests submitted as follows.

Group	# of Requesters	Parameters
A	213	1 request in the period
B	65	2 – 4 requests in the period
C	12	5 – 9 requests in the period
D	10	10+ requests in the period



2.14. Based on the above, we can observe that of the 300 requesters who submitted a request in the period, 22 of those (Groups C & D), which account for 7% of requesters, were responsible for 43% of the total requests received in the period.

2.15. Of the 87 requesters who submitted more than 1 request, 67 of those (77%) submitted a request to more than one public authority.

2.16. We can further observe that the top three requesters of Group D submitted 98 requests in their own capacity, accounting for 15% of the total requests received. These individuals are consistent in that they submitted multiple requests to multiple public authorities in the period, and had a particular focus on a single public authority.

Requester	Total Submissions
Requester X	34
Requester Y	33
Requester Z	31

2.17. It is clear from the data that there is a significant impact being placed upon Government's resources from a disproportionate number of requesters. This highlights the need to address this issue and bring forward policy options to reduce the administrative burden that is being placed upon Public Authorities.

3. Options for Managing the Impact of FOI Requests

Fees

- 3.1. One method suggested for managing the burden on public authorities is the introduction of an upfront fee payable by the requester at the time of submitting an FOI request.
- 3.2. Section 68 (1) of the Act provides for the Council of Ministers to make regulations regarding the introduction of a fee for requests for information: *"the Council of Ministers may make regulations prescribing the fees payable – (a) to public authorities in respect of - (i) requests for information; and (ii) giving access to information in accordance with this Act"*. To date, no such fees have been payable due to the absence of such regulations.
- 3.3. The introduction of a charge is being considered by Government as it may reduce the number of requests received by public authorities for information that is already available via Government websites, Tynwald or previously published responses. An upfront fee may also discourage purported abuse of the act through submission of vexatious, frivolous or misconceived requests, or "request campaigns" where the requester has submitted a string of repetitive requests for information relating to the same subject matter.
- 3.4. Section 3 of the Act provides:
- "The purpose of this Act is to enable persons who are resident in the Island to obtain access to information held by public authorities in accordance with the principles that –*
- (a) the information should be available to the public to promote the public interest; and*
- (b) exceptions to the right of access are necessary to maintain a balance with rights to privacy, effective government, and value for the taxpayer."*
- 3.5. Council is therefore cognisant and supportive of the fact that all Isle of Man residents have a right to request information from Government and is seeking views on the introduction of a modest sum so as not to inhibit anyone's right to public information.
- 3.6. However, these rights must be balanced against protecting the resources of a public authority by managing the burden placed on them in an effort to provide greater value for money for the taxpayer.

Cost Limits

- 3.7. The Act gives the Council of Ministers powers to make regulations regarding a cost limit, above which a public authority may refuse to give an applicant the requested information, if the public authority estimates that the cost of searching for or preparing (or both) the information to give to the applicant would exceed the amount prescribed by regulations made for the purposes of this paragraph. To date, this practical refusal reason⁴ has not been used because of the absence of such regulations. These regulations would include the methodology for estimating the cost of supplying information.

⁴ [Section 11\(3\)\(f\) of the Freedom of Information Act 2015](#)

3.8. Any implementation of a cost limit will result in a request being refused if it exceeds the cost limit, however as set out at point 3.9, Public Authorities will still be required to advise and assist applicants to form a concise targeted request for information.

3.9. Since the previous consultation in 2016⁵, and the experience of all public authorities, views are sought from the public on the proposal that a cost limit is put in place, to provide a level of protection against the impact caused by the time taken to respond to some FOI requests. To support the spirit of the Act any provisions should balance protecting the resources of a public authority by managing the burden placed on them whilst at the same time not discouraging the making of FOI requests. It is anticipated that the introduction of a cost limit would, in turn, encourage better formulation of concise, targeted requests by applicants.

3.10 Public Authorities would still be required to demonstrate compliance with their duty to advise and assist applicants⁶ in formulating a concise, targeted request for information in a manner which would not require the public authority to exceed any cost limit, and must reasonably attempt to remove the practical refusal reason before issuing the applicant with a refusal notice.

4. Issues on which your views are sought

Cost Limits

4.1. Jersey has a cost limit of 12 and a half hours for Freedom of Information requests. Their legislation recognises that there has to be a limit on the amount of time and staff resources which can be spent when answering a single FOI request. The request may be refused under their FOI legislation⁷ if it is estimated that it will take more than 12 and a half hours to answer, conversely if it is estimated to take fewer than 12 and half hours the request will be answered free of charge.

4.2. The UK⁸ have a cost limit of £600 for central Government with £450 for all other local authorities, calculated at an hourly rate of £25 per person therefore providing time limits of 24 hours for central Government and 18 hours for all other public authorities.

4.3. Ireland⁹ will charge in full if a request is estimated to cost between 101 and 500 euros, if a request is estimated to cost greater than 700 euros, it can be refused. Costs are calculated at 20 euros per hour for the search and retrieval of records.

4.4. Due to the relative size of the Isle of Man in relation to the UK and Ireland it is determined that the most accurate and prudent comparison to make is to Jersey's model. As evidenced in the table below, which shows that over the last 2 years the number of requests received by both jurisdictions are at a similar level.

⁵ [Consultation on a Cost Limit for Freedom of Information Requests](#)

⁶ [Section 15 of the Freedom of Information Act 2015](#)

⁷ <https://www.jerseylaw.je/laws/current/Pages/16.330.10.aspx>

⁸ <https://www.legislation.gov.uk/ukxi/2004/3244/contents/made>

⁹ <https://www.citizensinformation.ie/en/government-in-ireland/how-government-works/standards-and-accountability/freedom-of-information/>

Year	Jersey Requests Received	IOM Requests Received
2018	798	492
2019	985	547
2020	926	657
2021	1207	787
2022	883	931
2023	1013	1069
2024	1169	982

4.5. It is proposed that the introduction of a cost limit could provide such protection for public authorities without the need to adopt an upfront fee for making requests. The views of the public are sought on the following policy proposals for such a limit.

4.6. The below proposal is in line with Jersey's policy, who calculate the cost of responding to a FOI request at a rate of £40 per hour taken at a maximum cost limit of £500. This therefore provides a time cost limit of 12 and a half hours for a request. Taking the same cost limit (£500) and using the Island's calculation of hourly cost to respond to a FOI request as outlined in paragraph 2.3 (£34), this provides a cost time limit of 15 hours.

i. Would you support a proposal that;

a. a public authority can refuse to comply with a request if it estimates that it will take more than 15 hours to answer, therefore setting a prescribed limit of £510 in each instance. (Yes / No / If not, why not?)

There is a possibility within the Freedom of Information system as it currently stands for overlapping requests, where a public authority is dealing with several requests at any one time from the same requestor to the detriment of others. This impacts the ability of the public authority to either respond on time or continue with its own day to day business. The below is in line with regulations in the UK and Jersey. As evidenced in paragraphs 2.13-2.17 there is a large impact being placed on Government's resources from a small number of requesters. The below policy option may provide an effective remedy to this issue.

ii. Would you support a proposal that 2 or more similar requests from one person or by different persons that appear to be acting in concert or in pursuance of a campaign, received within 60 days of each other can be aggregated for the purposes of calculating if the prescribed cost limit is exceeded; (Yes / No / If not, why not?)

Both the UK's and Jersey's respective cost limit regulations draw a distinction between public authorities which form part of central government and those which do not. They each recognise that a government department has greater resources to manage FOI requests and therefore set a lower costs limit for other public authorities.

This principle could be extended to public authorities such as small publicly-owned companies or smaller local authorities in an effort to reduce the administrative burden that will be placed on them when subject to the requirements of the Act.

iii. Should it be recognised within any regulations that smaller public authorities outlined within Schedule 1 that are not central government departments will have fewer resources and that a lower costs limit should be adopted in respect of these, for example for those authorities who employ fewer than 20 full time officers? (Yes / No / Open text)

iv. Do you have any other comments or suggestions regarding the introduction of cost limits for Freedom of Information requests? (Open text)

Initial Charges

Jurisdiction	Charge to make a request
Victoria, Australia	Application fee of \$31.80 for making a request under the Freedom of Information Act 1982 (Vic), subject to an increase on 1 July every year.
South Africa	35 rand for a request to a public body under the Promotion of Access to Information Act.
Canada	\$5 application fee for a request under the Access to Information Act.

The research above shows that a small number of other jurisdictions operate a policy of charging for making a FOI request. Despite this and the fact that those jurisdictions which do follow this policy are not comparable nations, it does not mean that such a policy could or should not be implemented on the Island.

Further to the report (GD/0037¹⁰) to Tynwald at May’s sitting, and the acknowledgement of a need for reform of the current FOI system at that debate and at December 2023’s sitting of Tynwald Court, this potential policy could prove an effective remedy. A balance will need to be struck to ensure compliance with Section 3 of the Act, however.

i. The Council of Ministers are minded to introduce a fee to make a Freedom of Information request, what are your opinions? (Open text)

ii. What do you consider to be a reasonable fee? (tick box)

- **£10**
- **£15**
- **£20**
- **£25**
- **Specify other amount**

Wider views from the public are welcomed to provide an alternative viewpoint from the side of the user and therefore a different perspective on the system, which may have the benefit of being able to identify potential pitfalls or other concerns in respect of the proposed policy principles.

iii. If fees were introduced, how do you believe they should be implemented to minimise negative impacts? (Open box)

¹⁰ [Council of Ministers’ Report on the Freedom of Information Act 2015 and Publicly-Owned Companies](#)

iv. Do you have any other comments or suggestions regarding the introduction of charges for Freedom of Information requests? (Open box)

5. Summary

5.1. The introduction of cost limit regulations would form the balance to providing access to Freedom of information to the public whilst also providing the means by which requests that would significantly impact a public authority as defined by Schedule 1 of the Act to be refused.

5.2. Introduction of costs for FOI requests via cost limits or initial charges represents a policy change for the Isle of Man FOI regime and; in the interests of transparency and in the spirit of the Act, this public consultation on the principles of the proposed cost limit and initial charges, is considered appropriate to gauge the views of stakeholders.

**PORT ST MARY COMMISSIONERS
ORDINARY BOARD MEETING**

26TH FEBRUARY 2025

AGENDA – PRIVATE SESSION

Item Number	Item	Action Required
1.	MINUTES	
	Four Members who were present are required to approve Minutes	
1.1	Minutes of the Private Meeting held on the 29 th January 2025	For Board approval
2.	MATTERS ARISING	
2.1	Matters arising from previous meetings	Clerk to provide necessary updates
3.	FINANCE – None	
4.	HOUSING - None	
5.	PROJECTS	
5.1	PSM Workshop	For Board discussion
6.	POLICY & RESOURCES - None	
7.	STAFFING – None	
8.	REPRESENTATIVE CONFIDENTIAL REPORTS	
8.1	Southern Civic Amenity Site Board	NME to provide update
8.2	Southern Sheltered Housing Joint Board	BW to provide update
8.3	Southern Swimming Pool Board	LVW to provide update

8.4	IoM Municipal Association	JT & DS to provide update
8.5	Southern Authorities Health Care Committee	CO'M to provide update
9.	PRIVATE CORRESPONDENCE - None	
10.	ANY OTHER BUSINESS OF AN URGENT NATURE (BY PERMISSION OF THE CHAIR)	

Note: Local Government Act 1985, section 65; Disclosure of Information 'Any member or former member of a local authority who, without the consent of the authority, divulges any information communicated to him in confidence as such member shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1000.'