

GARFF PARISH DISTRICT COMMISSIONERS

Wednesday 15th November 2017, 7.00 pm

Minutes of the Meeting

Present: Mr N. Dobson (ND), Mrs M. Fargher (MF) (Chair), Mr T Kenyon (TK), Mr P. Kinnish (PK), Mr L. Miller (LM), Mr R. Moughtin (RM), Mrs J. Pinson (JPN), Mr. J. Quayle (JQ), Mr S. Clague (SC).
Officers: Mr P. Burgess (PB), Clerk, Mr M. Royle (MR), Deputy Clerk/RFO, Mrs Julie Peel (JPL)
Housing Manager.

Apologies: All Members present.

Members of the public present: 13

The meeting commenced at 7.01 pm.

The Chairman proposed that items indicated in the agenda to be dealt with in private at 127/17.a and 127/17.b in public as per the request from a resident. This was unanimously agreed.

The Chairman asked if item 120/17.a regarding the All Saints Church proposals be brought forward for discussion at the beginning of the meeting.

120/17.a

All Saints Church, Lonan

ND initiated the discussion by reading a statement provided by Board Member. Mr John Quayle, which stated the following verbatim:

“Ladies and gentlemen, a number of conspiracy theorists have suggested that this authority has been engaged in illegal contract fixing. I would like the Board to affirm that this is not the case.

That any work undertaken by Members of this Commission or their agents in respect of All Saints Church, Lonan has not been remunerated, and that Members of this Commission do not have any pecuniary interest in this project.

That this Commission has always, and will always, to the best of their knowledge, follow the correct procedures and legal frameworks with regard to awarding contracts for work done on behalf of Garff Commission.”

A copy of this statement was handed to the clerk.

ND asked if Mr Clague could leave the meeting and return at the end of the discussion of All Saints Church. Mr Clague stated that he accepted but did not agree with this action and prior to leaving the discussion read the following statement:

“Further to our meeting with our clerk, Martin Royle, I am disappointed that government regulations require me to leave tonight’s meeting while the All Saints agenda item is discussed. I should have liked to have stayed and given answers to all the points and criticisms made on Facebook and by members of the Working Men’s Institute.

Under the circumstances I shall forward a full written response to the questions raised for the next meeting. But in the meantime, I would encourage the Commissioners to support the call from Garff residents for a requisition meeting.

As I am still confounded as to why I am deemed to have a personal interest in the All Saints building and are required to exclude myself from the debate.

I am currently considering my position on the Board. Yours faithfully, S.E. Clague.”

A copy of this statement was handed to the clerk.

ND stated that no contracts were in place and reminded the Board that no sale had as yet taken place. Once the project was progressed a full tender process would be activated in line with standing orders. **ND** stated that to formulate the business plan estimates had been obtained from local companies to enable a case to be made; none of these companies included SCS Ltd and none had links or were controlled by Stewart Clague. He advised that no Member of the Board had at any stage sought to gain pecuniary benefit from this project. **ND** referred to the ongoing development that was taking place and planned in the area and reminded Members that a previous application from eleven years ago for substantial new development in the area had

included the building of a community centre; he added that this development had not progressed, but a need for a community centre/facility in Lonan had been identified. **ND** referred to the correspondence received on this matter and advised that this had been circulated to all Members and noted: all correspondence would receive an individual response in due course. **ND** stated that the business plan would have no effect in the short and medium term on the rates as monies held in for projects by Lonan Commissioners remained 'ring-fenced' to be spent in Lonan. A portion of the money would be used to fund two play areas in Lonan if planning approval could be obtained leaving the remaining money to be spent on the church project. This could be used to deal with the shortfall between the refurbishment cost and the monies provided by the church for refurbishment and initial set up costs. He advised that the business plan had indicated a 3p rise on the rate over the first three years, but this was assuming that no income came in from hiring the building out and this was unlikely to be the case. If in the future the project was deemed to have been unsuccessful the building could be sold on and 75% of the sale monies raised would return to the Commissioners, whilst 25% would revert to the church authorities. **RM** pointed out that the church authorities had been attempting to sell the church for three years and had not found a buyer. There followed general discussion of the future use of the church. The Chairman reiterated that the intention of the project was to provide a community facility for Lonan not to save the building.

The chairman referred to the clerk's recommendation to progress the project which had been formulated following further liaison with the Local Government Unit (LGU).

JQ clarified some points regarding the Lonan Burial Authority advising that even if the Commissioners took over this Authority it would not involve the purchase of the graveyard. If the Commissioners did take over this duty there would be no impact on the rates as the current burial authority costs were charged separately on the rate demand.

RM referred to **SC's** statement that he felt he had no personal interest. **RM** advised that he strongly disagreed with this statement. There followed discussion of the frequency of the sub-committee meeting meetings which had met twice. The Chairman advised that the matter had been an item on the Board's agenda for several months. **RM** questioned how the public meeting had been arranged and advertised. He felt that the meeting had proven nothing and at the time the business case was unfinished. There followed discussion regarding the reasons for the difference between the costs obtained by the church for refurbishing the church and the costs in the current business plan. The Chairman explained that largely for aesthetic reasons the internal guidelines of the church authorities meant that they had to refurbish their buildings to a much higher standard than was necessary elsewhere.

The clerk advised that the LGU had been involved with the planning for the project through several meetings with senior administrators and project managers. Through these meetings, the Department had commented on the project and acted to enable its progression. However, at the most recent meeting on November the 14th the clerk had received further advice which had resulted in the recommendations which had been circulated to Members.

MF advised that she had studied all the documents previously produced and felt that they suggested that the project was to save the church building with an additional benefit that it could be used for a community purpose. **JPN** referred to meetings held over several years by private individuals concerned with saving the church building. She felt that this was highly commendable but felt this should not be the remit of the Commissioners. The Chairman reiterated that the primary purpose was to provide a community facility. **JPN** asserted that a definite purpose for the building had not been identified. **ND** referred to the recent meeting with Mr Bridson of MSR which had identified a shortage of pre and after school events; this recent advice needed to be taken into consideration. **JPN** reiterated her view that an adequate needs assessment be produced and that all options were fully investigated. **ND** referred to numbers 1 and 2 of the clerk's recommendations.

RM expressed concern that **SC** did not seem to recognise he had an interest in the All Saints Project. There followed discussion of the nature of personal interest.

	<p>TK felt that the clerk's recommendation was the right way forward. LM also stated his support for following the recommendations. LM referred to the interview given by Mr Tony Pass on Manx Radio which had been broadcast during the previous week which he felt had given the public the impression that he was speaking with the Commissioners consent. ND confirmed that Mr Pass had not contacted the Commissioners to advise that he was speaking about the proposal for the Commissioners to purchase the church. JPN requested that the current sub-committee be disbanded. ND advised that this would be considered and proposed to the Board. PK proposed that, in future, the All Saints Church project be a matter considered by the full Board rather than a sub-committee. He also felt that a more positive approach be adopted towards this and other projects in order that facilities and services are provided.</p> <p>ND referred to a motion she had forwarded to the clerk requesting that the All Saints Church sub-committee be disbanded. Seconded, RM. The motion was carried by six members with two abstentions.</p> <p>MF proposed that the clerk's recommendations for the project to be further investigated. This was unanimously resolved. The recommendation document would be published with the minutes.</p> <p><i>9 Members of the public left the meeting at this point.</i></p>	
118/17	Planning Matters	
	Planning Applications	
a)	<p>PA 17/01137/B – Ballagorry Heights, Ballagorry Drive, Glen Mona. Alterations, replacement garage door with double doors and additional use of residential dwelling as tourist accommodation.</p> <p>MR advised that correspondence had been received from a neighbouring property. This had been circulated and noted. There were no direct objections, however, the clerks were given instruction to submit comment that asked the planning officer to consider options to mitigate against any intrusion to privacy that the proposals might present.</p>	
b)	<p>PA 17/01177/B – Ballamenagh Mooar Farm, Ballamenaugh Road, Baldrine. Erection of a detached garage and garden store.</p> <p><i>The location and potential impact of the proposals were discussed. No objections were raised.</i></p>	
	Approval Notices	
c)	<p>PA 17/00866/B – Planning Approval notice Thie-Ny-Chree, South Cape Laxey.</p> <p><i>This approval was noted.</i></p>	
	Refusal Notices - ntr	
d)		
	Planning - Other Correspondence - ntr	
e)		
119/17	Minutes & meeting Notes	
a)	<ul style="list-style-type: none"> • Approval of minutes of the meeting of 1st November 2017. These were proposed to be a correct record by JPN. Seconded RM. Resolved. • Glen Rd Recreation facility Committee meeting 7th November 2017 notes circulated for information. <i>These were noted.</i> 	
120/17	Matters Arising & Other Business	
a)	All Saints Church, Lonan – <i>This matter was discussed earlier in the meeting.</i>	
b)	<p>Garwick Sewerage outfall – SC requests this matter is discussed by the Commissioners.</p> <p>LM referred to the acquisition by government of the site of Laxey Harbour Chalets which suggested progress with the proposal for treatment of sewage from Laxey. He added that progress was also needed at Garwick, as this outfall was also into Laxey Bay. PB advised that the MUA had been investigating the suitability and ownership of several sites for RBC plant above Garwick, but no further information was available as yet. <i>It was agreed that the clerks should</i></p>	

	<i>write to the MUA requesting an update on the progress with the two proposed facilities. ND advised that the MUA had previously advised that they intended to commence works during 2019/20 following on from collection of investigations into tidal/current movements which are currently ongoing. The MUA had advised that full public consultation would take place in due course. MR advised that the experience gained when several new treatment facilities were installed in Maughold was that they were prepared to communicate, listen to public concerns and adapt their plans. The Commissioners would encourage similar positive consultation and communication in Laxey and at Garwick.</i>	clerks
c)	Consultation – Changing Government Legislation – Closes 4 th Dec - Circulated previously. <i>Clarification of the reason for and purpose of Recommendation 4 had been sought from the Department. There was no explanatory notes in the consultation document but the recommendation seemed to suggest that powers could be given to government to enforce local authorities to follow guidelines issued. A response from the LGU had indicated that the recommendation had emerged from a Tynwald Select Committee Report dating back to 2012. PB advised that, at a recent Clerk’s Forum, senior members of the LGU had advised that Recommendation 4 would be a matter dealt with in the future as new legislation was considered. It was felt that comment should be made questioning the purpose and inclusion of Recommendation 4. The clerks were instructed to respond to the consultation.</i>	clerks
d)	Consultation – Action Plan to improve planning system. <i>Closes 15th Dec. MF briefed Members on this consultation which covered proposals for ‘community planning’, ‘Interested Party Status’ for appeals, the input of local authorities to the planning process, etc. MF advised Members that there was a proposal for a ‘National Policy Priority Plan’ which may allow decisions which were contrary to the Island’s current development plan. It was noted that there was nothing in the documents in regard to retrospective applications. Members were asked to read and consider the document prior to the meeting on December 4th where the consultation will be discussed. Members can obtain further information and clarification from the clerks’ office.</i>	
121/17	General correspondence	
a)	Raymond Clague memorial plaque – Letter from Jillian Hamilton dated 3 rd Nov on behalf of the Clague family thanking the Commissioners for the memorial in memory of her father. <i>Correspondence from the family thanking the Commissioners for the installation of the plaque was read and noted. Members thanked PK for his role in designing the plaque and choosing the wording of the dedication.</i>	
b)	Local Authority Transition – Letter form Minister for Infrastructure with questionnaire to all Local Authority Clerks and Members requesting views. Deadline for submission 15 th November. <i>This correspondence was noted. Clerks had submitted a response indicating that the transition was progressing well. Members to respond individually.</i>	
c)	Royal British Legion Laxey and Lonan Branch – Letter dated 6 th Nov Advising the cost and of production and delivery of two wreaths. It was noted that a wreath was also produced for the Remembrance Sunday service at Kirk Maughold. A total payment of £400 to the various branches of the Poppy Appeal Fund across Garff was agreed. This reflected the payment made in 2016.	
d)	Alleged Breach of planning control – Field entrance widened, Field 624380, Jacks Lane Maughold. Letter from Planning enforcing officer dated 6 th November advising actions taken. <i>This was noted.</i>	
e) & f)	All Saints Church, Lonan – Emails and correspondence dated 10 th , 11 th and 13 th of November. Circulated with papers. Residents raise a number of concerns about the proposed purchase. See attached. <i>These matters were dealt with during the discussion at the beginning of the meeting. Clerk to respond individually to the correspondents.</i>	clerk
g)	Road Traffic Order – Church Rd, Lonan. Amendment to double yellow lines. <i>This matter was noted.</i>	

122/17	Committee Reports	
	<p>Cooil Roi – JPL reported that B&Q were to donate two Christmas trees to the complex. JPL thanked Members who had attended at Cooil Roi recently to assist with briefing residents regarding changes to their heating payments. Residents had also thanked the maintenance team for refurbishing the access path through the Valley Gardens.</p> <p>Members had attended briefings recently in regard to the changes to social Housing administration and organisation. Meetings had taken place in Ramsey and at Braddan as Garff are involved with both the northern and eastern clusters. JPN advised that these meetings had looked at the type of social housing that would be required in the future as well as how it is administered and maintained.</p>	
123/17	Officer Reports	
	<p>The clerks advised that the auditors had been in the office for several days. The audit was progressing well and was on schedule to be completed during November. The role of Ian Begley of SMP tax and accounts was noted; he was thanked for his role in the preparation of the Commissioners' accounts.</p>	
a)	<p>Health and Safety - Clerks to report.</p> <p>MR confirmed that the weekly H&S meetings had taken place with the maintenance staff. No incidents/issues to raise with the Board. A review of several H&S related matters at Cooil Roi would take place at the CR sub-committee meeting at the end of November.</p>	
b)	<p>Works and Amenities – Task list circulated.</p> <p>The Valley Gardens path had been refurbished which had been particularly welcomed by residents of Cooil Roi. MR referred to the recent visits to both Laxey and Dhoon schools where the Commissioners had worked with the children potting daffodils in preparation for the competition in both schools at Easter 2018. This had been very successful. Thanks to all JPN, RM, MF and JPL who had assisted. PK asked if Christmas lights could be installed on the promenade shelter this year.</p>	
c)	Finance – Latest Payments and Receipts – To be circulated separately on Monday.	
d)	Cooil Roi Sheltered Housing Complex – Two Xmas trees donated by B&Q.	
e)		
124/17	<p>Staffing Matters – PB advised that a meeting would take place on the 23rd of November with Moore Stephens regarding the setting up of an appraisal process. JPN suggested a shared appraisal scheme with another authority. The Clerks were instructed to investigate this option.</p>	clerks
125/17	Chairman's Report – the chairman advised that he had attended several Remembrance Services in the preceeding week.	
126/17	Any Other Business	
a)	<p>All Saints Church – Clerk recommendation and additional correspondence.</p> <p><i>This matter had been discussed at 120/17.a above.</i></p>	
b)	<p>Tynwald Christmas Carol Service – Thursday 14th December 2017 at 1.10pm at St Mary's of the Isle Church, Hill Street, Douglas. Invitation to the Commissioners from Steve Rodan, President of Tynwald, to attend.</p> <p><i>This matter was noted.</i></p>	
c)	<p>Root and Branch Review of Election Administration – TK to report.</p> <p>TK reported that he had attended a meeting at which possible changes to the electoral system were considered and discussed. Matters such as proportional representation, weekend voting, concurrent local authority and Tynwald elections, and electronic voting had been considered. PB advised that this meeting had been the beginning of a long term consultation process. The Commissioners would monitor the consultation and respond as necessary and appropriate.</p>	

d)	Statutory Notice – A2 Douglas to Ramsey Road (Laxey and Maughold) Temporary Imposition of 50 mph and 30mph speed limits indicated by signs. In force 6am on 27 November 17 until 22 December 17 or until hedge cutting works are completed. <i>This matter was noted.</i>	
e)	Laxey and Lonan (Various Roads) (Prohibition and Restriction of Waiting) (Amendment) (No 3) Order 2017. Double yellow lines Church Road Lonan. <i>This matter was noted.</i>	
f)	Laxey Harbour Chalets – Email from resident raising concerns in respect of the purchase of land by MUA and other matters. The general concerns and comments in regard to noise nuisance, etc in Old Laxey were noted. The particular concern raised in regard to the proposed location of sewerage facilities was noted and had been discussed at item 120/17.b above.	
g)	Proposal from Roger Tomlinson – Private Business items a. & b. are discussed in public. <i>It had been agreed at the start of the meeting that the following business would be dealt with in the public session.</i>	
h)	Christmas Function for the Commissioners – <i>TK raised this matter. It was agreed that JPL should investigate a venue for the function and report back to the next meeting.</i>	
127/17	Private Session (dealt with in public: see above request.)	
a)	Chain of Office – Quotation Chain of office Hallmarked Silver, gilt plated with alternating salmon and Celtic links. Around 28 – 32 links in total or enough to give a total circumference of 32" £4250.00 Metal gilt with alternating salmon and Celtic links. Around 28 – 32 links in total or enough to give a total circumference of 32" £3100.00 Velvet collar If required £300.00 Chain of office carry case. <i>Featuring a fitted insert to accommodate the chain of office. Black leatherette lined £525.00. This matter was discussed. It was noted that a chain of office is a requirement at official functions and civic events. The cost of the chain was discussed and it was noted that it should provide many decades of service. JPN proposed to purchase the part link/part chain option at the base price of £3,100 plus accessories. This was seconded by TK and Resolved.</i>	
b)	35 New Rd - Building structural condition survey. Tender response. PB advised that the request to tender had resulted in just one submission from a local structural engineer. This was at a price of £19,500 for survey and project management services only and was not felt to represent good value for the ratepayer. It was agreed that this tender would not be accepted. It was agreed that a different approach should be adopted based around an initial survey of the building. The clerks were instructed to obtain quotations for a structural survey and report to the Board in due course.	
	Meeting closed 10.07 pm	
	Date of next meeting:- Wednesday 6 th December 2017 at 7.00pm	