

GARFF PARISH DISTRICT COMMISSIONERS

Wednesday 20th December 2017, 7.00 pm

Minutes of the Meeting

Present: Mr N. Dobson (ND), Chairman, Mrs M. Fargher (MF), Mr T Kenyon (TK), Mr P. Kinnish (PK), Mr R. Moughtin (RM), Mr. J. Quayle (JQ).

In Attendance: Officers: P. Burgess (PB), Clerk, M. Royle (MR), Deputy Clerk/RFO, Julie Peel (JPL) Housing Manager.

Apologies: Mr S. Clague (SC), Mrs J. Pinson (JP), Mr L. Miller (LM).

Meeting opened 7.01 pm.

137/17 Planning Matters

Planning Applications

- a) PA 17/01260/B Newstead, Ramsey Road, Laxey, Installation of a flue.
The Commission had no objections to these proposals.
- b) PA 17/01266/B **Ainslie, Ramsey Road, Laxey**, Alterations and extensions to property including single storey extension to rear and alterations to porch.
The Commission had no objections to these proposals.
- c) 17/01291/B **The Cliffs, Fairy Cottage**, Conversion of outbuilding in to home office, raising roof, link extension, rooflight.
The Commission had no objections to these proposals.
- d) 17/01290/B **Bridge – Laxey River, Mines Road, Laxey**, Construction of service bridge on west side of existing stone bridge.
The Commission had no objections to these proposals.

Approval Notices – *The following approvals were noted; no further instructions given:*

- e) PA 17/01121/B **Baldrine Equestrian Centre, Baldrine Farm**, Installation of horse exerciser – Approved 12.12.17 (*Additional conditions 1. Must only be used for equestrian purposes; 2. Must be removed and ground returned to former state if equestrian purpose ceases*).
- f) PA 17/00889/C **Ballacojeen Farm, Ballagawne Road**, Additional use of agricultural building as a machine repair workshop – Approved (*with the following additional conditions: 1. Use only pertinent to the named applicant; 2. Can only be used at specified times of day; 3. The building must only be used for the repair of agricultural machinery; 4. No retail operations to take place from the site*).
- g) PA 17/01118/B - **Thornton Cottage, Croit E Quill Road**, Alterations including raised deck, external staircase and widow/door alterations. Copies of appeal statements, rebuttal statements to be received by 5pm on 12th January 2017.
- h) PA 17/01123/C - **Sycamore Lodge, Jacks Lane, Port e Vullen, Maughold**. Change of use of residential dwelling to self catering tourist accommodation.

Refusal Notices - ntr

Appeal Notices - ntr

- i) PA 17/00006/B - **Cliffside End Café, Laxey**, Demolition of existing dwellings garage and outbuildings and erection of four dwellings – Rebuttal comments by 5pm Friday 12th January 2018.
This matter was noted.

138/17 Approval of Minutes

- a) **Approval of minutes of the meeting of 6th of December 2017.**
These were agreed to be a correct record. Proposed TK, seconded JQ. Resolved.

139/17	Matters Arising & Other Business	
a)	<p>To discuss quotation from IOM Ground-models for survey of field beside the Church Hall at Glen Mona.</p> <p><i>MR referred the agreement for the Commissioners to become the owners of the field in return for the provision of parking facilities that could be used by those attending church and church events. Under that arrangement, the Commissioners would also seek to install play/leisure equipment and operate the field for use by the community. MR advise that an update had been received from the Vicar that indicated that the church were reconsidering this position. It was agreed that the survey should not be initiated until the position had been clarified by the church. MR to meet the vicar week commencing 8th January 2017 to obtain further information.</i></p>	
b)	<p>Planning System Consultation - To discuss the current consultation on the planning system (deadline extended to January 5th 2018).</p> <p><i>The discussion began with reference to several aspects of the planning system which have been an ongoing concern to Members. ND referred to the difficulties caused by the perceived inconsistencies in the planning enforcement system. JQ referred to concerns with the way that retrospective planning applications were dealt with through the planning system. In terms of planning appeals JQ expressed a view that Minister should only intervene in cases of national and strategic need, rather than getting involved in the minutiae of decisions that had already been deliberated upon by both the planning officer and the planning inspector. It was noted that the consultation document did not refer to these aspects in any detail.</i></p> <p><i>MF expressed concerns about the proposals to extend the scope of Permitted Development Orders. She was concerned that any relaxations in regard to development including fences, boundary walls and gates were carefully considered as this could have a very detrimental effect on the rural landscape.</i></p> <p><i>The consensus was that the current protections and safeguards on Manx Hedgerows be maintained in this regard.</i></p> <p><i>MF also referred to changes to the regulations which might allow more 'innovative' designs; she felt that this aspect had to be carefully considered as it threatened the loss of traditional Manx cottages and a consequent impact on the countryside. There followed a discussion of this aspect of the consultation in particular in regard to the need to encourage or control changes in building practises. JQ stated that 'passive' houses can be made to look 'traditional' or 'innovative'. It was noted that any changes in building methods not covered in this document and were of more relevance to building control regulations. ND stated that it was the role of planning to concern itself with the appearance of buildings and less so with the construction methods. JQ felt that planning and building control should be better integrated.</i></p> <p><i>MF expressed concern about the creation of 'national policy documents' which may enable government to make development decisions without public consultation. She felt that this was creating another layer of planning that would effectively by-pass the democratic process.</i></p> <p><i>There followed discussion of the proposal for 'Community Plans' and a levy on developers which could be used to upgrade the infrastructure in an area through improvements to road or sewage networks, etc. JQ noted that experience in the UK indicated that there were difficulties in such processes and any introductions would need to be considered carefully and closely monitored.</i></p> <p><i>PK asked how many updates to legislation in the last ten years</i></p> <p><i>MF stated that there was nothing in Maughold. JPL stated that an area plan was being initiated for the north imminently.</i></p> <p><i>RM proposed that more emphasis on the consideration of drainage should be incorporated into the planning process; in terms of both storm water run off and sewage capacities.</i></p>	

	<p><i>MR advised that the Commissioners had previously written to the Minister in regard to this aspect. It was agreed that this aspect should be included in the submission made by the Commissioners to the consultation.</i></p> <p><i>The prospect of direct representation of local authorities on the Planning Committee was also considered. This was felt to be practically difficult. It was felt that a representative sent by the Municipal Association could be considered. PK felt that if the representative was from a rural area they might not represent the views of town/village needs effectively and vice-versa.</i></p> <p><i>MR commented on the effectiveness of the current planning committee system. He advised that it appeared to give opportunity for all parties to present their views on planning applications; it seemed to be an open and transparent system.</i></p> <p><i>The clerks were instructed to draft a submission and circulate to Members for approval prior to submission.</i></p>	clerks
140/17	General correspondence	
a)	<p>Mayor of Douglas - Invitation to the Chair to reception at Douglas Town Hall, 7.00 pm, Monday 5th February.</p> <p><i>ND advised he was unable to attend.</i></p>	
b)	<p>Resident - Correspondence in relation to All Saints Church dated 14.12.17 - previously circulated. This correspondence was considered and noted.</p> <p><i>Criticism of the Board's recent actions in regard to the role of SC in the investigation into the proposals for the Commission to acquire All Saints Church were included in the correspondence. The clerk was instructed to respond.</i></p>	
141/17	Committee Reports - ntr	
142/17	Officer Reports	
a)	<p>Finances - Budget Estimate Preparation for YE 2019.</p> <p><i>Documents had been circulated for consideration. PB talked Members through figures for YE 2018 and projected expenditure during YE 2019. MR referred to the inclusion in the budget prepared by PB for refurbishment of the beach huts on Laxey promenade. He stated that these needed to be upgraded as a matter of urgency before they fell into further disrepair.</i></p> <p><i>It was noted that Tipping charges at the EFW Plant were being raised by 4.1% which would mean a significant impact on the budget for the authority. The budgets for NCAS and ECAS were also considered. It was noted that ECAS had proposed a rise of 2.3 % whilst NCAS would be held with a very slight decrease in the order of 0.003% PB advised that, despite the tendency for cost increases across the services, the rates in Garff would not need to increase unless there were further projects/expenditure the Commissioners wanted to initiate. The proposed budget set a course that would permit the creation of a reserve of around 30% by YE 2019; this would permit an adequate level of cash flow to be maintained in the early months of each financial year going forward.</i></p> <p><i>Costs for the proposed introduction of play areas in Lonan were factored into the monies ring-fenced by Lonan Commissioners prior to the amalgamation. It was noted that an appeal had been lodged against the application for children's play equipment at Church Close which would delay apportionment of expenditure into YE 2019.</i></p> <p><i>ND suggested that the balance between the Fixed-Refuse-Charge and the general rate be examined during the coming financial year with a view to discussing changes for YE 2020.</i></p>	

	<p><i>There followed discussion of the monies ring-fenced for projects across Garff by the previous Boards. It was noted that these were in various stages of implementation and that the list of these was publically available at the office; it was anticipated that further consideration would be given by the Board during the coming months.</i></p> <p><i>JQ asked a question concerning the rating of dwellings for agricultural workers where the house was no longer inhabited by residents working in agriculture. The clerks advised that this was a matter that the Government Valuer could assess on request. It was noted that Tynwald were continuing to look at changing the current rating system, and that an announcement was likely during 2018.</i></p> <p><i>PK asked if the purchase of additional Christmas decorations had been factored into the budget for YE 2019. PB advised that an amount had been included which would permit further improvements to be made for Christmas 2018.</i></p> <p><i>Further discussion of the budget and expenditure plan was reserved until the meeting to be held on January 10th 2018.</i></p> <p>b) November Financial Report – <i>these documents had been circulated and were noted.</i></p> <p>c) Consultation on Local Government Financial Reporting Requirements (previously circulated). <i>These were noted. It was noted that the proposals appeared to be both sensible and practical and that they would make the accounts more accessible to the general public.</i></p>	
<p>d)</p>	<p>Health and Safety - Report to be given by Clerks' Office. <i>MR reported that the annual independent playground inspections had taken place across Garff. These had indicated only 'low-level' issues which either needed monitoring or actions such as painting/refurbishment. Any works necessary would be completed in January – March 2018. PK requested that empty offices at 35 New Road be refurbished and advertised for rental at the earliest opportunity. MR to liaise with maintenance staff and timetable such works. JPL proposed that staff, particularly maintenance staff, be given opportunity to consult with their GPs in regard to any vaccinations that might be necessary. The Board agreed that MR should speak to staff in this regard. MR reported that a staff appraisal was taking place on Thursday 28th of December at which the matter would be raised.</i></p>	<p>MR</p> <p>MR</p>
<p>e)</p>	<p>Works and Amenities – Report to be given by Clerks' Office.</p>	
<p>f)</p>	<p>Cooil Roi Sheltered Housing Complex – Report to be given by JPL. <i>JPL reported that Residents wished to forward their thanks to the Commissioners for attending the recent party at the complex. JPL advised the Board that a rent increase of 3.1% had been officially announced by government. Small changes to maintenance allowance levels for the buildings and changes to the community allowance had also been announced. JPL felt that these were small in scale and would have little impact on residents. JPL would recommend the level of 'heating charge' for residents; this was expected to be well below previous levels due to the installation of more efficient equipment at the complex. JPL reported that after several requests government had allowed renegotiation of several historic loans which had been at a level of interest well beyond the current low rate. This would not affect residents at the complex, but would impact by reducing the deficiency payments accredited to Cooil Roi under the government system.</i></p>	
<p>143/17</p>	<p>Staffing Matters - ntr</p>	
<p>144/17</p>	<p>Chairman's Report – ntr</p>	

145/17	Any Other Business	
a)	<p>Request from tenant of the Laxey Promenade Garage. <i>MR reported that two builders had been approached to view the garage, particularly the roof and door lintel structures. These inspections were scheduled to take place early in the New Year. There followed discussion of</i></p>	MR
b)	<p>Long & Humphrey – Terms, conditions and rates in regard to Instructions to proceed with legal investigation into a Member’s potential conflict of interest. Agreement to terms and conditions to be signed. <i>The document was signed by the Chairman. ND proposed that Members abide by the decision given by the appointed advocate. This was seconded by RM and unanimously agreed. ND added that SC had always acted in good faith in any action relating to his role as a Commissioner, adding that the Board must accept the advice, respect it and move on. It was anticipated that the legal advice would be forthcoming early in the New Year. RM referred to SC's statement that the Board were not permitting SC to attend meetings, reiterating that it was only when the proposals for All Saints Church were being discussed. RM stated that the Board had never excluded SC from the meetings as had been suggested; SC was able to attend for and discuss all other items on the agenda. RM stated, "We have never as a board excluded SC from the meetings as has been suggested".</i></p> <p><i>ND closed the discussion by stating that he would make a statement once Legal advice had been formally received.</i></p>	
c)	<p>DOI – Off Street Parking Places Order 2017. <i>This document had been circulated and was noted. No further instruction given.</i></p>	
d)	<p>Resident – Email correspondence dated 18th December 2017 subject 'Complaint regarding actions of a Commissioner' (previously circulated along with a response from ND, dated 18th December 2017, and further related correspondence from the resident dated 19th December 2017). ND read a sequence of emails between himself and a resident in regard to the reasons for SC's absence from recent Board meetings. ND had responded outlining the circumstances of SC's absence. The suggestion was made in the correspondence that, by taking this stance, SC was seeking to put pressure on other Board Members. ND advised that in his experience no Member appeared to be coerced in any way, on the contrary Members seemed very able to make their views known at meetings. The correspondence included a further request for an apology from JQ for the inclusion of the phrase "conspiracy theorists" in his statement which was read at the meeting on the 6th of December 2017.</p>	
e)	<p>RNLI – Invitation to Sir William Hillary Service 2018, Sunday 7th January 2018, 3.00 pm, St George’s Church, Douglas. <i>This matter was noted.</i></p>	
f)	<p>To discuss the 2018/2019 budget estimate for NCAS (document circulated). <i>This matter was noted and dealt with in discussion at item 142.17.a above.</i></p>	
g)	<p>To discuss the 2018/2019 budget estimate for ECAS. (document circulated). <i>This matter was noted and dealt with in discussion at item 142.17.a above.</i></p>	
146/17	Private Session – no business was transacted in private.	
	Meeting closed 9.23 pm	
	Date of next meeting:- Wednesday 10 th January 2018 at 7.00pm	

Draft Until Approved