

GARFF PARISH DISTRICT COMMISSIONERS

Minutes of the Monthly Meeting

Wednesday 1st August 2018 7.00 pm

Present: Mr N. Dobson (ND) (Chairman), Mrs M. Fargher MF) (Vice Chairman), Mr S.Clague (SC), Mr T Kenyon (TK), Mr P. Kinnish (PK), Mr L. Miller (LM), Mrs J. Pinson (JPn), Mr. J. Quayle (JQ), Mr J Smith (JS).

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

Apologies:

Meeting opened 7.00 pm

62/17b **Chairman's Statement:** Declarations of Interest.

ND opened the meeting with a statement as follows:

Statement from the Chair

"At the Commissioners meeting on the 18th July 2018 items came before the Board that required member(s) to declare an interest. There were questions asked about what actions the Chair could or should take once a declaration of interest is made. Not all agreed with my interpretation of the rules and I allowed some leeway.

Since that meeting I have met with our Officers and the Vice Chair to inspect the various documents to ensure that if a similar situation occurs in the future the correct procedure is followed.

It is clear from both the code of conduct for Commissioners and the standing orders for Garff Commissioners that once an interest is declared the member should 'withdraw' from the meeting while the agenda item is discussed.

The standing orders for Garff Commissioners were prepared by our predecessor authorities – Laxey, Lonan and Maughold – and adopted at the first meeting of the Garff authority in May 2016.

After a previous debate standing orders were clarified at the meeting of Commissioners held on 16th August 2017 where item 66/17 states:

It was agreed that once an interest was declared that member should leave the room for the duration of the discussion whatever the perceived level of interest and however immaterial the link appeared.

This item was unanimously resolved.

Therefore, the Vice Chair and I have agreed that whereas in the past, on minor issues, members declaring an interest have been allowed to remain in the room providing they remain silent, from this date forth standing orders in this matter will be followed to the letter.

If members have more than one item on the agenda in which they declare an interest the chair will, wherever possible, adjust the agenda so that a member is not being asked to repeatedly leave the meeting.

Finally, I would remind members that in decisions relating to the conduct of any meeting, interpretation of standing orders and code of conduct, these same documents make it clear that the decision of the Chair or, in his absence, the Vice Chair, is final and not open to debate."

SC made clear his dissatisfaction with Standing Orders in respect of Declarations of Interest and the approach being taken by the chairman. **ND** advised that a unanimous decision had been made at the meeting on the 17th of August 2017 to amend Section 29 of Standing Orders in the manner outlined in his statement. He advised that it was a duty of the Chairman to ensure that the meeting ran in accordance with the Authority's Standing Orders. **JPn** asked if Standing Orders could be re-written to differentiate between a Members pecuniary and personal interests. **ND** suggested that Members who felt that Standing Orders were in need of further amendment

	<p><i>should make an appointment with the clerks to discuss an appropriate motion that could, once seconded, be put to the Board at a future meeting. Once a motion was submitted, a debate could take place and a decision could be made. Any amendments to Standing Orders could be processed once the decision was minuted.</i></p> <p><i>At this point SC made stated that the minutes had been written incorrectly in the past suggesting that ND had disproportionately influenced the content of the minutes. ND strongly objected to this assertion advising that on no occasion had he approached the clerks to discuss or instruct content of the minutes. He asked SC to withdraw his comments. SC stated that he would not withdraw the comment. SC advised that he could give an example of where the content of the minutes had been influenced. ND asked SC to disclose the example to the Board. SC declined to provide detail at the meeting. ND indicated that SC was behaving improperly, stating that his conduct at the meeting was 'out of order' and a breach of Standing Orders.</i></p> <p><i>At this point, ND advised that he was moving the meeting on to the next agenda item.</i></p>	
62/18	Planning Matters	
	Planning Applications	
a)	18/00760/B Fieldhead, Glen Mona, Alterations, erection of rear balcony and installation of a flue. <i>There were no objections to this application.</i>	
b)	18/00773/CON Laxey WMI, Registered Building consent for the installation of replacement flooring to flooring to upper hall. Re. Building no. 227. <i>There were no objections to this application.</i>	
	Planning Approvals	
c)	18/00653/B Ballabundu, Chapel Lane, Baldrine, Alterations and erection of a rear extension. <i>This matter was noted.</i>	
	Planning Refusals	
d)	18/00200/A Field 624255 Glen Mona Loop Road, AiP for the erection of a dwelling – Refused 31.07.18. <i>This matter was noted.</i>	
	Planning Appeal Matters	
e)	Planning Appeal Notification – 18/00267/B Appeal against the refusal of the erection of a conservatory above existing garage, and creation of opening and Juliette balcony from new first floor living accommodation. <i>This matter was noted. No further instruction to officers.</i>	
f)	Planning Appeal Notification – 17/01043/B Appeal against the approval of the re-alignment of driveway access, erection of gateway piers/pillars. <i>This matter was discussed particularly in terms of drainage. No further instruction to officers at this stage.</i>	
	Planning Enforcement (DoI Planning and Building Control)	
	<i>No enforcement matters were discussed.</i>	
63/18	Approval of Minutes	
a)	Approval of minutes of the meeting of the 18 th of July 2018. <i>These were agreed to be a correct record of the meeting. Proposed JQ. Seconded JPN. Resolved.</i>	
64/18	Matters Arising & Other Business	
	<i>MF referred to the Board's decision to take responsibility for the administration and operation of the Lonan Burial Authority. MR advised that as instructed he had written to the Archdeacon requesting a meeting to discuss this matter further. It was anticipated that such a meeting would assist in identifying ways to progress the matter. MR to advise Members once a date and location had been agreed.</i>	
a)	Tynwald Select Committee on Poverty – regarding issues relating to poverty in the Isle of Man. <i>TK talked members through a report he had produced which had been circulated at the beginning of the meeting. He stated that he had been unable to find specific information or figures relating</i>	

	<p><i>to Garff, adding that it was therefore difficult to know the extent of poverty in our area. Matters such as affordable rents and housing were referred to. PK felt that more affordable housing should be provided when estates were developed. JQ felt that the issue of poverty was one which central government should be engaging with. It was agreed to invite Neil Mellon from the Isle of Man Foodbank to address the Commissioners. It was hoped that he would be able to convey a sense of the impact of poverty on families and individuals in the area.</i></p>	clerks
b)	<p><i>To discuss report by the work experience placement student on a proposal for a play area in Baldrine Park.</i></p> <p><i>Members commended the student on his very effective and thorough report which set out a viable proposal for play equipment on land at Baldrine Park. Members commented on the clarity and balance of the report, as well as the thoroughness of the estimated costings. It was felt that a play area of the size and scope suggested by Liam would be an appropriate facility in Baldrine Park. It was noted that two play areas were currently being installed further north in Lonan and that there were no monies in the budget for Year End 2019 for further installations. It was agreed that the report should be brought back to the Board for consideration in the budgets for YE 2020. The student was commended for the effectiveness and high quality of the report.</i></p> <p><i>JPN suggested that the developer should be contacted to include a play area if any development came forward in the locality. JS suggested that provision of wi-fi in public areas be investigated.</i></p>	2019 Estimates
c)	<p><i>To discuss the recent proposals for tidal flood defences on Laxey Promenade and Harbour. ND advised that a revised plan was being prepared by DoI following recent feedback from the public.</i></p> <p><i>Much concern was expressed about loss of amenity along the Laxey sea front.</i></p> <p><i>SC asked if the Commissioners had agreed a scheme with DoI. ND stated that no scheme had been agreed. The DoI had hosted an open public meeting, had requested comment from the public, and were re-assessing their proposals in the light of the feedback received at this meeting and in subsequent correspondence. SC asked if the Commissioners had proposed a raised pavement/walkway behind the proposed wall. SC stated that he had been told that a four foot raised pavement had been proposed.</i></p> <p><i>ND stated that the Commissioners had not made such a proposal, but advised that he was aware that a member of the public had made a suggestion to the Department. This was perhaps an option that the Department was considering, but other options had also been put to the Department by the public. JQ stated that a raised pavement would only need to be a foot or so high, not four foot.</i></p> <p><i>JQ referred to suggestions from the public that the stones and sand on the beach could be dragged back with machinery to effectively raise the height of the sea wall on the beachside. PB felt that such management could be problematic and any work undertaken would be quickly undone by storm conditions.</i></p> <p><i>The timescale was discussed. The Department had said it would like to commence work in October 2018. It was noted that that a planning application would have to be submitted and that an appeal would be likely; this would delay matters significantly. ND advised that the project would have to be approved and agreed during this financial year (by 31st March 2019).</i></p> <p><i>JS questioned a statement by MLC Kate Lord-Brennan in which she had referred to incidents of major flooding in Laxey and how a higher sea wall would improve the situation. He felt that she was unaware that flooding incidents such as the one that particularly affected Glen Road and Old Laxey Hill on December 3rd 2015 were a result of heavy rain overwhelming the catchments on the hills above Laxey and consequently the Laxey River itself as opposed to 'over-topping' from the sea. It was agreed that her input to the debate on the sea wall had been based on this misunderstanding and was therefore inaccurate and not helpful to finding an effective solution.</i></p>	

	<p><i>There were two distinct problems, one being coastal 'over-topping'/tidal flooding, the other being flash flooding overwhelming the main river higher up Glen Road.</i></p> <p><i>ND advised that the way forward would be to find the best balance between maintaining the amenity of Laxey sea front and protecting the sea front and areas such as Tent Road from over topping and tidal flooding. SC stated that the amenity must be maintained. He felt that the sea front should be 'left as it is'. JQ stated that it could; the Department had said that 'doing nothing' was one of the options.</i></p> <p><i>SC felt that a public meeting should be held before the revised plans came forward so that the public's ideas could be submitted. ND felt that such a meeting should take place once the revised plans were released. SC proposed that a public meeting be held before the revised plans were released. There was no seconder for this proposal. JS proposed that a public meeting take place once the revised plans were received. This should give sufficient notice for the public to be aware that a meeting was taking place.</i></p> <p><i>ND put a proposal to members that a public meeting be held prior to the revised plans for the sea wall being made available. This proposal did not attract sufficient votes to be carried.</i></p> <p><i>ND put a second proposal that a public meeting be held following publication of revised plans for the sea wall by the Department. This proposal was carried.</i></p> <p><i>SC expressed disappointment with this outcome. JS advised that interested members of the public could submit written comment to the Department at any time.</i></p>	
d)	<p>JPI to report on proposal to mark the end of the First World War with a commemorative bench sourced from the RBL.</p> <p><i>JPI reported that the RBL had recommended a supplier for the benches that would be suitable for commemorating the centenary of the end of WW1. These were approximately £650.00 each. It was agreed to order three that could be installed in appropriate locations in Laxey, Lonan and Maughold.</i></p> <p><i>JPI and clerks to arrange.</i></p>	clerks
e)	<p>Royal British Legion – Request for a new flagpole to be erected at the war memorial in the Valley Gardens.</p> <p><i>This was noted. The clerks were instructed to bring forward a proposal to the meeting on the 15th of August.</i></p>	clerks
65/18	General correspondence	
a)	<p>Resident – correspondence (dated 17.07.18) in regard to the milestone removed from its location above the 'Rest and be Thankful' for repair.</p> <p><i>MR reported that the milestone had been repaired and was in the process of being re-installed at the location.</i></p>	
b)	<p>Resident – request to hold a party in the Valley Gardens on 18th August 2018 between 1.00 and 5.00 pm.</p> <p><i>PB advised that permission for a similar children's party had been granted by the Commissioners in 2017. Permission was granted subject to the Commissioners being assured that public liability insurance was in place for the use of a bouncy castle.</i></p>	
66/18	Committee Reports	
a)	<p>Municipal Association – TK reported that Health Minister, David Ashford had been in attendance. He briefed Members on the range of NHS issues that Mr Ashford had discussed at the meeting of the Association.</p>	
b)	<p>Laxey & Lonan Heritage Trust – TK reported on several matters for attention. These being: weed clearance at the miner's statue, a request for the benches to be the same colour at that location, a query on the proposed roof for the stage in the Valley Gardens, and the sequencing of the lights in the Valley Gardens. There followed discussion of how the entrances to the mines</p>	

	<i>opposite the fire station could be cleared and presented as a feature. JPN asked if the former Lonan office could be used to display local historical artefacts. TK to oversee this project. Concerns were also expressed regarding the development of the Princes Motors site and the potential consequences on the structure of the railway tunnel below the site.</i>	TK
c)	Laxey & Lonan Sports and Community Facilities – ntr	
d)	Northern Traffic Management Liaison Committee – Meeting scheduled for 14.08.18 cancelled. Next meeting TBA.	
e)	Northern Neighbourhood Policing Team Community Partnership meeting – Meeting scheduled for 14th August 2018.	
f)	Garff Regeneration Committee – A document produced by JPI was circulated. The regeneration Committee would consider the various projects in due course. These projects included, folded guide leaflets, including collection and disseminating information on geocaching in Garff, new signage, improving public areas, co-ordinating volunteers to 'adopt' tram stations, and input to the proposals to improve the facilities in Glen Road, Laxey.	
g)	Eastern Civic Amenity Site Joint Committee - ntr	
h)	Northern Civic Amenity Site – ntr	
i)	Northern Swimming Pool Board – JQ advised that a survey of users of the NSC had determined that there would be minimal take up if Ramsey Pools hours were extended. However, a trial opening was taking place on August Bank holiday.	
j)	Northern Area Housing steering group -	
k)	Northern Sheltered Housing Committee -	
l)	Eastern Area Housing steering group -	
m)	Waste Management Steering Group -	
n)	Waste Management Working Group – Next officers meeting 12.10.18 Douglas BC Training Room, 10.30.	clerks
o)	Cooil Roi Sheltered Housing Committee – JPI advised that money left out for the milkman had been taken recently. The total amount was approximately £17.00. It was noted that IOM Creameries had offered to cover the loss resulting from the theft. The matter was in the hands of the police. Fire Safety was discussed. There were no other H&S issues to report. MF advised that residents had created a petition to voice opposition to changes to the warden's contract and terms and conditions. It was noted that these changes were being imposed by government.	
	Health and Safety – <i>A quarterly H&S meeting would be arranged for a date in September.</i>	
	Works and Amenities – <i>MR reported that the new installation of play trail equipment was almost complete. The final restorative turfs were currently being laid. A low picket fence would be installed w/c 6th August to 'dog-proof' the area.</i>	
	Cooil Roi Sheltered Housing Complex – matters were discussed at item 66/18.o above.	
67/18	Staffing Matters – MF asked if Members had read the draft 'Staff Handbook'. All Members stated yes. A vote took place and it was unanimously agreed to adopt the Handbook. The Staffing Sub-committee is to be re-convened to review staff appraisals.	
a)		
68/18	Chairman's Report - ND thanked officers for their work in ensuring that the accounts were submitted to the auditors in good time. Copies of the draft accounts had been circulated.	
a)		
69/18	Any Other Business	

a)	Cabinet Office – Invitation to a 'Facilitated leadership Workshop' as part of the consultation on the Draft Area Plan for the East (14.09.18, 5.00 pm until 8.00 pm, New Hall, Kirk Braddan). <i>ND, TK & PB to attend.</i>	
b)	RTLCL – Circular no: 490 26 th July 2018. <i>This document was noted.</i>	
c)	3 x Letters from residents in regard to the proposal for new sea wall defences at Laxey Promenade and Harbour (two dated 30.07.18, one dated 31.07.18). These had been circulated as supporting information for the discussion that took place at 54/18.c above.	
d)	Resident – Regarding the 'Queen's Commonwealth Canopy' Initiative. Request for Garff to become involved in the project. 5 saplings arriving in October. MR to contact resident after 22 nd August to discuss.	MR
e)	<i>JPN – advised that she had walked along the river from behind the Shore Hotel and noted that the river banks had not been repaired since the damage caused by the flooding in 2015. PB stated that Manx Utilities had previously advised that they were being left to 'go back to nature'. There was general discontent with this approach. The clerks were instructed to contact Manx Utilities and the DoI requesting that the path along the riverbank is repaired.</i>	
f)	Manx Utilities – Notification that the authority will come forward with proposals for replacement of the mercury light fittings in Garff by the end of September 2018. <i>This matter was noted.</i>	
g)	<i>MF referred members to the recently published Waste Management Strategy. It was agreed that the matter should be included on the agenda of the next meeting.</i>	
h)	MF asked about arrangements for a visit by the Governor. It was agreed to write to Government House with a view to arranging a visit in the spring of 2019.	clerks
i)	<i>JPN sought clarification of the situation with the new chain of office. ND advised that he had spoken to Mr Corlett recently. The clerks were instructed to contact Mr Corlett to clarify costs and delivery.</i>	clerks
70/18	Private Session – no matters were dealt with in private.	
	Meeting Closed at 10.05 pm. Date of next meeting: 15 th August 2018	