

GARFF PARISH DISTRICT COMMISSIONERS

Minutes of the Monthly Meeting

Wednesday 5th December 2018 7.00 pm

Present: Mr N. Dobson (Chairman), Mrs M. Fargher MF) (Vice Chairman), Mr T. Kenyon (TK), Mr P. Kinnish (PK), Mr L. Miller (LM), Mr. J. Quayle (JQ), Mr J. Smith (JS), Mrs J. Pinson (JP).
Mr P. Burgess (PB), Clerk, Mr M. Royle (MR), Deputy Clerk/RFO, Mrs J. Mattin (JM), Housing Manager.

Apologies: All current Members present.

Chairman To open the meeting and request that Members consider this agenda and declare any interest that they may, or may be perceived to have, in its business.
The significance of interests previously declared in item 132/18.a by JP & PK was duly noted.

7.00 pm Attendance of Mr John Cowley, former Laxey Harbour Master, to discuss the Laxey Sea Wall & Harbour proposals with the Commissioners.
ND welcomed Mr John Cowley, former Laxey Harbour Master. He outlined some of the history of the beach, river and harbour to Members. He advised that due to financial constraints the management of the beach had been neglected by DoI for around a decade. This was noted by Members. He stressed that management of the river bed was particularly required. This was noted by Members; the consensus was that this was a matter on which the Commissioners would continue to pressure government. The possibility of requesting this in any submission on PA 18/01160/18 was raised. Mr Cowley advised that the stones on the beach can assist by reducing wave energy, etc. **JP** asked Mr Cowley a question on the effect of the slope of stones up to the wall where this occurred. Mr Cowley felt that in some circumstances this could increase over-topping; correct management of the stones and general beach were required. There followed discussion of the 'ramping' effect and the 'ineffectiveness' of the current 'concrete 'sack' arrangement. **JP** asked about the previous existence of a 'soakaway' behind the Promenade Shelter/ Mr Cowley advised that he had no knowledge of this, and had not encountered any such feature in his time at the Harbour. There followed discussion of the proposed harbour/boat park wall. Mr Cowley advised that at some sections the height of the boat park wall would impede the placement of boats and consequently reduce capacity. He questioned the necessity for a wall at the 'sea-ward' end of Tent Road. All these matters were noted by Members. A site visit to the harbour for the Commissioners with Mr Cowley was agreed so that these matters could be considered when separate submissions were put to the Planning Authority and the Department of Infrastructure. Mr Cowley referred in a particular to a submission he had viewed at the Commissioners; office made by Mrs Pat Newton. He advised that the assessment she had presented was very effective and was an analysis he concurred with.
ND thanked Mr Cowley for attending, and for the advice he had given which he stated had been of great benefit in briefing the Commissioners. Mr Cowley left the meeting.

130/18 **Planning Applications**

a) 18/01205/B Thie y Chleree, Church Road, Maughold, creation of a swimming pool.
It was noted that there was some natural screening at the application site, and that this proposed development is within the Maughold Conservation Area. MR had advised that Environmental Policy 35 was perhaps the most relevant area of Planning Policy to this application. This was noted. There were no objections to the proposal.

b) 18/01164/B Glen Side, Glen Road, Laxey, Replacement of existing pvc windows and replacement pvc front door – amended plans.
There were no objections to this amendment.

c)	18/01000/B 38 Ard Reayrt, Laxey, Alterations, erection of a 2 storey extension to side and installation of a flue (Amended plans). <i>The felling of three trees and their replacement with three new trees was noted. There were no objections to this amendment.</i>
	Planning Approvals
d)	18/00520/B Harrison Farm, Barroose Road, Baldrine, Create operating centre for parking a minibus (off road) approved 27.11.18. <i>This approval was noted. No further action.</i>
e)	18/01098/B Rosebank, Baldrine Hill, Erection of a shed/storeroom – Approved 29.11.18. <i>This approval was noted. No further action.</i>
	Planning Refusals – ntr
	Planning Appeals - ntr
f)	
	Other Planning Matters -ntr
131/18	Approval of Minutes
a)	Approval of minutes of the meeting of the 21 st of November 2018. <i>These were agreed to be a correct record. Proposed, MF. Seconded, TK. Resolved.</i>
132/18	Matters Arising & Other Business
a)	<p>To discuss the DoI's proposals for new Harbour & Sea Wall Defences in Laxey in terms of both:</p> <ul style="list-style-type: none"> • a submission from the Board to the Planning Authority on PA 18/01160/B • To consider a recommendation to the Department public consultation. <p><i>The Board noted that the current DoI proposal for the Sea Wall along the Promenade from the harbour end to the central slipway is for a 650 mm (2 foot 2 inches) high wall, rather than a 1.2 metres (four foot) high wall as has consistently been reported in the media for several weeks. The Department had initially brought forward a proposal for a 4 foot wall in July 2018 but this had been rejected after consultation; subsequently, the current proposal for the 2 foot, 2 inch wall had resulted.</i></p> <p><i>It was also noted that the section of Promenade Wall being replaced is around 154 metres, the walkway for the last 38 metres at the harbour end does rise to a level above the current pavement (3 average steps at its very highest point). It was also noted that this means that the vast majority (116 metres / 75%) of the length of the wall is built from current pavement level, and that at no point does the effective height of the proposed wall rise beyond 650 mm above the paving or along the final 38 metre rising walkway section.</i></p> <p><i>MF questioned the assertion made by Mr Robinson that the Department was seeking to protect the Promenade highway. This had caused concern. The Clerks advised that the statement made by Mr Robinson was correct in the sense that to protect and maintain the highway was the legal responsibility of the Department of Infrastructure, but the scope of the JBA Consulting report the government had commissioned indicated that the Department had a focus that was wider than that single legal responsibility. There followed expressions of concern with the manner in which DoI had presented the proposals and plans. These matters would be taken up with the Department in due course.</i></p> <p><i>ND asked if a video showing the effectiveness of a range of sea defence devices could be played to the Commissioners. This was shown. The conclusion presented in the video was that a wall with a curved 'sea return' profile and the deployment of rock armour were the most significantly effective measures that could be taken – although an 'off-shore' bank under the water was also presented as an effective means to reduce the energy in waves. The presenter of the video advised that the latter was a very expensive option and was not considered viable when other considerations were taken into account. An image of a 'sea return' profile wall was circulated and discussed. ND advised that a meeting had taken place with the DoI's engineers and they had signalled that they would be happy for a range of conditions to be included in any planning approval that is forthcoming. These included reassurances that loss of parking will be mitigated</i></p>

against and that disabled access to the raised section would be provided at both ends of the 38 metre section of rising walkway. **LM** asked if a video showing the effects of a storm on both the Promenade and the Harbour could be shown to Members. This action took place.

JQ raised concerns with harbour access. These were noted and would be included in the Commissioners submissions to the Planning Authority and to the Department of Infrastructure.

JP left the meeting at this juncture (8.00 pm).

ND referred to the correspondence which had been sent to the Commissioners and the DoI by the public. At the time of the meeting there had been around forty written submissions to the Commissioners. This correspondence had all been circulated to Members. It was noted that the vast majority of this had stated opposition to the proposals. **ND** advised that there were a range of concerns. Loss of amenity caused by a wall that was higher than the current wall was an almost unanimous concern expressed in the correspondence received. There followed discussion of the concern with loss of amenity. It was agreed that there would be some loss of amenity as the new 650 mm wall was higher than the current wall, being at approximately mid-thigh height to an average person of just under 6 foot. **MF** that this loss of amenity needed to be balanced against the protection of residents' dwellings, well-being and security. In this respect it was noted that the Commissioners had received contact from several residents in the immediate area who had expressed concern, and a sense of anxiety, at the threat from the over-topping that they felt their homes were under. It was also noted that several residents in the Shore Road area and further along the Promenade beyond the slipway were opposed to the current proposals. There followed close consideration and discussion of these matters. **MF** advised that Members had carefully considered all the comments made by the public, as well as wide range of scientific and technical evidence from professionals in a variety of fields. After taking all these matters into account, she stated that it was her view that the Commissioners should support the proposals. **PK** stated that after looking closely at the scheme he agreed that the Commissioners should give it support. He added that government had a budget for the scheme, suggesting that to turn the opportunity down could come to be seen as an irresponsible action in the future. The general, though not unanimous, consensus was that the proposals were an acceptable balance between loss of amenity and the need to protect property and residents on the Promenade. **JS** stated that he acknowledged the current over-topping problems and that sea levels would continue to rise. He felt, however, that the solution being offered was not the right one. He expressed a general lack of confidence in the DoI and felt that a delay of 3/5 years would give opportunity to see if a programme of beach management would be effective. This would also enable the consideration of technology that was currently being developed to mitigate against rising sea levels and extreme weather. He felt that there needed to be closer co-operation between DOI (responsible for beach and harbour areas) and Manx Utilities (responsible for main rivers). He stated that clearly the people who had written in wanted the proposal rejected and felt that 'democratically' the Commissioners should back these people. He was also concerned with the effect on the current Cairns site and the proposed sewage treatment plant. **JQ** stated that the land on the Cairns site was higher. **LM** added that additional gabion baskets could be used to protect the river/harbour bank in this location. There followed discussion of beach management. It was agreed that an ongoing programme of beach management should be requested whatever decision the Department made as to whether to progress the scheme; this could be the subject of a planning condition if the development were approved. There followed further discussion and debate on these matters.

ND put two resolutions to Members, the first being:

- a. That subject to conditions the Board support in principle the construction of the Harbour wall as proposed in the application.
This Motion was carried, 6 votes for, 1 against. **Resolved.**

	<p><i>b. That subject to conditions the Board support in principle the construction of the Sea Promenade wall as proposed in the application. This Motion was carried, 5 votes for, 2 against. Resolved.</i></p> <p><i>These matters were noted. It was agreed that two submissions would be forwarded to government in due course. These being:</i></p> <p><i>I. To the Planning Authority which indicated the decision of the Commission as a Corporate Body</i></p> <p><i>II. To The Department of Infrastructure, as requested, reporting on the level and direction of the public opinion forwarded to the Commissioners. It was noted that the Department have stated that they will not progress their scheme if the public are opposed.</i></p> <p><i>The discussion of this matter was closed.</i></p>	
b)	<p><i>To discuss YE 2020 Budget estimates. The 4.7% rise in waste charges, the rise in NI contributions and other externally imposed charges were noted. Members were advised that it was likely that a small rate increase would be necessary to cover these additional charges. It was noted that there had not been an overall rise on the rate in the previous three years. The clerks requested that by the December 19th meeting Members identify any new projects that may incur additional expenditure for the forthcoming financial year. JP asked about the need for any additional maintenance expenditure at the campsite. PB advised that an assessment had taken place and had not identified any issues that would require additional expenditure at this stage. There followed further discussion of possible projects. It was noted that there were several projects being prepared such as the Laxey Valley Garden toilets and the Glen Mona Leisure & Recreation Field acquisition, and that funding for these and other projects was held in the 'ring-fenced' monies set aside previously by the three former authorities. It was noted that the monies set aside by the Lonan Board for play facilities in the Parish would be expended in current financial year as these projects were nearing completion.</i></p>	
c)	<p><i>To discuss submission of a planning application for the erection of a new toilet block in Laxey Valley Gardens following advice from the Conservation Officer. MR was instructed to progress a planning application for the toilets based on the designs submitted by the architect. Finish of the upper storey to be determined by condition post application.</i></p>	
d)	<p><i>Update on tenders received for a replacement footbridge in the Valley Gardens. This matter was reserved for discussion in private due to the financial sensitivities of the organisations who had tendered for the work.</i></p>	
e)	<p><i>To discuss refurbishment of the Laxey Promenade Beach Huts (generated by JP in correspondence to the office 28.11.18) Various options were discussed. MR advised of the costs of the options proposed. It was agreed that the Commissioners should meet on site at 9.30 on Friday 7th December to view the huts with a view to assessing their condition, potential and possible future uses. It was anticipated that there would be further discussion at the meeting on the 19th of December.</i></p>	
f)	<p><i>DOI Minister – Response to the Commissioners concerns with lack of consultation on the issuing of a licence to survey for gas/oil off the Garff Coastline. Mr Harmer advised that government would consult with the Commissioners if there was any progression in this matter. This was noted.</i></p>	
g)	<p><i>To discuss delays with the Mines Road street-lighting and water main project (correspondence between a resident and D.J. Cain, Water Asset Engineer & Planning Supervisor at Manx Utilities). Various delays to this project were noted, These were largely due to the inability for an appropriate contractor to tender. The consensus was that Manx Utilities needed to address this situation</i></p>	

	<i>swiftly. JP proposed that a letter be written to Manx Utilities demanding that a resolution be brought to this situation. This was agreed and the clerks instructed.</i>	
h)	<i>Update on provision of Defibrillators at Laxey Football Club & on Laxey Promenade. The clerks advised that it was hoped to have both these facilities fully operational during December. The Commissioners had purchased a defibrillator already, but a local organisation had come and asked to sponsor the unit. A full announcement on this matter would be made in due course. This was noted.</i>	
133/18	General correspondence – <i>It was noted that around forty written communications had been sent to the Commissioners in regard to the Sea Defence proposal. These had all been circulated to Members and had informed their considerations of the matter. These would form the core of the submission to DoI indicating the level of public support or opposition to the proposals. This would be submitted in due course for the Department to assess whether it takes its proposals forwards. It was noted that upwards of 90% of this correspondence indicated opposition to the new wall. It was also noted that the DOI had stated that it would not progress the development if there was opposition from the public.</i>	
134/18	Committee Reports	
a)	<i>IOM Municipal Association: TK reported back on the November meeting of the organisation. MHK Tim Baker had attended the meeting and had outlined his various responsibilities in Government on the Planning Committee et. He had also discussed the various challenges facing government including the proposed change at IOM Post, and the consequences of the recent 'Knotfield' Enquiry.</i>	
b)	<i>L&LHT: TK reported that the Trust Committee could assist with having the bus stop on Mines Road moved to a more prominent position. PB to contact Bus Vannin.</i>	
c)	<i>NLASPB: JQ advised that the Swimming Pool Board had elected a new vice-chair. There was also a new tenant in the café.</i>	
d)	<i>JM reported that the Cooil Roi Christmas Party would take place on the 17th of December.</i>	
135/18	Officers Reports - ntr	
a)	Health and Safety – No matters to report.	
b)	Works and Amenities - ntr	
136/18	Staffing Matters – ntr	
137/18	Chairman's Report – ND advised Members that nominations for the vacant Lonan seat were due in by 5.00 pm on Thursday 6th December. He would be in attendance at the office at that time in his role as Returning Officer.	
138/18	Any Other Business -	
a)	<i>To discuss the Glen Road Recreation Area survey findings (circulated 03.12.18). MR had circulated a report indicating that the raw data from the survey had indicated that the most popular choices amongst those who had submitted a response had been skateboard facilities, tennis and football facilities. TK proposed that plans be drawn up to provide new skatepark facilities, to enhance the current MUGA and the tennis court. JP felt that this proposal was premature and requested more time to analyse the results of the survey. This was agreed. JP also asked if the survey results could be published. This was agreed. It was also agreed that the Glen Road sub-committee would meet in the New Year.</i>	
b)	<i>Update from ND in regard to a request from students at Laxey School for the Commissioners assistance with their projects to improve the environment in Laxey at the Glen Gardens and at various retail outlets in the village. ND advised that the Commissioners would be working with the children of the school on several community projects. The children had designed stickers and signage for these projects. The Commissioners were to arrange to have these produced by Signrite.</i>	
c)	<i>Update from ND on arrangements for the transfer of responsibility for the Lonan Burial Ground from the Lonan Burial Authority to the Commissioners.</i>	

	ND reported that a meeting had taken place with the Archdeacon. Mrs Caine was assisting with legislative arrangements, and a process of due diligence was underway. ND anticipated that subject to all these matters a transfer of responsibilities could take place in April 2020.	
d)	Update from ND on the transfer of ownership of the Dhoon Church Field from the Church Authorities to the Commissioners. ND advised that agreement in principle had been reached for the Dhoon Field to be transferred to the Commissioners. MR reported that a planning application needed to be submitted to establish a new vehicular entrance, to confirm the principle of leisure/recreation use at the site. It was agreed that the architect should be instructed to draw up the appropriate plans.	
e)	JP proposed that a tree be planted at the Dhoon Arboretum as a memorial to Bobby Moughtin. This was agreed. JQ asked if the Manx name for an arboretum be established and used to refer to the Arboretum. This was agreed.	
f)	JP asked about the drainage problems that had affected Laxey Football Club. PB advised that a problem with drainage at the school had been identified as the possible source. This was being investigated by the Department of Education, Sport and Culture.	
	Engagements/Diary Dates – the following events were noted.	
a)	<ul style="list-style-type: none"> • Laxey torchlight procession & lifeboat service, 11th December 2018, 6.30 pm. • Tynwald Carol Service, St Johns, Thursday 13th December 2018 1.10 pm. • Presentation on the Equality Act by Dawn Kinnish at the Commissioners’ meeting on 19.12.18. • Sir William Hillary Commemorative Service, St George’s Church, Douglas, 13.01.19. 	
139/18	Private Session	
a)	To discuss staff terms and conditions. It was agreed to arrange a meeting of the employment sub-committee in the New Year. No further action or instruction given.	
b)	The Board considered tenders in regard to two maintenance projects. <ul style="list-style-type: none"> <i>i. It was Resolved to accept one of four quotations for new windows at the Henry Bloom Noble Shelter.</i> <i>ii. It was Resolved to accept one of two quotations for a new secondary sliding door at the Promenade Kiosk.</i> <p><i>Clerks to arrange these matters.</i></p>	
c)	Update on tenders received for a replacement footbridge in the Valley Gardens. Tenders had been received from four companies. These were considered. It was agreed that the clerks should arrange to engage a quantity surveyor to prepare an independent estimate of the cost of the bridge.	
	Meeting Closed 10.10 pm	
	Date of next meeting: 19 th December 2018	