

GARFF PARISH DISTRICT COMMISSIONERS

Minutes of the Monthly Meeting

Wednesday 9th January 2019 7.00 pm

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

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

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.
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7.00 pm

1/19 Planning Applications – Officer’s Report Circulated (04.01.19)

a) 18/01337/B Rowany, Baldrine Road, Installation of bi-fold doors to rear elevation and construction of timber patio.

There were no objections to these proposals.

b) 18/01320/D White House, 11 New Road, Laxey, Installation of illuminated and non-illuminated signage.

There were no objections to these proposals.

c) 18/01319/B White House, 11 New Road, Laxey, Alterations and renovation of property including repositioning of entrance door.

There were no objections to these proposals.

d) 18/01343/B Close Coar, Ballagawne Road, Baldrine, Erection of a detached Storage Building.
The clerks were instructed to request that the Applicant submits information in regard to the proposed use of the store prior to any decision being made on this application.

e) 18/01341/B Homecroft, Hibernia, Widening of existing vehicular access.

There were no objections to these proposals.

Planning Approvals

f) 18/01205/B Thie y Chleree, Maughold Village, Creation of a swimming pool – Approved 24.12.18.

This approval was noted. No further instruction given.

g) 18/00826/B Barnston Cottage, Glen Road, Laxey, Replacement composite door and pvc side panel to front elevation – Approved 21.12.18.

This approval was noted. No further instruction given.

h) 18/01188/B 17 Reayrt ny Glionney Drive, Lonan, Widening of driveway – Approved 21.12.18.

This approval was noted. No further instruction given.

Planning Refusals - ntr

Other Planning Matters

i) **Appeal Notification:** 18/01150/B, Ard Aalin, Pinfold Hill, Laxey, Appeal against the refusal of alterations and erection of a first floor extension to dwelling.

This matter was noted. No further instructions were given to the clerks.

j) **Breach of Planning Control –** Field entrance, Field 624380, Jacks Lane, Port-e-Vullen. Notification that the Enforcement Request submitted by the Commissioners has been resolved in the approval decision on the retrospective planning application 18/00432/B.

This matters was noted. No further instruction given.

2/19 Approval of Minutes

a) Approval of minutes of the meeting of the 19th of December 2018.

TK proposed that the minutes of the 19.12.18 were to be accepted as a correct record of the decisions made at the meeting. **Seconded, JQ. Unanimously Resolved.**

3/19	Matters Arising & Other Business	
	<p>ND referred to the discussion that took place at item 142.18.D. of the meeting held on the 19th of December 2018. ND issued an apology for the tone and language of a statement he had made when he had requested that a Member cease speaking during the discussion. He added, however, that, under the terms of Standing Orders (20.16 & 24.1), he could offer no apology for requiring the Member to cease speaking.</p>	
a)	<p>To consider approval and adoption of revised Standing Orders dated 01.11.18 (Amended version circulated 02.01.19).</p> <p><i>MR summarised the amendments made in the draft document that had been circulated. ND proposed an amendment to Standing Order 4.2 which set out the time period for the submission of nominations for the office of chair. He proposed that an additional clause be added that stated: "This clause does not apply during an election year". This was seconded by JS and Resolved.</i></p> <p><i>There followed discussion of Draft Standing Order 29.2 in regard to circumstances in which a Member with a personal interest may be permitted to remain in the meeting. It was noted that this required approval by majority of the Board, and that the facility did not extend to cases in which the Member had, or was perceived to have, a pecuniary interest.</i></p> <p><i>MR outlined that during 2018 he had researched Standing Orders in other local authorities on Isle of Man, in the UK and in Ireland. This had indicated that some local authorities did have procedures for permitting a Member with a declared personal interest to remain in a discussion, particularly if they had particular experience or knowledge of the matter under discussion. MF stated that she had concerns with the adoption of this clause and added that personal interest must not be permitted, or be perceived, to influence the Board's discussions or decisions. She felt that a Member has declared an interest then the Member must leave the room. TK felt that there were circumstances in which a Member with non-pecuniary interests could be allowed to remain. JQ advised that in his opinion a facility enabling a Member to remain should only be employed in extraordinary circumstances, and only when the Member could provide clear factual knowledge or Information to the discussion that could not be sought elsewhere. ND proposed that Draft Standing Order 29.2 be amended to indicate that when a decision was taken to remain, it would only permit the Member to attend for the discussion; once the discussion had ceased the Member should leave the room whilst a vote on any motion took place. The amendment was dictated by the Chairman as below:</i></p> <p style="padding-left: 40px;"><i>29.2 A ruling permitting the member to remain for the duration of the discussion of the matter under consideration is made by the Chairman and is supported by the majority of Board Members. The Member must then leave the room prior to any vote taking place on the matter.</i></p> <p><i>This amendment was seconded by JQ and Resolved.</i></p> <p><i>Clerks were asked to provide further advice in regard to how the Standing Order 29.2 could be implemented in due course.</i></p> <p><i>JQ proposed that the Draft Standing Orders (Dated 01.01.19) be accepted with the agreed amendments to S.O. 4.2 & 29.2 as previously resolved. This was seconded by JS and unanimously Resolved.</i></p>	clerks
b)	<p>To confirm YE 2020 Budget.</p> <p>MR advised that an incorrect phrase had been inserted into the title of this item. This was noted and amended. PB advised that documents had been circulated. These were discussed. The estimates included rises in the charges for tipping at the EfW (5.7%), at the two CA sites (11%), for NI contributions (3.7%). The budget estimate as circulated included additional planned expenditure for IT equipment, a new maintenance vehicle, and building maintenance on the</p>	

promenade. The budget estimate proposed a rise in the rate of 3% in the overall rate, with a rise of 5.7% in the separate refuse rate.

The rates set in the budget estimate prepared for YE 2020 were as follows:

Rate	Laxey	Lonan	Maughold
2019/2020 (p/£)	147	112	126
Fixed Refuse Charge	Laxey	Lonan	Maughold
2019/2020 (£)	157	151	136

***ND** proposed that the budget be set as outlined in the budget estimate that had been circulated and discussed; this being an overall rise of 3% in the rate with a rise of 5.7% on the refuse charge. This was seconded by **MF** and unanimously **Resolved**.*

*It was noted that this was the first rate rise in three years, and that the estimates had been drafted in conjunction with the Authority's accountant. **ND** thanked the officers for their management of finances during a time when charges were rising and new services and facilities were being delivered.*

***MF** felt that it might be time for a re-assessment of the separate refuse charge. There followed discussion of the various options, and on the need for re-evaluation of property rates. **MF** proposed that the office undertake a report into the Refuse Charge to be submitted during October 2019. This was seconded by **ND** and **Resolved**.*

clerks

- c)** *To discuss the submission of correspondence received in regard to the Department of Infrastructure's scheme for sea defences at Laxey Promenade and Harbour. A discussion took place in regard to this matter. **JS** proposed that this action be taken as soon as possible. There was no seconder to this motion. **TK** proposed that the correspondence be submitted in early February. This motion attracted no seconder. **JQ** proposed that the correspondence be submitted in 7 days on the 16th of January 2019. This was seconded by **MF** and resolved with 4 Members for, 1 against and 1 abstention.*

clerks

4/19 General correspondence

- a)** Tenant of the Henry Bloom Noble Shelter – Regarding the Laxey Promenade Beach Huts and expressing concerns in regard to a perceived conflict of interest of a Board Member.

*The letter from the tenant had been circulated and subsequently a further letter had been received from **JP** stating that she did not have an interest in the matter.*

*A third correspondence (email 08.01.19) had also been received which requested information on who had appointed **JP** to produce the report she had circulated.*

*It was noted that the discussion on the 19th of December 2018 had dealt with a proposal for the beach huts to be refurbished with a view to individual rental by Members of the public. **ND** felt that in discussing the beach huts for rental to members of the public he did not consider that **JP** was required to declare an interest in the matter. At the meeting on the 19th December 2018 a reference had been made by **PK** to the possibility of a commercial lease being undertaken, but this section of the discussion had not progressed further.*

***ND** noted that the letter from the tenant stated that **JP** was taking a 'lead role' in the discussions which they felt was inappropriate. There followed discussion of the report that **JP** had produced.*

***ND** advised that the Board had not directed **JP** to submit a report. **MF** advised that **JP** had offered to do some research at an informal meeting that took place at the Beach Huts in late November 2018 prior to a meeting of the Cooil Roi sub-committee.*

***ND** stated, however, that the level of **JPs** interest would be assessed if a discussion of commercial options were to take place as part of considerations of the options for the beach*

	<p><i>huts. He added that in these circumstances it would be likely that JP would be deemed and perceived to have a pecuniary interest.</i></p> <p><i>ND proposed that the issue of the beach huts be put onto the next agenda for further discussion. This was agreed.</i></p>	clerks
b)	<p>Resident – Requesting information in regard to the Chairman and associated questions. <i>A list of thirteen questions had been submitted by a Member of the public. As several of these were in reference to ND, he declared an interest and left the room. MF took the chair. These had been circulated along with answers to each question which had been drafted for approval. All the questions and responses were read by MF. The response to Question 13 was amended to include comment that there were many ongoing projects being undertaken in Garff. All 13 responses were unanimously approved without any further amendment. The clerks were instructed to forward the response to the resident.</i></p>	clerks
c)	<p>Laxey School & Laxey Football Club – Request for assistance with provision of litter bins on the walkway to the school.</p> <p><i>The clerks were instructed to arrange a meeting with representatives from the school and football club to determine locations for litter bins along the wooden walkway.</i></p>	clerks
d)	<p>Sean McLachlan – Thanking the Commissioners’ for their logistical support for the English Fell Running Championships he had organised last year & thanking the Commissioners for the ‘Share the Space’ road safety campaign that ran in conjunction with the ‘Kate’s Space’ campaign and the Garff schools.</p> <p><i>This correspondence was noted.</i></p>	
5/19	Committee Reports	
	NNPT – ntr	
	Municipal Association – ntr	
	Laxey & Lonan Heritage Trust – ntr	
	Garff Regeneration Committee – ntr	
	Eastern Civic Amenity Site Joint Committee - ntr	
	Northern Civic Amenity Site – ntr	
	Northern Swimming Pool Board - ntr	
	Northern Area Housing steering group - ntr	
	Northern Sheltered Housing Committee – <i>MF advised that she would be attending a ‘deaf awareness’ training session organised by the Committee on 10.01.19.</i>	
	Eastern Area Housing steering group - ntr	
	Waste Management Steering/Working Groups - ntr	
	Glen Road Recreation Area Sub-Committee (<i>ND, PK, TK, JP</i>). – <i>Date of next meeting Wednesday 16th January, 2.00 pm.</i>	
	Employment Sub-Committee – <i>Date of next meeting TBA.</i>	
6/19	Officers Reports	
a)	<p>Health and Safety Report Circulated (04.01.19) - to nominate a Commissioner to attend the quarterly meeting with retained H&S consultant. MR, PB & JM to attend. Date to be confirmed.</p> <p><i>It was agreed that ND would attend. Proposed MF. Seconded, JQ. Resolved.</i></p>	
b)	<p>Works and Amenities – Report Circulated (04.01.19).</p> <p><i>MR advised that BB Consulting had provided a quotation for acting as project manager and planning supervisor for the Valley Gardens Footbridge Project. This would ensure that all H&S and diligence matters would be professionally addressed. ND proposed that BB Consulting be engaged to conduct these matters. Seconded, JQ. Resolved unanimously. Clerks to notify the consultants.</i></p>	clerks

c)	<p>Cooil Roi – JM circulated information on "The First Point Community Portal" Scheme which was designed to provide an additional system to assist in safeguarding vulnerable people in the community. This was a scheme She advised that if the Commissioners signed up to the scheme she would have access to the portal along with other partners in the charity and emergency services including the police and Emergency Services Joint Control Room. The benefit of the scheme was that it would provide critical information on vulnerable people who the various agencies came across. This would assist in dealing quickly, sensitively, and effectively with any difficulties they were experiencing. JM advised that permission for entry onto the system had to be given by the person, or those with power of attorney for their affairs. JM envisioned that the Commissioners would have a 'supportive role' to the scheme which would be generally limited to assisting with the identification of persons who would benefit from being on the scheme. JS proposed that the Commissioners become a partner in the scheme. This was seconded by TK and unanimously Resolved. Date of next meeting 7th of February 2019.</p>	JM
7/19	Staffing Matters – ntr	
8/19	<p>Chairman's Report – ND confirmed that in accordance with the legislation he would be acting as Returning Officer for the forthcoming by-election. He also advised that along with MR he had attended a meeting with the Archdeacon and other Church Members at the Dhoon Field. MF declared an interest as she was a Member of the Dhoon Church PCC and left the meeting for the duration of the discussion. ND reported that it had been agreed that the Commissioners could undertake surveys on the site and prepare a planning application for a new vehicular entrance to the field to include indicative play equipment. The Church had agreed in principle to transfer ownership of the field to the Commissioners for the purposes of maintaining the area for community leisure purposes.</p>	
9/19	Any Other Business -	
a)	<p>Proposal from DoI for Double Yellow Lines outside their depot on Glen Road (map circulated) These proposals were noted. No further instruction given. Proposals from DoI for Double Yellow Lines outside the current Laxey Co-Op entrance. These were also noted. No further instruction given</p>	
b)	<p>Treasury – correspondence regarding renegotiation of the loan Facility Agreement for Local Authorities with HSBC (document circulated). This correspondence was noted.</p>	
c)	<p>To discuss use of the title 'Garff Commissioners' in the branding of the social media sites published by other un-associated parties. It was noted that a social media site was using the title 'Garff Commissioners' in its branding. Office staff reported that Members of the public had been contacting them under the impression that this was an official site run by the Commissioners. Clearly confusion was being caused by the perception being created. It was also noted that there were posts on the site announcing that the administrator was intending to stand in the forthcoming Lonan By-Election. The consequences of the use of a Local Authority title at the time of an election was also discussed. MF proposed that the Commissioners' Advocate be contacted for initial advice on the use of the Commissioners' name in this context. This was seconded by TK. ND abstained and did not vote on this matter. A vote took place with 5 Members voting for the motion.</p>	clerks
d)	<p>PK asked if road safety at several minor junctions on Ramsey Road be raised at the next NTMLG meeting. This was agreed.</p>	clerks
e)	<p>MF asked about Maughold Arboretum. MR advised that several dead trees would be replaced by the arborist in the spring. MF also asked if the bench dedicated to Robert Moughtin could also be installed in the spring.</p>	clerks
f)	<p>ND advised that the Commissioners had written to Mr Stewart Clague congratulating him on the award of an MBE in the Queen's New Year Honours list 2019. Members agreed that this</p>	

	<i>was a much deserved accolade that acknowledged the outstanding, long term contribution Mr Clague had made to our community.</i>	
g)	<i>PK</i> asked if the Promenade could be cleared of storm debris. The clerks were instructed to arrange for the road sweeper to clean the road as soon as possible.	clerks
	Engagements/Diary Dates	
a)	Sir William Hillary Commemorative Service, St George's Church, Douglas, 3.00 pm, 13.01.19. <i>This matter was noted.</i>	
10/19	Private Session – no matters discussed in private.	
	The meeting closed at 9.31 pm. Date of next meeting: 23 rd January 2019	