

GARFF PARISH DISTRICT COMMISSIONERS

Mid-Meeting at Commissioners' Offices, 35 New Road, Laxey

Minutes of the Meeting

Wednesday 18th December 2019, 7.00 pm

Present: Mr J. Smith (JS) (Chair), Mrs J. Pinson (Vice-Chair) (JP), Mr N. Dobson (ND), Mrs M. Fargher (MF), Mr T. Kenyon (TK), Mr P. Kinnish (PK), Mr L. Miller (LM), Mr A. J. Moore (AM), Mr. J. Quayle (JQ).
In Attendance: Mr P. Burgess, Clerk, Mr M. Royle, Deputy Clerk/RFO.
Apologies: All Present

7.00 pm **Public Session – Meeting opened by JS, 7.01 pm.** 4 Members of the public present.

234/19 Planning Matters

Planning Applications

- a) 19/01348/B Conversion of barns to create two residential dwellings with additional use as tourist accommodation Ballaglass Farm Buildings, Corony, Maughold.
It was noted that the proposals were broadly in-line with the criteria set in Housing Policy 11. There were no objections to this application.
- b) 19/01356/B Glen Mona Hotel, Erection of extension to north elevation to provide entrance lobby and toilet. *It was agreed that there would be little visual impact from the extension. It was noted that the proposals would provide modern facilities, including disabled. There were no objections to this application.*
- c) 19/01361/B 11 Dumbells Terrace, Laxey, removal of a rear chimney stack.
There were no objections to these proposals.
- d) 19/01371/B Brandon, Chapel Lane, Baldrine, Installation of air source heat pump.
There were no objections to this application.

Approval Notices (DEFA Planning Committee) -

- e) 19/01149/B Garth Cottage Ballaragh Road, Alterations, erection of lower ground floor extension with terrace above and erection of a ground floor extension, Garth Cottage, Ballaragh Road.
This approval was noted. No further instruction.
- f) 19/01011/B Rhenab Cottage, Rhenab Road, Cornaa,, Maughold, Carnane Estate Ltd, Erection of replacement dwelling with associated landscaping and parking.
This approval, including the conditions that had been requested by the Commissioners, was noted. No further instruction.

Refusal Notices (DEFA Planning Committee) - ntr

Appeal Notices (DEFA Planning Committee)

- g) 18/00802/B Field 622432 (formerly 2432) Adjacent to Dhoon Loop Road, Dhoon, Ramsey – Erection of agricultural building REFUSED on appeal.
This decision was noted. No further instruction.
- h) Notification of Appeal against Refusal. 19/01034/B The Studio, 1 Church Close, Lonan IM4 7JY - Erection of detached garage.
It was agreed that the Commissioners should make a submission by the 24th of January 2020 as requested, and attend the Hearing when a date was announced.

Other Planning Matters - ntr

235/19 Approval of Minutes

- a) Approval of minutes of the meeting of the 4th December 2019.
These were agreed to be a correct record. Proposed, ND. Seconded, AJM. Resolved.

236/19 Matters Arising & Other Business

No additional matters raised at this stage.

a)	<p>Deferred from Meeting 04.12.19. Consultation on electoral legislation – Letter and documentation received from Richard Parslow, Head of Crown and Elections team, Cabinet Office. Discussion required in order to give any feedback on aspects of the two Bills prior to the 6th January 2020 deadline. (<i>Deferred to allow more time to study documents</i>).</p> <p><i>The documents had been circulated and noted by Members. The implications of the proposals were discussed. The clerks were instructed to submit a response containing the following observations.</i></p> <ol style="list-style-type: none"> MF referred to the electoral register and the purposes it would be used for in future. It was noted that it was proposed that an 'edited' version would no longer be made available to direct marketing organisations. She had discussed this with Mrs Helmsley from Cabinet Office and been advised that the full document would be available to government departments, the police, Treasury, candidates in elections, etc. MF felt that the public should be made aware that the full register was being shared across government. <i>It was agreed that a request that the public be made aware of how the document will be used should be made in the submission to the consultation.</i> ND expressed concern with the proposed 'tell us once' arrangement under which the current annual postal canvass would be terminated. Information from across government would be used to update the register and identify electors. It was noted that this proposal would require a change in legislation. ND warned that the adoption of these proposals could lead to an inaccurate register; a situation that had occurred previously and had undermined the democratic process. <i>It was agreed that the submission to the consultation should request that the annual postal canvass be retained.</i>
b)	<p>Dhoon Church PCC – The Church Authorities seek agreement on a range of covenants regarding the transfer of ownership of the Field beside the Dhoon Church Hall to the Commissioners. (<i>Explanatory documents circulated 11.12.19</i>).</p> <p>MF declared an interest in this matter due to her links to the PCC, and left the meeting at 7.15 pm. JS advised that a meeting had taken place with the PCC of Maughold and South Ramsey. They had proposed Terms of Agreement that would be attached to transfer of the field to the Commissioners. These being:</p> <p>Proposed Terms of Agreement</p> <ol style="list-style-type: none"> access to church, hall and adjacent properties in perpetuity along the new access road to be developed free use for the church and those using the church buildings of the car parking to be developed a covenant not to develop for housing without the permission of the PCC of Maughold and S. Ramsey (or its successor body in law) No sale of the land without the PCC's permission, and an overage on any sale within 21 years at a percentage which reflects any development and enhancement of value Garff2A undertake payable to the PCC of Maughold and S. Ramsey (or its successor body in law) The PCC will be consulted before any ancillary building is erected <p><i>A copy of these terms had been circulated to Members for consideration. These were agreed to be acceptable. Proposed, JS. Seconded, AJM. Resolved.</i> The clerks were instructed to inform the PCC. AJM asked if the clerks could obtain prices for the groundworks that would need to be undertaken to provide a new vehicular entrance. Clerks to arrange. MF re-joined the meeting.</p>
237/19	General correspondence -
a)	<p>Martyn Perkins letter regarding the Annex 1 MU programme for infrastructure (<i>document circulated 11.12.19</i>).</p> <p>JS referred to the comments made in Tynwald by Mrs Caine which demonstrated procedural irregularities in the document regarding the 2006 Bathing Water Directive that had been accepted. Mrs Caine had referred to the Clerk of Tynwald's Office and had been advised that the claim made in the document that an IRBC sewage treatment plant would be installed in Laxey was an assumption that was premature as a planning application had not been submitted or approved. Notwithstanding this the strategy set out in the document had been accepted by Tynwald and was now policy. The</p>

	<p>Commissioners had written to the DEFA Minister (the Department which had produced the strategy) and his response had indicated that the assertion in the Department's document would not prejudice his Department's consideration of the Cairns Site IRBC planning application when it was submitted and considered. Mr Perkins had submitted correspondence to the Commissioners which re-iterated the statement made by the Minister.</p> <p>These matters were noted. No further instruction.</p>
b)	<p>Garff Refuse Collection Annual Inflationary Review from Kinrade Bros Haulage Ltd (document circulated 11.12.19).</p> <p>The increase in heavy goods vehicle regulation had been cited as a reason for the requested increase in annual refuse collection charges of 4% for YE 2021. The current level of inflation was noted as was the fact that the collection charges had not increased in the past two years.</p> <p>AJM proposed that the 4% rise for YE 2021 be accepted. This was seconded by MF, and Resolved. PB advised Members that the three-year refuse collection contract was for three years, but pointed out that there was an option to extend the contract for two years with the agreement of both parties. A two-year extension was considered by the Board.</p> <p>JP proposed that the two-year extension option be actioned. This was seconded by ND and Resolved. The clerks were instructed to advise Kinrade Bros. Haulage accordingly in regard to both these matters.</p>
238/19	Committee Reports – By Exception
	<p>NCAS- JQ advised that the Northern CA Site was predicted to have a shortfall of £25,000 in the current financial year due to a range of factors particularly the drop in the return gained from recyclables, additional staffing costs, and machinery breakdowns. This would require an additional financial contribution from the Commissioners. JQ also advised that from the 1st of February 2020 the site would be closing for lunch at weekends between 12.00 and 13.00. These matters were noted.</p>
a)	<p>Confirm date for Glen Road Sub Committee Meeting -proposed 12.30 pm, Tuesday 21st January 2020. This date was noted and agreed by the sub-committee Members PK, ND, JP, & TK.</p>
239/19	Officers' Reports – Progress with petitions to Government Snaefell Wheel, Mines Rd Lighting.
	<p>MR advised that both petitions had now been advertised and were being considered by Treasury. It was anticipated that the Mines Road Street-Lighting Scheme funding would be confirmed by Treasury in mid-January 2020, and that the Snaefell Wheel transfer could be transacted by the advocates before the end of January 2020. Further announcements on progress were expected from the LGU in time for the Commissioners' Meeting on the 22nd of January 2020.</p>
	PK left the meeting at 7.35 pm
a)	<p>Finance – To consider estimates for YE 2021.</p> <p>The clerks reported on a range of factors that would affect the level at which the rate for YE 2021 would have to be set. These factors were outlined as follows:</p> <ul style="list-style-type: none"> • The rise in tipping charges at the EfW announced by government which would impact on refuse disposal costs and on the cost of running the two CA sites to which the Local Authority makes contributions (ECAS & NCAS). There would also be a 4% rise in the contractors charge for refuse collection across the Sheading. These charges result in an increase for refuse collection and disposal charges of £16,000 onto the estimates for YE 2021. • The recent acquisition of a new part-time Member of staff along with inflationary rises for current staff from April 2020 will result in an additional charge on the rates in the order of £10,000. Staffing numbers in the New Road office has risen from 2 to 2.4 to cope with the increasing workload being experienced as a result of service transfers from government and the work generated by a range of in-house projects that are being undertaken (LVG Toilet build, Glen Mona Recreational Field Acquisition, Glen Road Recreation Area upgrade, etc). It was also noted that government projects such as the Laxey/Garwick sewage treatment proposals had resulted in additional work for the office, as had the unfortunate flooding event in October 2019 which had necessitated significant human resource input. The latter matters were ongoing, but it was also possible that further work would be generated by the potential submission of plans for a harbour/sea wall in Laxey and the administration of an election, etc.

- *The presence of a local authority general election in April 2020 would mean that an additional £12,000 of costs would have to be included in the budgets.*
- *The effect of general inflationary rises across the full expenditure platform would also impact on the rate that would have to be set for YE 2021.*
- *The procurement of a new maintenance vehicle would also need to be budgeted for. This would place approximately £3,500 on the rate per annum for a five-year period, depending on how the vehicle were financed/leased.*

*There followed discussion of all these matters. Members also discussed the level of reserve maintained by the Authority. **ND** stated that 25% of rate income was the level of reserve that was generally assumed to be most prudent. The clerks advised that as Garff was a new local authority the level of reserve was currently below this figure being in the region of 11.5% of rate income (around £88,000). Additional monies were held in the Commissioners' accounts which had been 'ring-fenced' as part of the Garff amalgamation agreement for projects such as the Laxey Valley Garden Public Conveniences, a recreation field in Glen Mona, an information signage scheme, etc. Some of the 'ring-fenced' monies originally set aside had already been disbursed on the play areas in Lonan, the Glen Road car park refurbishment, and the Laxey Camp Site Shower block. **ND** advised that some of the upcoming 'ring-fenced' projects may be re-assessed and re-considered in time; in such instances the monies could be transferred into the reserve account. **JP** asked if the Commissioners should consider increasing the rate over a five-year period to build the reserve to the 25% figure. The clerks advised that, as **ND** had suggested, monies from projects that had come in under budget or had not been actioned could be transferred to the reserve account. In these circumstances it was not necessary at this time to recommend a significant increase in the rate to build a reserve; this was an option that could be considered in the future but was probably an action that would prove unnecessary in practice. **MR** advised that - although the apparent function of the reserve was to provide a contingency for unseen events - in practice its primary practical function was to ensure cash flow in the first few months of the financial year.*

The clerks reported that all the above factors led them to recommend a rate increase that would be in the region of 5%. In this way the budget would allow the additional costs outlined above (refuse, staffing, election, etc) to be met, and the level of reserve to be increased by around 10% to £100,000 (about 14% of rate income). It was noted that an average mid-range property would attract a rate increase of around £16.00 per annum if the rate were increased by 5%.

The Board instructed the clerks to prepare a budget in line with the recommendation that had been made for further consideration at the meeting taking place on January the 8th 2020.

240/19	Cooil Roi Report – ntr
241/19	H&S & Maintenance Report – A report indicating the recent quarterly H&S meeting & staff training that had been undertaken with the Commissioners' contracted H&S specialist was received and noted.
242/19	Any Other Business
a)	<p>To discuss a copy of a written answer from Dr Allinson to a supplementary Tynwald question put by Martyn Perkins MHK (10.12.19) in regard to the practicalities of pumping sewage from the Cairns Site at Laxey to meet the 'IRIS' system at Onchan (<i>circulated to Members 16.12.19</i>).</p> <p><i>Mr Perkins had forwarded a statement from Dr Allinson, the Chair of Manx Utilities, which set out reasons why the option to pump sewage from Laxey and Lonan into the Meary Veg system was not considered viable. Dr Allinson stated in his correspondence that the option to pump would necessitate the same built infrastructure as the preferred option minus the IRBC modules. The site would need a storm storage tank, a screening plant building, and a UV treatment building, etc. Four other pumping stations, each with an associated storage tank of 150/250 m², would be required at several sites including in the vicinity of the tram crossing on Old Laxey Hill, at the junction of the A2 and Clay Head Road, and along Groudle Glen Road. Dr Allinson advised that significant additional storage would also be required at a location in Douglas. He stated that each pumping station could present a 'residual risk' of problems with vibration, noise, and odour. He felt it was likely that there would be strong local opposition at each of the proposed pumping sites, and closed by stating that</i></p>

	<p>after the investigations the Authority had discounted the option because it was considered impractical and uneconomic.</p> <p>The correspondence was discussed and noted. ND agreed with Dr Allinson's suggestion that each of the pumping sites would attract local opposition. JS felt that the matters outlined by Dr Allinson should be in the public domain so that they could be considered and perhaps challenged by those opposed to the proposals for an IRBC plant on the Cairns Site. AM agreed stating that it was good to 'lay out' these matters for the public to have opportunity to consider the full implications of all of the options being discussed.</p> <p>The clerks advised that they had requested permission to make Dr Allinson's statement public and were instructed to publish the correspondence on-line if such permission were given.</p>																								
b)	<p>To discuss procurement, and inclusion in estimates for YE 2021, of a new maintenance vehicle (such as Nissan Leaf Nv200 Electric).</p> <p>The clerks reported that in line with an instruction given by the Board at a previous meeting they had been investigating the procurement of a vehicle to replace the current DHB pick up. The maintenance staff had advised that they would prefer a standard type van. Investigations had demonstrated that an electric vehicle would provide cost savings on an ongoing basis. It was noted that currently around £100.00 per month was spent on petrol, whilst the electricity charging costs were anticipated to be in the region of £35 per month. Road tax would also be an area where savings could be made. The clerks reported that currently the maintenance staff averaged 15 miles a day whilst the range of the electric vans was around 120 miles between charges. AJM proposed that an electric van be procured. This was seconded by MF and Resolved. The clerks were instructed to make investigations into the most appropriate vehicle and most favourable finance options.</p>																								
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c)	<p>To discuss campsite fees for YE 2021.</p> <p>PB outlined proposals to increase charges at the Laxey Camp Site as follows: proposal would be to increase as follows:</p> <table border="1"> <thead> <tr> <th></th> <th>Current</th> <th>Proposed</th> </tr> </thead> <tbody> <tr> <td>Adult</td> <td>£8.00 per night</td> <td>£9.00</td> </tr> <tr> <td>Child (5-16years)</td> <td>£3.00 per night</td> <td>£4.00</td> </tr> <tr> <td>Cars</td> <td>£2.00 per night</td> <td>£2.00</td> </tr> <tr> <td>Motor Bikes</td> <td>£1.00 per night</td> <td>£1.00</td> </tr> <tr> <td>Camper Van</td> <td>£2.00 per night</td> <td>£2.00</td> </tr> <tr> <td>Awning and Gazebos</td> <td>£3.00 per night</td> <td>£3.00</td> </tr> <tr> <td>Electric Hook-up</td> <td>£4.00 per night</td> <td>£5.00</td> </tr> </tbody> </table> <p>These had been circulated prior to the meeting. It was noted that there had been no increase in charges since 2015. PB advised that the prices at camps sites across the Island with a similar level of facilities had been investigated. The charges proposed above would bring Laxey Camp Site into line with these other sites. AJM proposed that the new charges should be accepted and levied for the 2020 season. This was seconded by ND and Resolved.</p> <p>JP asked if steps could be taken to market the camp site out of the motorcycle festival seasons. AJM suggested a Facebook ad campaign to attract visitors based on-island. JP asked if the camp site Facebook site could be kept updated. PB advised that the camp site provided a good return for the ratepayer but agreed that more could be done to improve footfall outside of TT/MGP. The clerks were instructed to organise a strategy to promote the camp site more effectively outside of these times.</p>		Current	Proposed	Adult	£8.00 per night	£9.00	Child (5-16years)	£3.00 per night	£4.00	Cars	£2.00 per night	£2.00	Motor Bikes	£1.00 per night	£1.00	Camper Van	£2.00 per night	£2.00	Awning and Gazebos	£3.00 per night	£3.00	Electric Hook-up	£4.00 per night	£5.00
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d)	<p>To discuss meeting with Garff MHKs 6.00 pm, 8th January 2020, 35 New Road, prior to Commissioners' Meeting – agenda items to the Clerks' office by 23rd of December.</p> <p>This meeting was noted. The meeting would be in private session. It was agreed that it would be more appropriate to hold these quarterly meetings prior to the mid-monthly meeting.</p>																								
e)	<p>Confirmation of date of election (23rd April 2019) and issue of proposed timetable.</p> <p>This was noted. JQ asked if the office could run a check to ensure that current Members were on the register.</p>																								

f)	<p>MF asked if the public could be reminded of the need to submit comment to the Flooding Inquiry which had called for submissions by the 6th of January 2020. The public needed to make a submission by that date in one of the following ways:</p> <ul style="list-style-type: none"> • using an online form (google 'Laxey Independent Flood Review gov.im) • by emailing laxey.independentfloodreview@arup.com • or by writing to: Arup Laxey Flood Review Team, 78 East Street, Leeds LS9 8EE, United Kingdom. <p>Further details available on the Commissioners web site and Facebook page.</p>
g)	<p>LM asked if the Double Yellow Lines could be re-instated at the junction of Lower Rencell and the A2. The clerks reported that this and other DYL re-instatements had been requested on numerous occasions over several years. They advised that alternative means to address the situation at the junction were being planned for early in the New Year as actions of last resort. An update would be given in due course.</p>
h)	<p>JQ alerted Members to the recently submitted planning application to paint stones on North Barrule that had been placed into a triskelion arrangement. He had notified the office earlier that week. It had been established that the structure was just within Lezayre. The clerks had written to planners requesting Interested Party Status and also requesting that the Planning Committee postpone a decision on the application until after the next Lezayre Commissioners meeting on the 9th of January 2020. At a previous meeting the consensus had been against the proposal to paint the stones. This was noted.</p>
i)	<p>PK referred to Laxey Beach and expressed concern about the number of large stones and boulders currently on it, particularly around the new steps at the harbour end. PK asked if Members could visit the beach to see the stones and the difficulties they were causing. There followed discussion of whether there had been less sea 'overtopping' since the construction of the new steps. JP stated that she had observed that the sea was not overtopping at the steps anymore. AJM stated that he had been down during a recent storm and he had observed heavy overtopping at this point. PB advised that the level of overtopping was influenced by several factors, particularly height of tide and wind direction both of which would alter the volume and severity of encroachment onto the promenade at different times.</p>
j)	<p>PK asked if the very poor condition of the Agneash road had been reported to DoI. The clerks reported that several reports had been submitted since the 1st of October, adding that DoI had indicated they would investigate the problem. The condition of the surface and drainage on Agneash road had been the subject of expressions of concern to DoI on frequent occasions for at least several years.</p>
k)	<p>JP asked if checks could be made over the festive period on the temporary wall defences set up by DoI on Glen Road. The clerks advised that this was the responsibility of DoI, but stated that if possible they would ensure that the defences were monitored at times when the Met Office issued heavy rain warnings. The clerks would also post emergency numbers on the Commissioners' web and Facebook sites.</p>
l)	<p>ND reported that the Onchan Rotary Club Laxey Flood Fund had now closed. 35 payments had been made and in excess of £29,000 had been disbursed. The clerks were instructed to write to the Club thanking them for organising and administering the fund.</p>
m)	<p>JS wished Members a happy Christmas and a Happy New Year and thanked them for the support they had given him in his role as Chairman. JS thanked the Commissioners' staff for their work during the year, particularly the maintenance staff, all staff at Cool Roi, the camp site Manager, and the staff in the 35 New Road office.</p>
243/19	<p>Matters in Private</p>
a)	<p>Correspondence from Douglas Borough Council in respect of LGPS funding position and Employer contribution levels for 2020/21. Financial information from DBC re. the Local Authority pension scheme was noted by Members.</p>
	<p>Meeting Closed 9.37 pm Date of next meeting: 8th January 2020</p>