

GARFF PARISH DISTRICT COMMISSIONERS

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

Minutes of the Meeting

Wednesday 20th November 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 (AJM), Mr. J. Quayle (JQ).

In Attendance: P. Burgess, Clerk, M. Royle, RFO, Julie Mattin (JM), Housing Manager.

Apologies: All Members Present

7.00 pm **Public Session**

7.00 pm Training Seminar – *GDPR training for Members delivered by JM.*
A training seminar was delivered to Members by JM. This covered the responsibilities of elected members in regard to the kinds of data they hold, how it is held, and how it is processed. JM circulated information in this regard and discussed the requirements of GDPR legislation to which Members must attend. JM also issued advice in regard to registration with the Data Commission. Members were asked to consult JM directly for specific advice on this, and to any matter in regard to GDPR. The clerks were instructed to circulate the presentation documents.
The seminar concluded at 7.29 pm. Members thanked JM for a very effective and useful presentation which had brought clarification to these matters.

clerks

7.30 pm

Attendance of Mr Colin Mills to speak to the Commissioners in regard to PA 19/00243/B Demolition of existing dwelling and erection of three dwellings with associated works and access. **JS** welcomed Mr Mills to the meeting. Mr Mills identified himself as the owner of the site Cranleigh Ville, the subject of PA 19/00243/B. He advised that he was disappointed to note the objection to the proposals by the Commissioners. Mr Mills advised that he had purchased the site in the knowledge that it had flooded in the past, adding that he "fully expected the site to flood in the future", however, he had taken account of these matters in the proposals he had put forward. Mr Mills stated that the Cranleigh Ville site had not been subject to flooding on the 1st of October. There followed discussion of how the properties Cranleigh Ville and Rosedene had flooded in the past. Mr Mills explained his proposals for three dwellings. The property at the front would be raised and rafted to a height that was 600mm above the 1 in 100 year flood level. There followed a discussion of the frequency of flood events in the vicinity. Mr Mills asserted that his plan did "take into account a lot of the risks involved", adding that he could not see the 'critical flaws' that the planning submission by the Commissioners had asserted were in the flood modelling produced by Manx Utilities. Members advised Mr Mills that they had studied the flood risk assessments which he had commissioned from JBA consultants as part of his application. Mr Mills stated that his proposals had been designed in line with Manx Utilities flood modelling projections. He asked Members to reconsider the reasons for their objections. **JP** expressed concern that there were two additional structures on the site which she suggested would increase the risk of flooding in the vicinity. Mr Mills stated that the properties were designed using grills which allowed water to flow and collect under them, and that this would reduce the risk of flooding at adjacent properties as his site would act as a 'pond'. Mr Mills stated that it was not his intention to "sell any of the houses", rather it was his intention to "own all three". **TK** asked if Mr Mills had approached the neighbours. Mr Mills said that he had discussed the proposals with his immediate neighbour; he had even agreed to the building of a flood wall to protect their property, adding that he felt that they had not understood the concept of his proposals for the site.

The discussion closed at 7.59 pm.

8.00 pm	<p>Attendance of Mrs Mary Palmer to brief the Commissioners on the retail strategy being adopted by IOM Post following approval at October Tynwald.</p> <p>Mrs Palmer thanked Members for inviting her to speak to the Board in regard to the 'Retail Strategy' for the Post Office which had recently been approved by Tynwald. Mrs Palmer advised that the strategy could have significant consequences on the operation and viability of all sub-post-offices, particularly Laxey. Members discussed the negative consequences of the partial or total loss of post office counter services in Laxey for the community. Mrs Palmer explained the concept of 'Service Access Points' which were an offering in the Bill. These could be any type of facility, including a 'vending' type machine, an occasional 'pop-up' (such as now provided for banking access by IOM Bank for a few hours a week in Laxey), or a PO counter integrated into an existing business, etc. The particular concern was the withdrawal of vehicle licensing to the on-line platform, and the withdrawal of Mi Card facilities which would reduce post office counter income to unsustainable levels. Members expressed further concern that the strategy was a direct threat to community services such as:</p> <ul style="list-style-type: none"> • Cash payment of pensions and benefits on a weekly basis; • The direct issue of vehicle licences; • Banking facilities; • Cash handling and transmission services for government agencies and general bill paying, etc; • Foreign Currency exchange, etc. <p>Members discussed the role of Laxey Post Office as a community hub and resource for local people, particularly the vulnerable and less mobile. They also considered the knock-on effect on the vibrancy of the village if services were reduced, or a dedicated Post Office was replaced: one established local business had commented in the course of the discussions with DEE on 'Branding Laxey' that they would move to Douglas or Ramsey if the Post Office were closed or its services reduced. Members agreed that the Board should write to the Post Office Board expressing their concerns. JQ requested that the letter be an open one that could be circulated to the press. This was agreed. JS closed the discussion and thanked Mrs Palmer for attending. Mrs Palmer left the meeting at 8.36 pm.</p>	
8.00 pm	Planning Matters	
213/19	Planning Applications	
	<p>Members re-considered PA 19/00243/B Cranleigh Ville (see item above).</p> <p>AM proposed that the Commissioners withdraw their objection. This was seconded by ND, who added that the withdrawal of the objection would in no way indicate support for the proposals.</p> <p>JP felt that the residents had not been given as direct access to the Board as Mr Mills had just had. She stated that only one party had commented at the previous meeting, it was informal and they had not had time to prepare; it was not the same kind of opportunity. TK and PK agreed with this. PK suggested that all the immediate neighbours be invited to speak to the Board. There followed discussion of setting a precedent by inviting the public to speak on particular applications. At this point JS invited a member of the public to comment. The Member of the public stated that she was a neighbour and asked if she and other neighbours could have opportunity to be invited to speak to the Board. There followed discussion of how to proceed in these matters. AM pointed out that it was the Planning Authority who made the decision, adding that all parties would have opportunity to submit written comment and to speak to the Planning Committee prior to them making a decision. JQ stated that some Members the Board had a 'great distrust' of expert opinion, particularly in this case. He added that he felt that the Commissioners should trust expert opinion when it was presented to them. JS returned to the motion put by AM to withdraw the Commissioners' objection.</p> <p>A vote was taken. The outcome being that there were 4 votes in favour and 4 against. JP had signalled abstention on the grounds that she required further information before deciding the matter. In these circumstances, the Chair exercised his casting vote and voted against the motion</p>	

	<i>in accordance with the principle that the casting vote should take note of the 'status quo' prior to the debate. Therefore the motion did not carry. JQ proposed that the residents be allowed to address the Commissioners on this matter. This was seconded by PK. A vote took place ND signalled that he was abstaining. There were 7 votes for the motion and one against. The motion carried.</i>	
a)	19/01179/B Orrys Cliff, Ballaragh Road, Laxey IM4 7PE. Alterations and erection of extensions. <i>MR advised that on the site visit it had been noted that the extension to the south-eastern aspect came to the immediate limit of the property boundary. Matters in regard to location of footings, overhang of the roof/guttering, etc needed to be clarified by the applicant. The clerks were instructed to advise the Planning Authority that the Board could not recommend approval until these matters were reconciled.</i>	
b)	19/01183/B The Haven, Agneash, Laxey IM4 7NS. Erection of extension to rear elevation. <i>There were no objections to these proposals.</i>	
c)	19/01181/B Folieu Lewaigue, Maughold, IM7 1BN. Erection of garage extension at lower ground floor level. <i>There were no objections to these proposals.</i>	
d)	19/01207/B Woodcroft, New Road, Laxey, Creation of parking area within part of front garden and associated works. <i>The change to the visual amenity of the two properties was considered, but not felt to be an issue that would cause objection. They noted that Highways were the most appropriate authority to comment on the merits of this application. No further instruction given.</i>	
221/19.a	19/01239/B Sandhurst Cottage, Minorca Hill, Laxey IM4 7DX. Erection of garden room extension to side elevation and a storm porch extension to front elevation. <i>JP referred to the recent floods and the effects on Minorca Hill and Glen Road. It was agreed that the Commissioners should request that the Flood Risk Manager closely assess whether this development would affect any watercourses or flows of water in the area prior to a decision being made by the Planning Authority.</i>	
221/19.b	Planning Application: 19/01232/B Minorca Chapel, Minorca Hill, Laxey IM4 7DP. Alterations, erection of garden room with balcony deck area above. <i>There were no objections to these proposals.</i>	
	Approval Notices (DEFA Planning Committee) -	
e)	19/01079/B Field 614477/614482 Ballagare Farm, Baldhoon Road, Erection of agricultural storage shed – Approved 18.11.19. <i>This approval was noted by Members.</i>	
f)	19/01125/B Mariners House, Back Shore Road, Laxey, Installation of new front door and additional use as tourist accommodation – Approved 18.11.19. <i>This approval was noted by Members.</i>	
g)	19/01110/B The Cliffs, Fairy Cottage, Erection of extension to rear elevation – Approved 18.11.19. <i>This approval was noted by Members.</i>	
	Refusal Notices (DEFA Planning Committee)	
h)	19/01034/B The Studio, 1 Church Close, Lonan, Erection of a detached garage – Refused 18.11.19. <i>This refusal was noted by Members.</i>	
i)	Appeal Notices (DEFA Planning Committee)	
j)	19/01039/B appeal against the refusal of erection of dwelling, to include swimming pool, roof terrace and associated works, Proposed dwelling at Barroose Farm, Barroose House, Barroose Road, Baldrine. <i>This was noted. The clerks were instructed to submit comment to the Cabinet Office.</i>	clerks
i)	Misc. Planning Matters - ntr	
214/19	Approval of Minutes	
a)	Approval of minutes of the meeting of the 6 th November 2019.	

	These were agreed to be a correct record of the decisions made. Proposed, AM . Seconded, MF . Resolved.	
215/19	Matters Arising & Other Business	
a)	To discuss a preliminary consultation with the consultant appointed by government to undertake an Independent Review into the Laxey Flooding (<i>document circulated 15.11.19</i>). <i>PB advised that the company leading the Independent Inquiry into the flooding in Laxey on the 1st of October were holding a 'drop-in' session for residents at the Laxey WMI on Wednesday December the 11th 2019 between 5.00 and 8.00 pm. The Commissioners had also been invited to attend. The clerks were assisting with arrangements.</i> <i>There would also be a meeting for the Commissioners with Manx Utilities and the Department of Infrastructure on Thursday 28th of November 2019 at the Laxey WMI. This would give Manx Utilities opportunity to brief the Commissioners on the works being undertaken in Laxey Valley and Glen Road in response to the recent flooding event.</i>	
b)	Amendment Agreement to Facility Agreement between Treasury and HSBC Bank PLC - signing by members of the Board required. <i>This document was noted and duly signed.</i>	
c)	To discuss the necessity for an additional extra-budget contribution to NCAS (<i>documents circulated 15.11.19</i>). <i>This matter had been raised by JQ at the meeting on 06.11.19. The reasons for the additional contribution were noted, these being an increase in volumes through the facility as well as the need to replace several items of equipment on operational & H&S grounds. It was anticipated that the additional charge to the Garff Authority for YE 2020 would be in the region of £1,600. The clerks were instructed to advise NCAS accordingly.</i>	
d)	To discuss the 'Call for Sites' as requested as part of the forthcoming Northern Area Plan process (<i>generated by MF 14.11.19</i>). <i>MF asked Members to consider the need for housing for younger and older people in Maughold with a view to recommending land that could be zoned for development to meet the needs. Members were asked to consider whether land should be zoned for affordable housing or for sheltered housing. It was agreed to include the current 'Call for Sites' as an agenda item at the mid-monthly meeting in January 2020.</i>	
e)	Isle of Man Local Government Pension Scheme Discretionary Polices – Email from Douglas Borough Council stating that there is a requirement under the regulations to determine policies concerning the criteria that will be considered when making a decision about the use of employing authority discretions. Recommendation that Garff Commissioners adopt Douglas Borough Council's polices. <i>The recommendation to accept the policies of Douglas Borough Council's policies in regard to the Commissioners' pension scheme was accepted by the Employment Sub-Committee and unanimously Resolved by the Board. Clerks to notify the scheme administrators.</i>	
f)	To discuss re-establishment of a historic milestone in its original position on the Dhoon Loop Road. (<i>generated by MF 14.11.19</i>). <i>MF asked if the Board had an interest in requesting the return of an ancient milestone from private property to its original location on what is now known as the 'Dhoon Loop Road'. The consensus was that the milestone should be re-instated beside the highway. It was agreed that the Commissioners should write to the resident on whose land the milestone currently stood.</i>	clerks
216/19	General correspondence -	
a)	Daphne Caine MHK - Email request for quarterly meeting with Commissioners. <i>This was discussed and agreed to be an excellent proposal. It was felt that these could be arranged to coincide with the Commissioners' mid-monthly meetings. The clerks were instructed to write to Mrs Caine to arrange dates for the coming year.</i>	clerks
b)	To Discuss the invitation to the Commissioners to a meeting with the Best 4 Laxey Bay Group on the 3 rd of December 2019 at 7.00 pm Laxey Sailing Club.	

	<i>This request was considered. The general consensus being that it would be premature for the Board to attend a meeting with the group as a planning application had not as yet been submitted. The clerks were instructed to thank the Best 4 Laxey Group for the invitation to a meeting, but advising that on this occasion the Board were not in a position to accept.</i>	Clerks
	<i>A discussion followed regarding the proposals for the treatment of sewage in Laxey. JP stated that she had additional questions which she would like Manx Utilities to answer. She asked if Members could submit questions to the clerks which could then be forwarded to the Authority at an appropriate time. This was agreed.</i>	Members
217/19	Committee Reports – ntr	
218/19	Officers' Reports	
	Finance Report to end of September 2019 (<i>circulated 20.11.19</i>). This was noted.	
219/19	Cooil Roi Report – ntr	
220/19	H&S & Maintenance Report – (report circulated 20.11.19) <i>This report was noted.</i>	
	Suspension of Standing Orders <i>At 9.03 pm JS proposed that the meeting continue beyond the 9.00 pm set as a limit for the mis-monthly meeting in standing orders. This was seconded by ND and Resolved.</i>	
221/19	Any Other Business	
a)	To discuss: "Do Garff Commissioners have any restrictions or guidelines with respect to the claiming expenses?" <i>Question tabled by (AJM) in email correspondence received 18.11.19. This item was deferred for consideration at the next meeting.</i>	
b)	To discuss the proposal from a Ramsey resident to paint a large triskelion symbol that has been created on the northern aspect of North Barrule.	
c)	TK asked why 50 mph restrictions were in place on the A2 in Baldrine. The clerks reported that this may be whilst road-lining works were undertaken. The clerks were instructed to investigate if the restrictions were still in force.	Clerks
d)	JP asked if it were necessary to place cones on Old Laxey Hill where there were double yellow lines. She felt that this narrowed the road unnecessarily and added further danger. Clerks to contact Highways.	Clerks
e)	ND advised that Onchan Rotary Club had received just over 30 applications for assistance. It was hoped to have the final allocation of funds completed in early December 2019. ND thanked Daphne Caine MHK, Martyn Perkins MHK, & Captain Carter (Captain of Lonan Parish) who had worked as part of the Onchan Rotary Laxey Floods Committee to allocate the monies received. Members thanked ND and the Onchan Rotary Club for the hard work and commitment shown in setting up and administering the fund.	
f)	A discussion took place with regard to a large Triskelion on the Northern aspect of North Barrule. It was noted that the individual responsible for creating it had proposed to paint it white. A discussion took place as to the location and whether it was in Garff or Lezarye. Clerks to monitor the situation.	
g)	JS thanked Members who had attended the various Remembrance Services across the Sheading in recent weeks.	
h)	JS offered the congratulations of the Board to Mrs Clegg owner of 'The Shed' who had won the Entrepreneur of the Year Award' at the IOM Awards for Excellence.	
i)	AM asked if the clerks could monitor the amount of photocopying being undertaken. He asked if paper copies of documents were necessary when the document could be presented on screen or through powerpoint presentations. There followed a brief discussion of whether Members could make more use of on-line document circulation. No further instruction.	
	<i>The public session was closed at 9.51 pm.</i>	
223/19	Matters in Private – No business was transacted in Private Session.	
	Date of next meeting: 6 th December 2019	

