

GARFF PARISH DISTRICT COMMISSIONERS

Meeting at Commissioners' Offices, 35 New Road, Laxey

Minutes of the Meeting

Wednesday 19th February 2020, 7.00 pm

Present:	Mr J. Smith (JS) (Chair), Mr N. Dobson (ND), Mr T. Kenyon (TK), Mr P. Kinnish (PK), Mr L. Miller (LM), Mr A. J. Moore (AJM), Mr. J. Quayle (JQ).
In Attendance:	Mr P. Burgess, Clerk, Mr M. Royle, Deputy Clerk/RFO, Mrs J. Mattin (JM) Housing Manager.
Apologies:	Mrs J. Pinson (Vice-Chair) (JP), Mrs M. Fargher (MF).
7.00 pm	<i>Public Session – JS opened the meeting at 7.01 pm. JS opened the meeting with a statement of support to the various communities in England and Wales who had been subject to severe flooding in recent days. This was welcomed by Members.</i>
31/20	Planning Applications
a)	19/00695/B ADDITIONAL INFORMATION: Erection of bottling plant shed and water storage tanks, Site Near to Glen Callan House, Dhoon Loop Road, Dhoon, Ramsey IM7 1HP. <i>JQ doubted that there could be effective control of what was entering the river upstream. JQ proposed that the Commissioners should request further clarification of this and other aspects. MR reported that several comments made by the Government Analyst indicated that there were still water quality and public health issues to resolve. AJM asked if these aspects were material to a planning application. MR advised that they were matters that would be taken into account by the Planning Officer and Planning Committee. The consensus was that the objection to the application submitted on the 23rd of July 2019 should not be reversed and should remain.</i>
b)	19/01447/B ADDITIONAL INFORMATION: Erection of a detached dwelling with associated detached garage, landscaping retaining walls and a new vehicle access. Land adjoining Rockwood and South Court, Ramsey Road, Laxey. <i>The visual impact of the building had been one of the matters considered at the previous meeting. The additional material giving indication of how much of the buildings would be visible from the Ramsey Road was discussed. LM stated his view that the buildings would have more of an impact from the Ramsey Road than other adjacent dwellings. This was debated. The size and scope of the proposed dwelling were considered including comment on the three-storey height and the total floor area. PK felt that the main building was too large for the site. There followed discussion of this aspect. The outcome of the discussion was that the decision made not to object to the application would not be reversed. It was noted that PK and LM objected to the building in terms of the scale and size. LM added, however, that this was his only ground for objection: he had no objection to the design of the building.</i>
c)	19/01313/B. AMENDMENT. Creation of art installation through the rearrangement and painting of stone. Art Installation, Mountain Road, Glen Auldyn, Lezayre. It was noted that this was a 'technical' amendment and indicated no material change to the proposal. There followed discussion, the consensus being that the objection submitted should not be reversed. <i>AJM asked about Interested Party Status. PB referred to the recently introduced '20m' rule in regard to IPS, adding that any Member of the public or body could comment on an application up to the point it was considered. The IPS would be determined either by the Planning Officer if the application was determined by 'delegated powers' or, if submitted, by the Planning Committee. JS & TK to raise concerns with the implementation of IPS at the February Municipal Association meeting.</i>
d)	20/00089/B Repositioning and replacement of driveway gates. Green Gables, Laxey Road, Baldrine IM4 6HA. <i>There were no objections to these proposals.</i>
e)	20/00111/B Orry's Cliff, Ballaragh Road, Laxey, Alterations and erection of an extension.

JS
TK

	<i>There were no objections to these proposals.</i>	
f)	20/00104/B Ballellin Farm, Glen Mona, Erection of a porch extension. <i>There were no objections to these proposals.</i>	
g)	20/00082/B Sewage Works, Breeze Hill, Laxey, Erection of replacement sewage treatment works with associated landscaping and bridge for vehicle access (hard copy available at Commissioners' Office, 35 New Road). ND proposed that discussion of this application be reserved until after the forthcoming public meeting scheduled for the 3 rd of March 2020 at the Glen Gardens Pavilion. This was seconded by AJM and agreed.	
	Approval Notices (DEFA Planning Committee)	
h)	19/01420/B Glen Royal, Glen Road, Laxey, Alterations to side elevation to remove windows and install bi-fold door – Approved 13.02.20. <i>This approval was noted. No further instruction.</i>	
i)	19/01419/B Mariners House, Back Shore Road, Laxey, Replacement of existing uPVC windows – approved 13.02.20. <i>This approval was noted. No further instruction.</i>	
j)	19/01436/B Jesmond, Port Lewaigue Close, Alterations, replacement windows, doors, etc – Approved 13.02.20. <i>This approval was noted. No further instruction.</i>	
k)	19/01454/B Ballaskerroo Mill, Ballagawne Road, Baldrine, Installation of a flue – Approved 12.02.20. <i>This approval was noted. No further instruction.</i>	
l)	19/014545/B Installation of flue from wood burner at rear of property. Ballaskerroo Mill, Ballagawne Road, Baldrine. IM4 6EL. APPROVED 13/02/2020	
	Refusal Notices (DEFA Planning Committee)	
m)	19/0183/B The Haven, Agneash, Erection of extension to rear elevation – Refused 07.02.20. <i>This refusal was noted. The Commissioners had submitted no objection. No further instruction.</i>	
n)	Appeal Notices (DEFA Planning Committee) <i>it was noted that a notification of appeal had been received in relation to PA 19/0183/B at item 31/20.d above.</i>	
	Other Planning Matters	
o)	18/00979/B Berwyn, South Cape, Laxey, Erection of a replacement detached dwelling with integral garage. <i>PB advised that the Planning Committee would be visiting the site on Wednesday 26th of February 2020.</i>	
p)	<i>Correspondence from a resident in regard to PA 19/01435/B for development of a plot of land on Quarry Road, Laxey had been circulated and was considered. The resident expressed concern in regard to sewage capacity in the vicinity and the consequences on this of the new development. The correspondent had also advised that there were structural problems with the sewer which needed to be investigated. PB had reported this matter on receipt of the correspondence. The clerks were instructed to request that close liaison take place between Manx Utilities and the Planning Authority in this regard.</i>	clerks
32/20	Approval of Minutes	
a)	Approval of minutes of the meeting of the 5 th of February 2020. These were agreed to be a correct record of the decisions made at the meeting. Proposed: TK . Seconded: ND . Resolved.	
33/20	Matters Arising & Other Business	
c)	To discuss Cooil Roi 'Out of Hours' cover arrangements and alterations to one of the units. <i>Motion to be put by ND circulated to Members 12.02.20.</i> Motion from Mr N. Dobson, Seconded: Mr J. Smith <i>Following the six-month third-party monitored telephone trial it is recommended that the contract for these services with Appello is made permanent and the current 24 hour warden cover is withdrawn. This to be effective from the 1st of April 2020.</i> <i>That the warden vacates her accommodation no later than the 31st of March 2020. That one room of the accommodation be converted to a staff area and that the remaining two-bed accommodation is made available to the next qualifying candidate on the waiting list.</i> ND spoke to the motion. He summarised the relevant information contained in two reports issued by JM . The first issued on the 30.01.20 in regard to the introduction of a new care phone system, and the second issued on the 5 th of February with further information that was relevant to the motion. ND described some initial problems with the new system, which JM	

	<p>confirmed had been resolved. JM advised that around 80% of Sheltered Units on the Island do not have weekend on-site warden cover, and that at other units it was being phased out as staff retired. It was noted that the changes were in-line with Policy and practice that the Department had set. Extensive consultation had taken place with residents and staff during 2019. JM had taken advice from the Department and had consulted the relevant legislation. The Authority's 'retained' H&S consultant had also been consulted.</p> <p>JS read the motion to Members. A vote took place, with seven Members indicating support for the motion with none against. Therefore, the motion carried.</p>	
a)	<p>To discuss proposal for entertainment events in Garff during 2020 (Deferred from Meeting held on 05.02.20. Report circulated 05.02.20).</p> <p>The clerks were instructed to continue with preparations for a range of events between May and September 2020. Further details to be announced in due course.</p>	
b)	<p>To consider the current consultation on extensions to the current Permitted Development legislation (deferred from meeting held on 05.02.20).</p> <p>The matters raised in the consultation were discussed. The Planning Authority were seeking to include matters such as air source heat pumps, electric vehicle charging points, replacement conservatory roofs, solar panels and cycle shelters. Members expressed agreement that, subject to appropriate criteria being in place, these matters should be included in the Permitted Development Orders. The clerks were instructed to make a submission on these terms with an additional condition that applications for flues were also considered for inclusion.</p>	clerks
d)	<p>To discuss the future of the changing cubicles/beach huts on Laxey Promenade. Motion to be put by AJM circulated to Members 12.02.20:</p> <p style="padding-left: 40px;">Motion from Mr A. J. Moore. Seconded: Mr P. Kinnish</p> <p style="padding-left: 40px;">Introduction</p> <p style="padding-left: 40px;"><i>It should be the ambition of this Board to make a decision regarding the future of the Changing Cubicle Building on Laxey Promenade at the earliest opportunity. This decision must balance the need to enhance the range of amenities provided in the vicinity at a cost that presents best value for the ratepayer. The proposal set out in the motion below presents an option that will significantly enhance the amenity of Laxey Promenade, with the further benefit of minimising the potential financial impact on the ratepayer of the refurbishment of the building.</i></p> <p style="padding-left: 40px;">The Motion</p> <p style="padding-left: 40px;"><i>I propose that the current Changing Cubicle building on Laxey promenade be leased to 'The Shed Company Limited' (please note financial and contractual information has been redacted from the text of this motion).</i></p> <p><i>The vote taken at the meeting on the 5th of February 2020 to make a lease agreement with the Shed Company Limited was noted. AJM reminded Members that the intention of his motion was to define the terms and conditions of this arrangement.</i></p> <p><i>JS drew the attention of Members to the fact that the discussion of this matter was likely to involve discussion of financial and contractual matters from the beginning. It was agreed that further discussion be reserved until the private session of the meeting.</i></p>	
e)	<p>For Information – Laxey Branding Meeting for local traders and stakeholders. Led by Tim Cowsill and Rachel Hopkinson, Laxey Sailing Club, 7.00 pm, Thursday 20th February 2020.</p> <p><i>This meeting was noted.</i></p>	
f)	<p>To discuss Draft Document Deed of Agreement giving delegation of emergency powers from Manx Utilities to Garff Parish District Commissioners (documents circulated 11.02.20).</p> <p><i>MR advised that these powers would allow staff from the Commissioners to enter onto private land to undertake mitigation works in emergency situations such as floods, etc. The document was scrutinised. The clerks were instructed to revert to MU and seek clarification of the terms and implications of several matters.</i></p>	clerks
g)	<p>To discuss the Commissioners engagement with the developing Northern & Western Area Plan following the public meeting held on the 13th of February 2020.</p> <p>To include summary of responses; discussion of the future use of Tholtans which was raised by JQ (04.02.20) & by the public at the NWAP meeting; email correspondence from a resident re the NWAP (dated 10.02.20).</p>	

	<p>MF & MR had attended the meeting. MF had subsequently briefed MR in lieu of her absence at this meeting. MR advised that around 30 Members of the public had attended at various times and had circulated a 'summary of responses.' The responses included suggestions for first-time buyer housing, small two-bedroomed, easily accessible bungalows. Appropriate development around Glen Mona was suggested. It was generally felt that this would be beneficial to the school and the community. Other potential sites were discussed on the night, as well as a range of other pertinent observations. The public were advised on how to engage with the process at the meeting. JQ referred to land between the Lhergy Frissell area and the Crossags, suggesting that this area may be one that may be put forward. This would need to be monitored, but he felt it may be appropriate to propose a designation that might protect it. This was noted.</p> <p>The Commissioners had arranged a meeting with Mr Paul Craine, who had expertise in the field of demographics and was preparing material relevant to Maughold. This meeting to take place at 35 New Road on Wednesday 26th February, at 7.00 pm. Submissions to the 'Call for Sites' part of the process had to be in by Friday 28th of February 2020.</p>	
h)	<p>Update on actions that could be undertaken to establish a 'Laxey River Trail'. MR & PB reported that there were some areas beside the Laxey River that could be improved quickly and cost effectively some with immediate effect and some in the shorter term. The whole project could be one that went forward in a series of 'steps' over several years. The clerks were asked to come back with a detailed proposal for short term actions at one of the March meetings. There followed discussion of a possible covering name for a trail. PK expressed his frustration that the path along the river from the Shore Hotel up to New Road had not been re-instated. It was agreed to raise this matter with the DoI & MU at the meeting to scheduled for the 5th of March 2020, & with the Garff MHKs.</p>	clerks
34/20	General correspondence -	
a)	<p>Resident email in regard to the potential for flooding at the Cairns site, (dated 10.02.20, circulated 14.02.20). This correspondence had been circulated to Members, was noted at the meeting and placed on to the file of information being considered by the Board.</p>	
b)	<p>Great Laxey Mines Railway – Request for permission to site sheds at the GLMR in Laxey Valley Gardens prior to submission of planning application (circulated 14/02/20). The clerks were instructed to advise that the Commissioners were supportive in principle of this proposal but would need to see detailed drawings and location plans before making a definitive decision. This information could be submitted prior to an application submission or with the planning application itself.</p>	clerks
c)	<p>Sherrie Poultney – request for trading licence for mobile dog grooming operation (circulated 14.02.20). The clerks outlined how the business would operate. It was noted that the vehicle would be used to call on customers who had booked in advance and then move on. The recommendation from the clerks that the circumstances did not necessitate the issue of a licence were noted and accepted. Clerks to notify the applicant.</p>	clerks
35/20	Committee Reports – By exception	
a)	<p>LM expressed concern with correspondence he had received in regard to the Laxey and Lonan Sports and Community Facilities Charity of which he had been a 'Director' since December 2017. He advised that he was standing down on the 23rd of March 2020 and would be submitting the necessary paperwork to this effect. He advised that no contact had taken place from the Charity's Secretary at any stage since he was asked to represent the Commissioners. He had never been advised of any meetings taking place, seen any, agendas or minutes, nor been informed of any other activity. TK had been appointed as a second representative from the Commissioners in May 2018, but this had not been registered as yet. TK stated that in light of the circumstances outlined by LM, he would not be taking up the position on the Committee. that he would not be taking up a position on the Charity's committee. The implications of these matters were discussed in detail. The clerks were instructed to write to the Charity outlining the concerns of the Board and requesting that its business is put in order at the earliest opportunity.</p>	clerks

36/20	Officers' Reports – <i>MR advised on several matters including the transfer to the Commissioners of the field beside Dhoon Church, the proposal to site a 'skateboard park' at the Glen Road Recreation Site, installation of a new tennis court fence to match the MUGA fence (anticipated 4/6 weeks). Dog waste bag dispensers would be trialled on Laxey Promenade from March 2020. These had been funded by the Laxey Dog Club.</i>	
b)	Finance – <i>report circulated 14.02.20. This was noted. JS asked the clerks to review the format in which it was presented and make any appropriate changes.</i>	
37/20	Cool Roi Report – <i>see item 33.20.c above.</i>	
38/20	H&S & Maintenance Report – <i>The clerks advised that there were no matters to report at this stage.</i>	
39/20	Any Other Business	
a)	For Information and perusal - Laxey Flood Alleviation & Resilience – Minutes of meeting held at LWMI on Thursday 28 th November 2019. <i>These had been circulated and were noted. No further instruction.</i>	
b)	A member requests discussion as to how information discussed in private at the meeting on 3 rd February is being discussed on public forums. AJM advised that it had been brought to his attention that the results and content of a decision made in Private at the last meeting had emerged onto a post on a social media platform. This was very disconcerting as matters were discussed in private solely because they contained financial, contractual, or personal information that if released could, for example, cause harm to individual members of the public, or to the validity of contracts between the Commissioners and those businesses supplying services to the Authority. ND stated that any Member or officer who had been found to have breached confidentiality should be censured. In addition to this, it was noted by Members present that it was the duty of each Board Member & officer to comply with the Local Government Act 1985 as well as the 'Principles of Corporate Governance & Code of Conduct for Local Authority Members and Officers'. Consequently, any action by a Member or officer contrary to the legislation, was not only unethical, but could be the subject of legal action. All these matters were noted.	
c)	To discuss the draft social media policy and staff handbook (circulated 18/02/20). <i>Discussion of this item was reserved until the meeting on the 4th of March 2020. JS asked Members to peruse the documents prior to the meeting.</i>	Members
d)	Correspondence: from Planning Policy Cabinet Office. Draft Area Plan for the East – Modifications to the Draft Plan. <i>This document was discussed. It was noted that the Commissioners had successfully challenged any areas of concern they had on previous occasions. Members expressed no concerns with the document. No further action.</i>	
e)	Correspondence: Letter received re: Manx National 2 Day Trial 11 th and 12 th July 2020 – Seeking permission to use areas of the Laxey Beach. <i>This was noted. The Commissioners indicated support for the event. The clerks were instructed to advise this to the organisers and to request that they submit evidence of H&S arrangements, risk assessments, insurances, etc.</i>	
f)	Correspondence: Letter received re: Manx Rally 15 th & 16 th May 2020. Advice on roads affected by road closures during the event. <i>These matters were noted. ND noted that there had been issues for residents on previous occasions and asked that the situation be monitored and any complaints collected and reported. This was noted by the clerks.</i>	clerks
g)	Correspondence: Email received re: 'Chatty Bench' idea from 'Live at Home'. <i>This initiative was welcomed by Members. AJM proposed that the a 'Chatty Bench' in the Rose Gardens, Laxey would be a good location. JM had stated that a 'Chatty Bench' could also be installed at Cool Roi for use by residents and the public as part of the scheme. Clerks to liaise with 'Live at Home' in these matters.</i>	clerks
h)	Correspondence: Email received Department of Infrastructure advising that the Northern Traffic Management Liaison Committee meeting will resume in April 2020. Date to be confirmed. <i>This was noted.</i>	

i)	Resident – Correspondence dated 19.02.20 regarding the Changing Cubicle buildings. <i>This correspondence had been circulated and would be noted in the discussion scheduled for the private session of the meeting.</i>	
j)	JS asked if a 'Giant Deckchair' had been sourced. MR advised that one was being sourced for the Spring. Details would be circulated prior to purchase.	clerks
k)	LM was advised that the DoI had been contacted in regard to a technicality in terminology of a proposal to change parking regulations on New Road, Laxey.	
l)	TK was advised that the costs for the removal of a leylandii variety tree at the Millenium Gardens in Baldrine were being obtained.	
m)	PK was advised that contact with a resident who was parking several cars on a public car park on Glen Road was ongoing.	
n)		
40/20	Matters in Private	
a)	ECAS Report recommending a move from the current Middle River site to a new site beside the EfW at 'Middle Farm'. <i>Noted.</i>	
33.20.c	Discussion of 'call out' provision at Cooil Roi. <i>Staffing terms and conditions were discussed.</i>	
33/20.d	To discuss the future of the changing cubicles/beach huts on Laxey Promenade. This discussion had been reserved to private. <i>A discussion took place following which JS turned to a motion put by AJM and stated that it was time to take a vote. He read the motion as follows:</i> Motion from Mr A. J. Moore. Seconded: Mr P. Kinnish Introduction <i>It should be the ambition of this Board to make a decision regarding the future of the Changing Cubicle Building on Laxey Promenade at the earliest opportunity. This decision must balance the need to enhance the range of amenities provided in the vicinity at a cost that presents best value for the ratepayer. The proposal set out in the motion below presents an option that will significantly enhance the amenity of Laxey Promenade, with the further benefit of minimising the potential financial impact on the ratepayer of the refurbishment of the building.</i> The Motion <i>I propose that the current Changing Cubicle building on Laxey promenade be leased to 'The Shed Company Limited' (please note financial and contractual information has been redacted from the text of this motion)</i> <i>There followed a vote on AJM's motion in which the seven Members present voted to support the motion, with none against. The motion was carried unanimously.</i>	
	JS closed the meeting.	
	Date of next meeting: 4 th March 2020	