

# GARFF PARISH DISTRICT COMMISSIONERS

## Meeting of the Commissioners'

To be Conducted using Video Conferencing Software

## Minutes of the Meeting

Wednesday 20<sup>th</sup> May 2020, 7.00 pm

**Present:** Mr J. Smith (JS) (Chair), Mrs J. Pinson (JP) (Vice-Chair), 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:** Mr P. Burgess (PB), Clerk, Mrs J. Mattin (JM), Housing Manager, Mr M. Royle (MR), Deputy Clerk/RFO.

### Apologies:

<b>7.00 pm</b>	<b>Public Session - Preliminary Matters for consideration</b> <i>The meeting began at 7.03pm.</i>
<b>(1)</b>	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. <b>JS</b> advised that he would not be taking part in the discussion of item 101/20.b as he could be perceived to have a non-pecuniary interest in the matter. <i>The clerks referred to several matters: the decision of the Board to lease the Changing Cubicles to The Shed Company Limited; to the 'Requisition Meeting' that had been recently announced; and to several items of correspondence submitted in recent days by a Member in regard to these matters. The clerks recommended to the Board that they should consider whether these items of correspondence reflected that the Member had conflicts of interest in the matters that should be declared. These matters were discussed. It was agreed that item 133/20.b should be moved to the end of the meeting to permit the Member to withdraw. JP asked for it to be minuted that she objected to the decision, but accepted that this was the decision of the Board. It was also agreed that the discussion should be 'in public' and reported in the public section of the minutes.</i>
<b>(2)</b>	To discuss suspension of Standing Orders to permit use of Video Conferencing for Meetings of the Board. <i>All Members supported the use of video conferencing to facilitate the meeting.</i>
<b>101/20</b>	<b>Planning Matters</b>
	<b>Planning Applications</b>
<b>a)</b>	20/00435/B Booilushag House, Booilushag Ballajora, Maughold, Alterations and extensions to property, including extension in place of existing garage, infill porch and detached garage. <a href="https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00435/B">https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00435/B</a> <i>There were no objections to this application.</i>
<b>b)</b>	20/00431/B Margarita Cottage, Baldhoon Road, Laxey, Conversion of dwelling to 2 holiday cottages with associated parking. <a href="https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00431/B">https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00431/B</a> <i>There were no objections to this application.</i>
<b>c)</b>	20/00441/B 2 Reayrt Ny Glionney Drive, Installation of a flue (retrospective). <a href="https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00441/B">https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00441/B</a> <i>There were no objections to this application.</i>
	<b>Approval Notices (DEFA Planning Committee) – These were circulated as at Appendix 1 below.</b> <i>The decisions were noted.</i>
	<b>Refusal Notices (DEFA Planning Committee) – ntr</b>
	<b>Appeal Notices (DEFA Planning Committee) - ntr</b>
	<b>Other Planning Matters</b>
<b>102/20</b>	<b>Approval of Minutes</b>
<b>a)</b>	Approval of minutes of the meeting of the 6 <sup>th</sup> of May 2020. <i>These were agreed to be a correct record of decisions made. Proposed AJM. Seconded LM.</i>

<b>103/20</b>	<b>Matters Arising &amp; Other Business</b>	
<b>a)</b>	<p><i>To discuss ongoing operational matters in the current public health situation. A report had been circulated on all current operational procedures. This was received, noted, and accepted.</i></p> <p><i>Campsite</i></p> <p><i>It was also noted that campsites can now open. It was proposed that Laxey Camp Site be opened to motor homes on the 22<sup>nd</sup> of May 2020 to IOM residents. who had pre-booked. Those staying must be from the same family, have supplied contact details, and follow social distancing directions. Discussions with the camp-site manager had taken place and procedures agreed. It was proposed that the site would only open to motor homes with their own 'facilities', and that a maximum of four vehicles would be permitted. This could be reviewed after two weeks. The kitchen would remain closed due to the difficulties of 'social-distancing'. All necessary PPE had been sourced and made available to staff. Cash payments would be discouraged: payment preferred by bank transfer, cheque, etc. Toilets and showers can be accessed in a controlled manner, one family unit at a time, etc. Paul Hampton Services had agreed to undertake a deep clean on 22<sup>nd</sup> May 2020 just prior to opening that evening. <b>MF</b> asked if the 'deep-clean' could be undertaken on a weekly basis. This was agreed. <b>JP</b> asked how a camper who developed symptoms would be treated. <b>PB</b> advised that they must ring the 111 help-line in the first instance. They could not remain at the site and would have to go home immediately, with Government/emergency services assistance if necessary. The procedures would be indicated on the signage erected and in other communication with the campers. Self-Isolating for those with Covid-19 would not be permitted by Government or the Commissioners at the site.</i></p> <p><i><b>AJM</b> proposed that the Board accept the recommendations for opening the camp-site as described by <b>PB</b> following his meeting with the site manager. This was seconded by <b>MF</b> and agreed. The discussion of this matter ended.</i></p>	
<b>104/20</b>	<b>General correspondence – ntr</b>	
<b>105/20</b>	<b>Committees &amp; Boards – by exception due to suspension of meetings.</b>	
<b>a)</b>	<i><b>TK</b> advised that the Municipal Association funds would remain the same for YE 2021.</i>	
<b>b)</b>	<i><b>ND</b> advised that L&amp;LHT's accounts had been prepared. He added that the organisation had made very good progress operationally and financially in the past year. The Board agreed to communicate closely with the Trust in these difficult times. <b>ND/TK</b> to liaise. <b>PK</b> stated that the recent L&amp;LHT newsletter was very informative and well-produced. <b>MF</b> advised that MNH and Government were considering extending the visitor 'season' beyond September should the Covid-19 situation ease further. This was noted. <b>JS</b> asked about progress with the petition for the Commissioners to take the Lady Evelyn wheel into its ownership. <b>MR</b> reported that the Department had not progressed the matter; perhaps due to the current health situation.</i>	
<b>106/20</b>	<b>Officers' Reports –</b>	
	<p><b>Finance –</b> <i>To discuss financial contingencies relating to the Covid-19 Health Situation (YE 2020 Initial Report Documents to be circulated 18.05.20).</i></p> <p><i>Financial reports had been circulated. These were noted, and a discussion followed. It was reported that the Government had indicated that it would ensure that local authorities received at least 80% of their rate income. An emergency contingency budget had been prepared at the beginning of the health crisis. <b>MR</b> reported that it was likely that there would be a shortfall in rate income, but it was unlikely to be a 20% reduction. It was agreed, however, that the clerks' recommendation that the 80% budget be followed for the foreseeable future until the financial situation became clear later in 2020. It was noted that the 80% budget included a transfer of £80,000 from reserves (approximately a quarter of the total reserve). There followed discussion of the reserves held by the Commissioners. It was noted that some of these reserve monies had been 'ring-fenced' at the time of the amalgamation in 2016 (for a period of 5 years). <b>AJM</b> stated that the full reserve was healthy and some of it could be accessed, if necessary, during the year. He added that the projects could be postponed for a twelve-month period before this re-assessment took place. <b>JS</b> suggested that the Commissioners needed to move to a position where all the projects identified in 2016 were now made to stand on their own merits. <b>JP</b> agreed that reserves should be accessed if necessary, but that each project that had been identified at the time of the amalgamation remain on the table for consideration. <b>JQ</b> suggested</i></p>	

	<p>that, due to the current circumstances, the previous 'ring-fenced' projects be re-assessed over the next twelve months. The consensus was that the Commissioners should continue spending prudently throughout the current financial year and begin a process of re-assessing how the reserves/'ring-fenced' monies should be allocated in the coming years; these assessments should be made when full knowledge of the financial impact of the Covid-19 crisis (on the Commissioners and ratepayers) were clear. It was also essential to make these decisions during 2020/21 to ensure that the future needs of our communities were met in the most efficient and effective manner. In the short term a decision was made to make a sum of £27,000 available from reserves which was the underspend on the project to deliver two play areas in Lonan. A motion was proposed by <b>ND</b>, seconded by <b>AJM</b>. A vote took place with 8 Members in favour and 1 abstention. The motion was Resolved. The discussion closed.</p>
<b>107/20</b>	<p><b>Coil Roi Report</b> – A report had been circulated by JM and was noted. JM referred to the partial lifting of the restrictions on movement announced by the Chief Minister. She advised that the consensus amongst residents was that it was 'too early to open' up and that family Members should not be encouraged to visit the complex at present. The lounge was still being kept closed. The increased cleaning regime was to continue. JM advised that the allocation process could be re-started. <b>TK</b> asked if there were any flats available at the moment. JM reported that one was currently available. New guidelines for allocation, with conditions, had been issued and these would be followed. JM reported that staff had shown great commitment and application in recent months. There followed a discussion of ensuring that staff had adequate rest, days off and holidays. PB advised on contractual details. JM advised that there were measures in place to enable such respite. <b>ND</b> proposed that holiday 'carry over' into the following year be applied flexible next year due to the circumstances currently being experienced. It was noted that the maintenance staff should also be thanked for their commitment and that they should be subject to similar flexibilities. This was agreed. <b>JP</b> proposed that the Commissioners recognise the commitment of staff with a 'gesture of thanks such as flowers, etc. This was agreed. JM advised that there were no PPE shortages. JM left the meeting at 8.41pm.</p>
<b>108/20</b>	<p><b>H&amp;S &amp; Maintenance Report</b> – These matters had been covered at item 133/20.a. above. A new non-herbicide weed-spray which was predominantly vinegar and rock-salt was currently being trialled by the weed-spraying contractor.</p>
<b>109/20</b>	<p><b>Any Other Business</b></p>
<b>a)</b>	<p>Consultation on the adoption by IOM Government of the 2006 EU Bathing Directive. It was noted that the consultation period ended on the 14<sup>th</sup> of July 2020. The documentation had been circulated. <b>JS</b> asked Members to consider the documents for a discussion on the agenda of the meeting on either the 17<sup>th</sup> of June 2020 or the 1<sup>st</sup> of July 2020. This was noted.</p>
<b>b)</b>	<p><b>MF</b> expressed concern about the condition of the 'Dhoon Sidings' which was used by the MER and its contractors. This was a problem that had persisted for many years. <b>AJM</b> suggested that the MER be contacted. <b>MF</b> added that the buildings at the site needed attention as well. <b>AJM</b> proposed that images be taken and a letter be sent to the MER. This was agreed.</p>
<b>c)</b>	<p><b>PK</b> expressed frustration that the ARUP report on the October 1<sup>st</sup> flooding in Laxey had not been made public. The Commissioners had been advised that COMIN were still considering its findings.</p>
<b>d)</b>	<p><b>LM</b> advised that there were several 'dead' trees on the Baldrine Park grass. It was agreed that a contractor would be asked to assess the trees in the area and take appropriate action.</p>
<b>e)</b>	<p>The clerks advised that correspondence had been received from the Venture Centre at Lewaigue asking if the Commissioners had any objection to them operating from beaches in Garff. Members noted that the organisation had operated at various beaches and locations across Garff for many years. It was agreed that there would be no objection from the Commissioners as long as the normal H&amp;S measures were undertaken and additional measures were taken in regard to protecting customers, staff, and public from contracting the Covid-19 virus.</p>
	<p><b>JP, TK, AJM, JQ, ND, JS</b> had no matters to raise in public AOB.</p>

<b>110/20</b>	<b>Matters in Private</b>	
<b>a)</b>	Lonan Grass Cutting Contract – Contractual matters were discussed.	
<b>9.02 pm</b>	<i>(JP left the meeting)</i>	
	<b>Resumption of Public Session</b>	
<b>103.20.b.</b> In Public Session	<p>To discuss the request for a 'Requisition Meeting' in regard to the Laxey Promenade Changing Cubicle lease (<i>Minute extracts from 05.02.20 &amp; 19.02.20 and Officers' Summary dated 16.02.20 circulated 15.05.20</i>).</p> <p><b>ND</b> brought up a 'point of order' regarding <b>JP's</b> comments made at the beginning of the meeting at item (1) in regard to her interest. He stated that if you write to the Board on a particular subject as a private individual you are in effect registering and stating your interest and should not take part in any discussion of the matter. He expressed incredulity that any Member should not recognise this. This was agreed.</p> <p><i>It was noted that Captain Carter had accepted a request made to him by the Commissioners for a copy of the letter submitted to him by the residents; this would permit the Board to have some awareness of the nature of the objection to the Commissioners' decision to agree a lease for the Changing Cubicles with 'The Shed Company Limited'. The letter supplied had been redacted. Members expressed disappointment with the wording of the newspaper announcement of the meeting which might have given the impression that the Commissioners had not followed due process.</i></p> <p><b>ND</b> stated that the Commissioners should welcome the opportunity to attend a meeting as it would allow the Board to reiterate the reasons for the decision they had made; discussions had taken place in public session and the rationale for the decision had been made available to the public online and on social media. It was stated that the Commissioners were a democratically elected Body who had debated the matter robustly and openly for several years before coming to a decision. The Local Government Unit had been closely consulted throughout the process and had offered no objection to the procedures undertaken by the Commissioners in making their decision.</p> <p><i>References were made during the discussion to the subject of conflicts of interest and how individual Members handled their responsibilities to uphold the 'Principles of Corporate Governance and Code of Conduct' for local authority Members.</i></p> <p><i>The discussion concluded. No further instructions were issued to the clerks.</i></p>	
	Meeting closed at 9.38 pm	Date of next meeting: 3 <sup>rd</sup> June 2020

## Appendix 1

### Summary of Planning Approvals:

Planning Approvals in Period to Meeting on the 20<sup>th</sup> May 2020

(please note no refusals were issued in the period).

- a) 20/00309/B Rebuilding stone walls and landscaping works adjacent to highway  
Crofton Baldhoon Road Laxey
- b) 20/00267/B Alterations and erection of first floor extension to rear elevation, first floor extension to side elevation and front porch extension, Crowgreen Ballaglass Glen Road Cornaa
- c) 20/00246/B Installation of replacement roof  
Aalid Feie 1 Moaney Quill Close Laxey
- d) 19/01348/B Conversion of barns to create two residential dwellings with additional use as tourist accommodation, Ballaglass Farm Buildings Coronny
- e) 20/00332/C Additional use of residential dwelling (class 3.3) as tourist living accommodation (class 3.6)  
Waverley Quarry Road Laxey
- f) Ref: 20/00320/B Erection of two timber storage sheds adjacent to existing storage shed At: Great Laxey  
Mine Railway Laxey Valley Gardens
- g) 20/00072/B Erection of an agricultural building to provide a livestock shelter  
Field 624084 Rhowin Road Maughold