

# GARFF PARISH DISTRICT COMMISSIONERS

## Meeting of the Commissioners

Laxey Working Men's Institute

## Minutes of the Meeting

Wednesday 1<sup>st</sup> July 2020, 7.00 pm

<b>Present:</b>	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).
<b>In Attendance:</b>	Mr M. Royle (MR), Deputy Clerk/RFO, Mrs J. Mattin (JM) Housing Manager.
<b>Apologies:</b>	Mr P. Burgess (PB), Clerk,
<b>7.00 pm</b>	<i>7.05 pm JS opened the meeting.</i> <b>Public Session - Preliminary Matters for consideration</b>
<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. <i>No Member declared an interest at this point.</i>
<b>131/20</b>	<b>Planning Matters</b>
	<b>Planning Applications</b>
<b>a)</b>	20/00570/B Newlands House Main Road Baldrine Isle Of Man IM4 6DX Erection of first floor extension and re-roofing works. <a href="https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00570/B">https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00570/B</a> <i>There were no objections to this application.</i>
<b>b)</b>	20/00571/B Cedar Lodge Glen Mona Loop Road Glen Mona Ramsey Isle Of Man IM7 1HG. Change of use from bed and breakfast to apartment with additional tourist use. <a href="https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00571/C">https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00571/C</a> <i>There were no objections to this application. ND advised that any planning approval would trigger a re-rating of the property.</i>
<b>c)</b>	20/00580/B Tree Tops Ballafayle Maughold Isle Of Man IM7 1ED Door and window alterations and installation of a flue. <a href="https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00580/B">https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00580/B</a> <i>There were no objections to this application.</i>
<b>d)</b>	20/00588/B Saint Bees (Formerly Glenlea) Highfield Drive Baldrine Isle Of Man IM4 6ED Creation of raised patio area, parking and vehicular access <a href="https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00588/B">https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00588/B</a> <i>There were no objections to this application.</i>
<b>e)</b>	20/00597/B Pinfold Cottage Pinfold Hill Laxey Isle Of Man IM4 7HN Variation of condition 3 & 4 of PA17/00864/C to use holiday accommodation for longer lets up to 2 years for permanent residential/tourist occupation. <a href="https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00597/B">https://services.gov.im/planningapplication/services/planning/planningapplicationdetails.iom?ApplicationReferenceNumber=20/00597/B</a> <i>JP stated that this application should be supported as in the current business climate with no tourists arriving on the Island. There were no objections to this application.</i>
	<b>Approval Notices (DEFA Planning Committee)</b>
<b>f)</b>	20/00164/D Installation of non-illuminated signage, Rear Wall of Whitehouse Buildings Tramway Close Laxey Isle Of Man APPROVED 22 June 2020. <i>This approval was noted.</i>
<b>g)</b>	20/00206/B Yew Cottage, Rencell Hill, Laxey, Erection of cabin within rear garden ancillary to existing dwelling – Approved 20 June 2020. <i>This approval was noted.</i>
	<b>Refusal Notices (DEFA Planning Committee)</b>
<b>h)</b>	20/00417/B Clifton Baldhoon Road Laxey IM4 7NE Alterations and erection of extension

	REFUSED 24 June 2020. <b>AJM</b> briefed Members of the detail of the reasons for refusal. These were noted.
	<b>Appeal Notices (DEFA Planning Committee)</b> - ntr
	<b>Other Planning Matters</b>
<b>132/20</b>	<b>Approval of Minutes</b>
a)	Approval of minutes of the meeting of the 17 <sup>th</sup> June 2020. <i>These were proposed as a correct record by ND. Seconded, AJM. Unanimously Resolved.</i>
<b>133/20</b>	<b>Matters Arising &amp; Other Business</b>
a)	To discuss actions that may be taken in regard to the 'End Café' on Laxey Promenade ( <i>generated by PK</i> ). <b>PK</b> advised that in previous years Laxey Commissioners had paid to have the property 'boarded up'. <b>LM</b> asked if a 'charge' had been put on the property at this time. <b>AJM</b> advised that this action had not been taken. <b>PK</b> proposed 'tidying and re-boarding' the building again. <b>MF</b> suggested that an artist/s may be invited to paint them with a view to making them more attractive. <b>AJM</b> suggested that students from Laxey school pre-paint canopy boards which covered the whole building. He also advised that holes should be included in the building to ensure the boarding was 'wind-proof'. <b>AJM</b> then suggested the costs were charged to the property. He pointed out, however, that the legal costs would also be several thousand pounds. <b>JP</b> suggested that a professional be engaged to advise on the structure: she felt it may now be in danger of 'collapsing'. <b>JP</b> added that if the building were deemed to be not structurally sound that Government would have to take over responsibility. <b>ND</b> doubted that Government would have any legal responsibility for the building even in these circumstances. <b>MR</b> added that Environmental Health Officers from DEFA were asked to assess the building at regular intervals. The last visit had resulted in the advice to close the walkway at the front of the building. <b>AJM</b> pointed out the broadly similar situation at 'Bleak House' in Ramsey which had pertained for many years and had cost the Ramsey ratepayer £250,000 to find that the legal procedures available were practically unenforceable. <b>PK</b> stated that he doubted that the building was about to collapse, but added that action needed to be taken with the roof to enable the walkway to be opened. <b>JP</b> reminded Members that the Commissioners had agreed to make a very low offer for the building. <b>PK</b> stated that the cost of purchasing the building was currently well beyond the means of the funds available to the ratepayer. <b>MR</b> stated that the estate agent had been contacted at the time. The Chair had been consulted at the time and it was felt that a bid that could be seen as 'derisory' could weaken any negotiations with the owner which were then in an early stage. <b>MR</b> advised that the owner had indicated that a family member would be arranging a meeting with the Commissioners to discuss the future of the building and site. This had been postponed due to the Covid emergency, but communication had come from the owner in the previous week advising that the family member would be in touch to re-arrange the meeting during July '20. <b>TK</b> proposed that in the short term the 'meeting' option be pursued. A comment was heard from the public gallery that it was surprising that there were no practical legal means to enforce measures to resolve the situation. <b>Mrs Caine</b> (Garff MHK) was invited to speak. She referred to remedial actions taken by Douglas Corporation to repair properties. <b>ND</b> advised that this had been looked into such action and the Commissioners just did not have the financial ability to do this. <b>AJM</b> concurred referring to another example which had occurred in Laxey which had attracted high legal fees and had failed over several years of court proceedings to yield any result. It was agreed that the Commission would permit time for a meeting with the owner's representative to take place. If this did not provide a means of progress, it was agreed that actions to put a charge on the building for re-boarding would be pursued. The structure of the building would continue to be monitored with advice from Environmental Health at DEFA.
b)	To consider nominations for the role of Chair and Vice-Chair to serve for the term ending in May 2021. ( <i>generated during the meeting that took place on the 17<sup>th</sup> June 2020</i> ). The nominations received had been circulated prior to a vote that would take place on the 15 <sup>th</sup> of July 2020. Committee and Board representation would also be determined.
c)	To discuss the proposals for a 'debris-catcher' in the Glen Roy River which DoI are installing from w/c 6 <sup>th</sup> July 2020 ( <i>further details to be circulated 29.06.20</i> ). <b>PK</b> & <b>MR</b> had attended a meeting at which a senior engineer from DoI had briefed them on how the 'debris catcher' was designed to work. The catcher had been designed by JBA consulting. <b>MR</b> explained that the intention was that the catcher would collect debris from upstream. If it

	<p>caused a dam, the water would overflow when it reached a height of 1.8 metres, flow onto the southern bank, then 'by-pass' the catcher and be channelled back into the river just beyond. <b>PK</b> was sceptical that it would work in practice, adding that it may also flood the current play area site on the northern bank. Other Members indicated that they felt that this was a better area for flooding to occur. It was also noted that there were suggestions that the play area may be moved to another site in the Gardens where new equipment would be installed. The catcher poles would reach a height of about 3.4 metres above the water to deter people from 'climbing them and sitting on them'. The Commissioners were advised that they would be in a black finish. The banks of the river would be re-profile with concrete on both sides to aid the efficient operation of the catcher. DoI had advised that they would be responsible for removing debris from the catcher as necessary.</p> <p><b>TK</b> stated that the theory sounded credible, but expressed concern about the measures that would be in place to monitor and check debris build up asking how often would it be cleared. <b>JQ</b> said that he felt that they would be more pro-active, citing the example of the tree that fell into the main river near Cooil Roi recently; this had been cleared the following day. <b>JP</b> suggested that the Commissioners staff could assist with monitoring the catcher. <b>AJM</b> referred to the 'deed of agreement' provisions that were being drafted which he felt may give powers to Commissioners' staff to be responsible for monitoring the catcher. This initiated a discussion about the scope of the 'DOA' being drafted. Members agreed that negotiations of this matter needed to be undertaken carefully. It was indicated that legal advice would need to be sought before any agreement was signed.</p>
d)	<p><b>MF</b> reported that the Dhoon Quarry Sidings were currently being cleared by the Department following the recent request from the Commissioners. This was a very welcome development. <b>MF</b> asked the clerks to write to the Department regarding their intentions with maintenance/use of the 'Smithy Building' at the site. <b>AJM</b> referred to the suggestion from Mr Longworth at IOM Transport that a fence be erected at the site to form a compound. This was noted. It was felt that detailed proposals would need to be viewed before the Commissioners could comment.</p>
e)	<p><b>MF</b> asked if there had been any indication of when and if the Manx Electric Railway would be opening. It was noted that IOM Transport were reviewing this matter and would make an announcement in due course. No further action.</p>
f)	<p><b>JP</b> referred to item 129/20.c from the last meeting regarding a sitting of the 'Social Media Policy Committee'. <b>MR</b> reported that the current policy had not been circulated as the meeting was not until the 25<sup>th</sup> of July. It would be circulated in due course. <b>JP</b> asked about the current policy and its enforcement. <b>ND</b> advised that the sub-committee would consider the policy at its meeting arranged for the 25<sup>th</sup> of July.</p>
<b>134/20</b>	<b>General correspondence - ntr</b>
	<b>JQ</b> advised that the Swimming Pool was open and was functioning 'as normal'.
<b>135/20</b>	<b>Committees &amp; Boards</b> – by exception due to suspension of meetings.
<b>136/20</b>	<b>Officers' Reports –</b>
	<b>Finance – MR reported that the 'pre-audit' was on track.</b>
<b>137/20</b>	<b>Cooil Roi Report – JM</b> advised that she would report in private due to the need to discuss confidential matters relating to the residents of the complex.
<b>138/20</b>	<b>H&amp;S &amp; Maintenance Report –</b> Report to be circulated prior to the meeting. This was noted. No further instruction.
<b>139/20</b>	<b>Any Other Business</b>
a)	<p>To discuss the decision to close Laxey Harbour to pedestrians for a temporary period from 25<sup>th</sup> June 2020 (see Appendix 1 below).</p> <p><b>TK</b> initiated discussion of this matter was discussed suggesting that notices were erected pointing out the by-laws that forbade jumping into a harbour. <b>JP</b> referred to incidents where it had been reported that swimmers had been in the harbour as boats were navigating the channel. It was noted that, although the practice had to some extent become 'custom and practice' over many years, it was controlled by by-laws and was illegal. <b>MF</b> stated that the response from Harbours Division of DoI did seem heavy handed, but added that there were dangers and someone had to take responsibility for the actions. <b>JP</b> asked if the cameras could be focussed onto the area to permit monitoring. The clerks were instructed to request this action. Signage</p>

	<i>was also discussed and JP suggested the selection of a 'safe zone'. The consensus was that these were matters to be decided by Harbours Division, but it was concerning to the Board that the public could not now walk or access the breakwater or pier. JS stated concern with the message that the fences were sending out about Laxey as a visitor resort. MR reported that Harbours had not advised a date when the fences would be removed. They had indicated that this would be a matter of ongoing review. It was noted that the raft had now been installed in the sea. A discussion of the use of jet-skis took place. No further instruction.</i>
<b>b)</b>	To discuss notification from the Planning Authority that they are intending to bring the application for a sewage treatment works at the Cairns Site in Laxey (PA 20/00082/B) to a forthcoming DEFA Planning Committee. The Commissioners have been advised that the announcement of a date for the application to be considered by the Planning Committee is due imminently. <i>It was noted that the planning application for a sewage treatment works at the Cairns Site, Breezehill, Laxey would be considered by the Planning Committee on the 27<sup>th</sup> of July. The Planning Committee Agenda issued on the 21<sup>st</sup> of July would include the Planning Officer's Report and recommendation to the Committee. It was noted that the public were welcome to attend the public gallery at the meeting on the 15<sup>th</sup> of July to observe the discussions. JP proposed that the public be advised that the Commissioners would accept further submissions up to Tuesday the 14<sup>th</sup> of July before the meeting on the 15<sup>th</sup>. This was agreed. JQ stated that the Commissioners would be particularly keen to hear information that was new and indicated matters that had not been raised in previous submissions. Clerks to post a notice to this effect on social media. It was noted that there were a range of public submissions on the Planning Authority's web site.</i>
<b>c)</b>	To consider acceptance of the Street Light Maintenance contract with Manx Utilities ( <i>documents circulated</i> ). <i>It was unanimously agreed to accept this contract. There were no objections.</i>
<b>d)</b>	<i>It was noted that Kermelly Seafoods Limited had asked if they could hold a stall on the Promenade green to complement the stall operated by Sandygate Farms. JP declared an interest as she had provided advice on the matter to the vendor. It was noted that this proposal was not for a mobile caterer. JP referenced her declaration of interest but stated that the northern half of the Green provided a better location for stall traders. The clerks were instructed to finalise an arrangement.</i>
	<i>At 9.04 pm JP stood and made a comment suggesting that the Board were 'dishonourable'. She left the meeting.</i>
	<i>JS closed the Public Session.</i>
<b>140/20</b>	<b>Matters in Private</b>
<b>a)</b>	<i>JM reported on matters at Cooil Roi.</i>
	The meeting closed at 9.25 pm. Date of next meeting: 15 <sup>th</sup> July 2020