

GARFF PARISH DISTRICT COMMISSIONERS

Meeting of the Commissioners

Laxey Working Men's Institute

Minutes of the Meeting

Wednesday 15th July 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, Mr M. Royle (MR), Deputy Clerk, Mrs J. Mattin (JM) Housing Manager.
Apologies:	All Present Members of the public were present.

7.00 pm Public Session - Preliminary Matters for consideration

141/20.a *To consider nominations for the role of Chair and Vice-Chair to serve for the term ending in May 2021. (generated during the meeting that took place on the 17th June 2020).*
JS advised that due to the Covid-19 Emergency the decision to elect a Chair and other positions for the Year 2021/2021 had been postponed. The situation had been reviewed and it had been agreed that the elections should take place at this meeting. **JS** vacated the Chair. The Clerk led the meeting to preside over the election of a Member to the position of Chair.

141/20.b **Election of Chairman**
PB advised that a nomination had been withdrawn and that there remained one candidate; this being **Mr J. Quayle** (Proposed, **MF**, Seconded, **TK**).
Mr J. Quayle was duly elected with none against. Mr Quayle took the Chair.

141/20.c **Election of Vice Chairman**
PB advised that a nomination had been withdrawn and a further nomination had not received a Seconder. The remaining candidate was **Mr N. Dobson** (Proposed, **MF**, Seconded, **TK**).
Mr N. Dobson was duly elected with none against.

141/20.d **To determine Board/Committee Representation** (Reference Appendix 2)
AJM proposed that this section of the meeting be deferred until later in the public session of the meeting. This was seconded by **MF** and unanimously **Resolved**.

I. Municipal Association –

II. Laxey & Lonan Heritage Trust –

III. Laxey & Lonan Sports and Community Facilities –

IV. Northern Traffic Management Liaison Committee –

V. Northern Neighbourhood Policing Team Community Partnership meeting -

VI. Regeneration Committee –

VII. Eastern Civic Amenity Site Joint Committee –

VIII. Northern Civic Amenity Site -

IX. Northern Swimming Pool Board -

X. Northern Area Housing steering group -

XI. Northern Sheltered Housing Committee -

XII. Eastern Area Housing steering group -

XIII. Waste Management Steering Group -

XIV. Cooil Roi Sheltered Housing Complex -

XV. Employment Sub-Committee -

XVI. Glen Road Recreation Area Sub-Committee -

141/20.e *Newly elected Chair to open the meeting.*
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.
The newly elected Chairman made a statement on the 'Rules of Debate' from section 24 of Standing Orders, as well as Section 24 on 'Disorderly Conduct. JQ also quoted from the Code of Conduct where it refers to the 'Role of a Commissioner'. He made particular reference to the direction in the Code that "The collective will and decision making of the Authority is paramount,

	<i>and an individual Member's views are secondary to the majority view. If you find yourself in a minority on a particular issue you should not seek to undermine that decision because you did not personally vote in favour of it". JQ's statement also referred to how a Member should represent the public that elected them.</i>
142/20	Planning Matters
	Planning Applications
a)	<p>20/00082/B Sewage Works, Breezehill, Laxey, Erection of replacement sewage treatment works with associated landscaping and bridge for vehicle access.</p> <p>JQ initiated discussion of this item by advising that, following consultation, the Officers recommended that all nine Members should be included in discussion and voting on this matter as none were deemed to hold any type interest that would be sufficient to prejudice their participation in the debate. This recommendation was accepted by the Board.</p> <p>JQ invited each Member to present their views on the application proposals.</p> <p>JS referred to Government issued Conservation Area Guidance which indicated that the impact of development proposals on the 'special character' of the conservation area should be a primary consideration. He also referred to the review by Barber Associates of the proposals for regional sewage treatment which he advised did support for a treatment plant at the Cairns Site, but also proposed that other sites and options be considered should the application fail. JS advised that he had also taken into account the weight of public opinion, adding that in the light of these matters he would be objecting to the application in order to give Manx Utilities an opportunity to investigate other sites and options.</p> <p>AJM agreed with JS in regard to the investigation of other sites.</p> <p>ND advised that he personally supported the 'pump-away' option, but pointed out that the Planning Committee could only view the merits or otherwise of the application before them. He spoke about the planning process, adding that, whatever decision was made by the Planning Committee, the application was likely to go to appeal. He then reminded Members that the DEFA Minister had the power to overturn any recommendation by the Independent Appeals Inspector.</p> <p>JQ referred to several 'Material Planning Considerations' that were relevant to this application including traffic generation, odours, and the effects of development in a conservation area.</p> <p>LM advised that he had considered the application very closely and very carefully and could see some merit in having an IRBC on the Site. He felt, however, that the effect of the layout and the density of the visual appearance would be 'overbearing' on the harbour area and would be detrimental to the general amenity. He did not consider that there were significant Highway Issues, but was concerned that Manx Utilities could not issue a guarantee that there would not be odours from the plant. He added that he would like to have alternative options investigated fully and would be voting against this Planning Application.</p> <p>JP expressed concern about Highway issues and the size and scope of the proposed new access bridge. She felt that the proposed bridge would significantly affect the amenity of residents and visitors to the area, adding it would 'ruin the unique nature of the harbour visually' as well as impacting on the wildlife, fauna and natural environment. JP also expressed concern about the potential and consequences of flooding of the site. She closed by stating that she would be voting to reject the application.</p> <p>TK began listing his issues and concerns with the application which were in regard to: its siting on an area threatened by flooding; Highway issues; the potential for odours, etc. He also pointed out that other towns were either connected to Meary Veg or had IRBCs sited 'out of town'. He stated preference for pumped connection to the IRIS system.</p> <p>MF referred to the Isle of Man Strategic Plan 2016 in particular the sections on conservation and environment. She spoke about its character, its 'sensitivities', and its 'unique heritage value' which had been recognised in its inclusion in the Conservation Area'. She noted that Planning Policy directed that a proposal for development must 'protect and enhance the setting of conservation areas and preserve the local character'. She expressed concern about the impact of the view from the headland above the harbour, adding that from this point the view into the Conservation Area would be changed forever. This was contrary to Planning Policy. MF stated these matters could only be set-aside in a conservation area if the development were proven to be 'essential' and if there were no other 'reasonable or acceptable alternatives'. In a situation in which other options had not been fully considered, she felt that the case for the application on grounds of over-riding</p>

	<p><i>'Essential National Need' had not been proven. She stated that a reasonable and acceptable alternative needed to be found that was complaisant with planning policies.</i></p> <p><i>PK referred to an 'unprecedented' number of letters opposing the proposals. He spoke about the range of impacts that the proposed works would have on residents in the immediate vicinity, such as traffic generation, potential for odours, visual amenity, etc. He felt that the proposals had not been thought through sufficiently. He stated that 'we owe it to our children to do the right thing here', adding that he would be voting to reject the proposals.</i></p> <p><i>A vote was taken. ND advised that he would be abstaining. JQ requested that all Members who wished to recommend rejection of the proposals to the Planning Committee indicate by raising their hand. Eight Members raised their hands. One Member abstained. The motion to recommend rejection of the proposals to the Planning Committee was Carried. The clerks were instructed to submit the views of the Board to the Planning Authority.</i></p>
b)	<p>20/00615/B Field 614729, Baldrine Road, Baldrine, Erection of two storey dwelling with associated access.</p> <p><i>There were no objections to this application.</i></p>
	Approval Notices (DEFA Planning Committee)
f)	<p>19/01447/B Land adjoining Rockwood and South Court, Ramsey Road, Laxey, Erection of a detached dwelling with associated garage, landscaping retaining walls and new vehicle access.</p> <p><i>This approval was noted.</i></p>
	Refusal Notices (DEFA Planning Committee) - ntr
	Appeal Notices (DEFA Planning Committee) – ntr
	Other Planning Matters - ntr
143/20	Approval of Minutes
a)	<p>Approval of minutes of the meeting of the 1st of July 2020.</p> <p><i>These were agreed to be a correct record. Proposed AJM. Seconded ND. Resolved.</i></p>
144/20	Matters Arising & Other Business
a)	<p>To consider Mrs Mattin's review and recommendations regarding 'lead Member' or 'Sub-Committee' options for the management of the Cooil Roi Sheltered Housing Complex (<i>document circulated 01.07.20 & 10.07.20</i>)).</p> <p><i>JM advised Members of the reasons for her recommendation that a sub-committee be formed to deal with matters that did not need the full Board to determine. She advised Members that a sub-committee should be considered as if it were structured efficiently and had sufficient remit it could improve the decision-making process. ND suggested that that a 'Lead' and 'Deputy Lead Member' could be considered, with a 'sub-committee' meeting to discuss more significant matters. The various options were discussed. JM was asked to bring forward a proposal for the structure, responsibilities, and remit of a sub-committee for the meeting on the 5th of August.</i></p>
145/20	General correspondence
146/20	Committees & Boards – by exception due to suspension of meetings.
a)	<i>ND asked if a matter relating to the L&LHT could be discussed in Private. This was agreed.</i>
b)	<p><i>JP asked if the structures, remits and responsibilities of the sub-committees could be re-assessed to ensure that all Members of the sub-committee contributed fully to the recommendations made by that Committee to the full Board. JP asked if the roles of the Sub-Committees could be re-defined. ND reminded Members that when a sub-committee had formed a recommendation to the Board the Members of that sub-committee should then vote in accordance with the recommendations. JQ stated that he agreed with this, adding that once a 'Body' had made a decision all Members had to stand by that decision.</i></p> <p><i>JQ proposed that proposals for the remit of all sub-committees be brought to the next meeting. This was seconded by MF and agreed.</i></p> <p><i>JQ proposed that all Members who sat on outside bodies such as NCAS, ECAS, & NLASPB, etc should continue attending meetings. This was seconded by ND and agreed.</i></p> <p><i>ND asked Members to re-affirm the decision to reduce representation on the 'Laxey & Lonan Sports and Community Facilities' Committee from two to one Board Member. Proposed JQ. Seconded ND. Agreed.</i></p>
147/20	Officers' Reports –
	Finance – Report to be circulated prior to meeting. This was noted.

	<i>PB reported that early indications were that the flow of rate income was in line with previous years.</i>
148/20	Cool Roi Report – no additional matters to report.
149/20	H&S & Maintenance Report – MR advised that the tennis court fence was being replaced in the next 7/10 days. There had been no accidents, near-misses, or H&S observations in the period.
150/20	Any Other Business
a)	<p>To discuss the arrangement of entertainments for the August Bank Holiday Weekend 2020 & other events for the Summer Season 2020 in Laxey.</p> <p>AJM declared an interest in a section of this discussion and withdrew from the meeting at 8.03 pm.</p> <p>MR briefed Members that events were being planned for the August Bank Holiday weekend including the 'Great Laxey Brass Band Festival' on Sunday 30th August. The feasibility of a 'Beach Activity Day' on Friday 28th August was also being considered. These matters were noted. MR advised that Treasury were offering to underwrite part of the costs of events that took place over this weekend.</p> <p>JS reminded Members that Maughold Parish Day was taking place on Saturday the 25th of July from 2.00 pm on the Village Green, with a barbecue from 7.00 pm on the Parish Field.</p> <p>MR advised Members that 'low-key' entertainment was being arranged for the Promenade Green and Village Square over forthcoming summer weekends. A local business had approached the Commissioners with an offer of sponsorship for these events. It was agreed to discuss the details of the proposed sponsorship arrangement in private session.</p> <p>AJM re-joined the meeting at 8.10 pm.</p>
b)	To discuss new loan agreement rates, terms & conditions arranged between IOM Treasury and HSBC Bank. <i>It was proposed that the new arrangements should be accepted and formalised. Proposed AJM. Seconded MF. Resolved.</i>
c)	AJM proposed that the Board consider the purchase of a second raft for Laxey Beach. It was agreed that this should be investigated. This investigation to include a replacement for the current raft. ND asked if any H&S implications of having two rafts in operation be considered.
d)	ND asked if the Board could consider how the 'Chairmans' Board should indicate the changes in Chairmanship that had occurred in the last twelve months. This was noted.
e)	It was agreed that the Board should monitor any forthcoming announcements in regard to the re-opening of the MER & Snaefell Line. MF proposed writing to IOM Transport to ask when these railways would be re-opening. This was agreed. It was also agreed that the correspondence would be sent to the Minister. JP referred to the business that operated from the tram station in Laxey that would only be able to open once the trams were operating. She added that the Commissioners had a duty to support all businesses. This was noted and agreed.
f)	<p>JP asked for a discussion on parking throughout Laxey, in the Village and around Lower Laxey. She asked for Members and public to submit 'creative' views. MR advised that the Office had been approached by DoI following previous requests for action. The Department had now come forward and would be beginning a Parking Survey for the whole of Laxey with a meeting in Laxey on the 23rd of July 2020. JS asked if the survey could differentiate between weekdays and weekends.</p> <p>JP also asked for a beach management survey to be undertaken. This was particularly pressing at the moment because the stones were very high against the wall. ND pointed out that beach management was a responsibility of DoI and was not within our remit. PK advised that he had met the DoI Liaison Officer in recent days due to his concerns. LM agreed with JP and suggested further contact with the DoI. MR reported that the Office had contacted the DoI and Harbours on numerous occasions over the last years. The answers received were basically that there was no budget to undertake works and the general response from DoI indicated that they did not recognise the issue as a problem that warranted action. He suggested that the Commissioners next step should be to agree to write to the Minister rather than senior officers of the Department. JP asked if photographs could be attached to any correspondence. It was agreed to send correspondence to the Minister. AJM proposed that the Minister should be advised that the Department needed to take this matter seriously should there be significant overtopping, particularly if properties were flooded in the area of Shore Road/Tent Road, etc again. PB added</p>

	<p>that the Department were fully aware of issues with the structure of the wall that needed to be addressed.</p> <p>3. JP referred to the Covid-19 Situation asked for a 'thorough review of the office procedure, how the staff interacted with each other, how they responded and how it could be changed and improved going forward'. She added that 'we want to know how you interacted with each other, what systems were in place, and did it work?' MR advised that all operations had continued seamlessly largely due to the 'cloud-based' computer system that the Office had implemented in October. He added that during the crisis both the Office and Cooil Roi had issued regular updates to Members which detailed how all aspects of the Commissioners' Office operations and service delivery were being managed, monitored and reviewed on a daily basis. He referred to the thorough and effective contingency planning that had been devised by JM at Cooil Roi and to the thorough, intensive, and effective planning that had been implemented to ensure that the refuse collection service was maintained: a range of detailed contingency measures had been put in place for these and other services, including the office operations. Members could access the ongoing review of the delivery of all services through their emails. MR asked that Members record their recognition of the work done by JM in planning and implementing the contingency plan at Cooil Roi. MR pointed out that the Covid-19 emergency was still an ongoing issue even though the impacts on daily life were currently reducing on the Island – this could be a temporary situation. In these circumstances the successful contingency plans had currently been reversed but were still in place ready to be re-implemented if necessary. A final review was anticipated once the health situation had fully resolved; Members agreed with JP that this should be carried out in due course at an appropriate time.</p>
(g)	<p>JQ referred to the proposals for new parking arrangements on New Road between the old Isle of Man Bank and the Queen's Hotel. AJM declared an interest and withdrew from the meeting at 8.20 pm) A request from DoI for views and comment had been issued to Members. PB advised that LM had responded. PK questioned the installation of a double disabled bay outside the Commissioners' Office. PB advised that DoI had advised that this would also act as a 'passing place' when not in use. There were no outcomes to the discussion or any further instructions to the clerks.</p> <p>TK asked if there was disabled access into the 35 New Road building. PB reported that there was not due to the age of the building.</p> <p>AJM re-joined the meeting at 8.26 pm.</p>
(h)	<p>PK asked Members for their views on the 'debris catcher' being installed in the Glen Gardens. PK expressed concern that the works were restricting access on the path that went beyond the Glen towards Axnfell. MF expressed concern about the number of large construction vehicles in the Lower Glen Car Park, suggesting that they posed a risk to the public. The clerks were instructed to investigate these matters.</p> <p>PK referred Members to the letter that had been submitted to the Commissioners from a resident who had experienced difficulty accessing the public shelter. JP asked if she should declare an interest in this matter. Members noted that the discussion was in relation to the Public Shelter rather than the kiosk and agreed that JP was not required to withdraw. The height of the public shelter floor was noted. A previous suggestion by JP to install a door at the rear of the shelter was discussed. This option could include a graded path to the rear of the building that could provide disabled shelter. AJM proposed the purchase of lightweight 'temporary' ramps. JP suggested that 'rising' ramps could be considered. The clerks were instructed to investigate these options.</p> <p>MR reported that a letter had been sent to the Commissioners in March. JP advised that two Members of the public had complained about the lack of disabled access into the Public Shelter in recent weeks. She advised that one of these residents had phoned the office. MR confirmed that this had been investigated and there was no record of an incoming telephone call on this issue in recent weeks.</p>
	<p>JQ signalled that the public session of the meeting would conclude once Members of the public had left the building.</p> <p>JP stood at this moment and advised that she was leaving the meeting at this stage of the meeting for the same reason as she had left the meeting on the 15th of July 2020; that being because she considered the Board to be 'dishonourable'. This was noted by all present in the room.</p> <p>The public left the room and JQ confirmed the public session had terminated at 9.02 pm.</p>

	<i>A five minute recess was agreed.</i>
151/20	Matters in Private
a)	<i>MF proposed the allocation of monies to obtain legal advice on matters resulting from actions undertaken and communications issued by a member of the public. Seconded, JS. This proposal was noted and it was agreed that initial advice should be sought.</i>
b)	<i>Laxey and Lonan Heritage Trust - Matters relating to the Trust and the new 'Charities Act' were noted and discussed.</i>
c)	<i>Disclosure of information – A matter in regard to Section 65 of the Local Government Act was noted and discussed.</i>
d)	<i>To discuss the arrangement of entertainments for the August Bank Holiday Weekend 2020 & other events for the Summer Season 2020 in Laxey (deferred from Public). A matter in regard to sponsorship of the Summer concerts by a local business was discussed.</i>
e)	<i>A matter regarding a resident of Cooil Roi was noted.</i>
	Date of next meeting: 5 th August 2020

Appendix 1: Nomination Table:

OFFICE	NAME	PROPOSER	SECONDER
CHAIR	ANDREW MOORE	PK	LM
VICE CHAIR	MARINDA FARGHER	PK	LM
CHAIR	JOHN QUAYLE	MF	TK
VICE CHAIR	NIGEL DOBSON	MF	TK
CHAIR	JAMIE SMITH*	JP	
VICE CHAIR	TIM KENYON	JP	

Appendix 2: Board and Committee Members (as current)

Board Representation –
Municipal Association – TK & JS
Laxey & Lonan Heritage Trust – ND & TK
Laxey & Lonan Sports and Community Facilities – ND
Northern Traffic Management Liaison Committee – Any Member/s as required
Northern Neighbourhood Policing Team Community Partnership meeting – TK & PK (note any member/s can attend as required).
Regeneration Committee – TK, JP & AM
Eastern Civic Amenity Site Joint Committee – ND & TK
Northern Civic Amenity Site - JQ
Northern Swimming Pool Board - JQ
Northern Sheltered Housing Committee - MF
Waste Management Steering Group - TK
Cooil Roi Sheltered Housing Complex: Election of Lead Member – ND was proposed by AM , and seconded by LM .
Employment Sub-Committee – ND, JP, JS.
Glen Road Recreation Area Sub-Committee – ND, JP, PK, TK,