

**GARFF PARISH DISTRICT COMMISSIONERS****Annual General Meeting****Wednesday 4th August 2021, 7.00 pm****Venue: Laxey Football Club****Minutes of the Meeting**

**Present:** Ms M. Christian, Mr S. Clague, Ms A. Creer, Mrs M. Fargher, Mr T. Kenyon, Mr P. Kinnish, Mrs J. Pinson, Mr S. Ryzak, Mr J. Smith,  
**Officers:** Mr P. Burgess, Clerk, Mr M. Royle, Deputy Clerk/RFO  
Members of the Public were present  
**Apologies:** All present

<b>A/21</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. The Chairman reminds members that staffing matters should only be raised in private. <i>This was noted by Members.</i>
<b>B/21</b>	To suspend Standing Orders to enable the transaction of business at items 98/21 & 99/21. <i>This suspension was unanimously agreed.</i>
<b>98/21</b>	<b>Election of Chairman</b> Nominations for the office of Chairman and Vice-Chairman can be submitted to the Clerks' Office prior to the AGM. All nominations must have a seconder. <i>PB noted that one nomination had been submitted. Marinda Fargher had been nominated by JS. Seconded by AC. There were no other nominations. A vote took place and MF was unanimously elected to the position of Chair for the term ending in May 2022.</i>
<b>99/21</b>	<b>Election of Vice Chairman</b> Nominations for the office of Chairman and Vice-Chairman can be submitted to the Clerks' Office prior to the AGM. All nominations must have a seconder. <i>MF took the Chair and proposed Jamie Smith for the position of Vice-Chair. This was seconded by SR and unanimously Resolved.</i>
<b>100/21</b>	<b>Committees &amp; Boards – Representation</b>
<b>a)</b>	Municipal Association <i>It was Resolved that AC &amp; TK would represent the Commissioners on this Committee. It was noted that all Members are able to attend Municipal Association meetings..</i>
<b>b)</b>	Laxey & Lonan Sports and Community Facilities <i>It was Resolved that MC &amp; SC would represent the Commissioners on this Committee.</i>
<b>c)</b>	Northern Traffic Management Liaison Committee <i>It was noted that any Member could attend as required.</i>
<b>d)</b>	Northern Neighbourhood Policing Team Community Partnership meeting <i>It was noted that any Member could attend as required.</i>
<b>e)</b>	Eastern Civic Amenity Site Joint Committee <i>It was Resolved that TK would represent the Commissioners on this Committee.</i>
<b>f)</b>	Northern Civic Amenity Site <i>It was Resolved that SR would represent the Commissioners on this Committee.</i>
<b>g)</b>	Northern Swimming Pool Board <i>It was Resolved that JS would represent the Commissioners on this Committee.</i>
<b>h)</b>	Northern Sheltered Housing Committee <i>It was Resolved that MF would represent the Commissioners on this Committee.</i>
<b>i)</b>	Employment Sub-Committee A decision on this committee was deferred.
<b>j)</b>	Glen Road Recreation Area Sub-Committee

	<i>It was Resolved that PK, JP, MC, &amp; TK would represent the Commissioners on this Committee.</i>
<b>k)</b>	Garff Sewerage Consultative Group <i>It was Resolved that PK &amp; SC would represent the Commissioners on this Group.</i>
<b>101/21</b>	<b>Planning Matters</b>
	<b>Planning Applications</b>
<b>a)</b>	<p>21/00750/B - Land Adjoining Ard Reayrt Laxey, Erection of a dwelling with associated access.  <i>A range of documents had been circulated to Members for consideration in relation to this application. Two site visits had been conducted previously and a range of information and comment from residents had been circulated. Several concerns were raised by Members including comment that the proposals constituted 'over-development' of the site, that the loss of woodland would be detrimental to the character of the location as experienced and when viewed from across Laxey Valley, etc. Several Members commented that the proposed structure was too high and would cause particular 'over-looking' issues for houses below the site on Ramsey Road. It was noted that the recently implemented Area Plan for the East categorised the land as 'Open Space' which presumed against development. A Member referred to the potential for the development to cause 'off-site' flooding and to the ARUP report advising that this strongly recommended no more development in Laxey Valley until the Flooding Mitigation Works had taken place which would take several more years. Much concern was expressed about the proposed removal of trees on the site and the 'pressure' that this would put on further trees to be removed in the future; the damage that could be done to tree roots by the 'piling' that would be necessary was also discussed. It was noted that the trees were part of the 'screening' that had been a condition of the approval for the construction of the Ard Reayrt Site. Members referred to the effect on wildlife and the loss of habitat. Some assertions made in the Applicant's Statement in terms of access over the land owned by the Commissioners and planning policy were questioned. In particular it was noted that although the matter had been discussed no agreement had been made between the Developer and the Commissioners in regard to access to the site and the suggested complaisance of DEFA was also questioned. The various policy that presumed against the development was noted and discussed. Members also expressed opposition to the proposal to use the track behind houses on Ramsey Road to access the site during construction. The consensus following the site visit being that this was unacceptable due to the poor structure of the track and the very poor visibility splays on the exit onto Ramsey Road.</i></p> <p><i>It was agreed to request that the application went to the full Planning Committee and that they be asked to include a full site visit to inform their considerations.</i></p> <p><i>The unanimous consensus was that the Board should object to the application.</i></p> <p><i>There followed discussion of the covenant that was binding on the land owned by the Commissioners which prevented development including works to create access, etc (see item 103/21.a below). It was noted that this position had been confirmed by legal advice that had been obtained by Laxey Commissioners in 2014. It was also noted that the other party to the covenants had recently indicated that they were not willing to relax or release the necessary burdens on the covenants. It was proposed by JP that the Commissioners write to the developer advising that the Commissioners would not be seeking to have the covenants relaxed or released to enable access permissions over the land to be granted This was seconded by JS and unanimously Resolved.</i></p>
<b>b)</b>	<p>21/00797/B - Cliff View Pinfold Hill Laxey. Creation of new vehicle driveway with parking/ turning area.</p> <p><i>This application was considered. There were no objections to the proposals. Members felt that off-road parking provision would reduce the number of cars parking on the A2 Highway in the vicinity. It was agreed to defer to Highways in terms of road safety issues, visibility splays, etc.</i></p>
<b>c)</b>	<p>21/00799/B - Geay Varrey Clay Head Road Baldrine. Alterations, erection of double garage with living space above and erection of extension to lower ground floor.</p> <p><i>This application was considered. It was noted that the height, form, and scope of the extension contradicted recently issued guidance from the Planning Authority on the form of extensions as well as several aspects of Planning Policy. It was agreed to raise these matters in the comment</i></p>

	<i>submitted. The proposed extension was higher than the current dwelling and was not of a similar profile. It was noted that the visual impact of the proposed development would be apparent in the view of Clay Head and the seascape of the area when viewed from the A2 and other areas to the north. Members expressed no opposition to the principle of an extension to the property, however, it was agreed to object to these proposals. It was noted that a design that was in line with policy and guidance would be more likely to be acceptable.</i>
<b>d)</b>	21/00842/B - Sunny Bank South Cape Laxey. Alterations to balcony and external doors and installation of a velux window <i>PB declared an interest and left the meeting for the duration of this discussion. This application was considered. There were no objections to the proposals.</i>
	<b>Approval Notices (DEFA Planning Committee)</b> <i>The following approvals were noted. No further actions.</i>
<b>a)</b>	21/00513/C Warren Garth Ballagorry Drive Glen Mona, Conversion of existing annex into separate dwelling.
<b>b)</b>	21/00540/B Installation of structure to house gas boiler, etc, The Pink House, Maughold.
<b>c)</b>	21/00361/B Westroyd Ramsey Road Laxey, Installation of a heat pump.
	<b>Refusal Notices (DEFA Planning Committee) -ntr</b>
	<b>Appeal Notices (DEFA Planning Committee) –</b> <i>It was noted two appeals were coming up on the 19<sup>th</sup> of August in regard to PA 21/00133/B at Highfield Drive, Baldrine, and in regard to PA 20/01434/B Land at Ballaragh. It was noted that written submissions had been forwarded to the Appeals Administrator at Cabinet Office. There followed discussion of aspects of the latter application on Land at Ballaragh including the site visit that had taken place. No further instruction. Commissioners to attend the Hearing on PA 20/001434/B.</i>
	<b>Planning Enforcement (DEFA Planning and Building Control) - ntr</b>
<b>102/21</b>	<b>Approval of Minutes</b> Approval of minutes of meeting 28 <sup>th</sup> July 2021. <i>These were agreed to be a correct record of the decisions made at the meeting. Proposed JP, seconded JS. Resolved.</i> <i>MF welcomed all Members to the meeting.</i> <i>JP asked if guidance could be issued to Members that indicated roles and responsibilities etc. MR advised that an updated version of the 'Local Government Handbook' was being drafted would be available for circulation shortly. It was noted that a range of documents had been circulated including Standing Orders, the Local Government Act, and the Code of Conduct for Members and Officers, etc. Information/training sessions were also being planned which would begin in September 2021.</i> <i>SC stated that much of the feedback he had received during the run up to the election had been opposed to the proposals for sewage to be treated in Laxey or at Garwick. This was noted. Several Members stated their support for the option to pump sewage to Meary Veg, whilst other Members felt that no decision should be made until the full range of information was in front of the Commissioners; only then could an informed decision be made. There followed discussion of the level of progress that Manx Utilities were making through the Consultative Committee to bring their recommendations and proposal forward. It was agreed to invite senior representatives to a meeting with the Commissioners at the September the 1<sup>st</sup> Meeting. Clerks to contact Manx Utilities to arrange.</i>
<b>103/21</b>	<b>Matters Arising &amp; Other Business</b>
<b>a)</b>	<b>Land at Ard Reayrt –</b> Deed covenant and burdens. Feedback from meeting with residents 2 <sup>nd</sup> August 2021. <i>This matter had been considered at item 101/21.a above.</i>
<b>b)</b>	<i>TK raised a matter following contact he had had with a resident who had suggested a wildflower planting scheme in Lonan. This was felt to be a positive idea that should be pursued. It was agreed to invite the resident to a meeting in due course. Clerks to arrange.</i>
<b>c)</b>	End Café – Request from PK to discuss.

	<i>The situation with the End Café was discussed. It was noted that a development company had made investigations into the viability of the site but had now withdrawn the interest. It was noted that the building was an 'eyesore' which was detrimental to the character of Laxey Promenade. It was agreed that previous investigations made by the Commissioners into the demolition of the building be reactivated now that the developer's interest had expired. Various options for the future use of the site were also discussed and the formation of a committee to discuss this was proposed. The safety of the site was discussed and felt to be an issue that needed to be explored with Environmental Health Officers at the earliest opportunity. It was noted that the Commissioners had already closed a section of the Promenade in front of the building. The clerks advised that the matter needed to be resolved urgently adding that a charge could be put on the property for the cost of demolition if it were deemed to be 'unsafe' and a danger to the public. Instruction was given for officers to meet Environmental Health on site as soon as possible with a view of determining the correct process to resolve the situation. This would likely include advice from DEFA on communication with the owner and the commission of structural reports.</i>
<b>104/21</b>	<b>General correspondence</b> - ntr
<b>106/21</b>	<b>Works and Amenities</b> – A written report would be issued on forthcoming projects, the various training sessions, etc prior to the September the 1 <sup>st</sup> Meeting.
<b>107/21</b>	<b>Chairman's Report</b> <i>MF outlined various projects and initiatives that were upcoming regarding, sewage treatment, flooding mitigation, new public conveniences in Laxey, the issue of the Garff boundary with Ramsey, upgrade of the Glen Road Recreation Area, a Laxey Parking Survey by DoI, and the forthcoming Area Plan for the North and West which included Maughold. MF also referred to the issues of future sheltered housing provision, new Commissioners' Offices, the development of a field in Glen Mona for purposes of public recreation, etc. TK referred Members to the plans for a new ECAS site.</i> <i>MF advised that staff had not taken their full holiday entitlement during the Covid period and thanked them for their contributions during the past year.</i>
<b>108/21</b>	<b>Any Other Urgent Business</b>
<b>109/21</b>	<b>Private Business</b>
<b>a)</b>	Land Valuations The valuations were noted.
<b>b)</b>	Quotation for tree works – 1. Removal of 3 Ash trees adjacent to MUGA, Glen Rd. 2. Removal of 9 Ash trees near recycling area, Glen Road. 3. Removal of dead Sycamore and 2 Ash trees rear of Swales Wearhouse. 4. Removal 1 Ash tree, 1 Sycamore tree, limb 1 Sycamore and cutting up 2 recently fallen trees, Opposite Victoria Terrace. <i>AC declared an interest in part 4 of this quotation and withdrew from the meeting for the duration of the discussion of this matter.</i> All the above works were approved. It was noted that the quotation was from one of the companies regularly used by the Commissioners, and that all H&S requirements and other due diligence had been assessed and met. The clerks were asked to instruct the contractor to carry out the works.
	Meeting closed 9.08pm Date of next meeting: Wednesday September 1 <sup>st</sup>