

## GARFF PARISH DISTRICT COMMISSIONERS

Wednesday 20<sup>th</sup> October 2021, 7.00 pm

**Laxey Football Club Function Room**

### Minutes of the Meeting

**Present:** Ms M. Christian, Ms A. Creer, Mrs M. Fargher, Mr T. Kenyon, Mr P. Kinnish, Mrs J. Pinson - from 8.15pm, Mr S. Ryzak, Mr J. Smith,  
**In Attendance:** Mr P. Burgess, Clerk, Mr M. Royle, Deputy Clerk/RFO, Julie Mattin (JM) Housing Manager.  
**Apologies:** Mr S. Clague. Mrs Pinson had advised that she would be delayed due to a prior engagement.

<b>7.00pm</b>	Meeting in Private. <i>A matter in regard to the unresolved transaction of land at Old Laxey Hill was discussed.</i>	
<b>7.10pm</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>MF advised that she had a conflict of interest in item 125/21.c and as a consequence would withdraw from the room during that discussion.</i>	
<b>124/21</b>	JM to report to the Board on matters related to Cooil Roi Sheltered Housing. <i>A report issued by JM dated 20.10.21 was noted. JM briefed Members on the six-monthly accounts contained in the report. MF reminded Members that they should arrange with JM to have a tour of the Cooil Roi complex. It was noted that a coffee morning was taking place at the complex at 10.30 on the 24<sup>th</sup> of October which would be a good opportunity for Members to visit and meet the residents.</i>	
	Report on the Audited Accounts for YE 21. <i>The Authority's accountant, Ian Begley, was in attendance to assist with briefing Members on the recently audited accounts for YE21. Ian highlighted key aspects of the accounts including the level of general revenue reserve, the level of rates arrears, the housing deficiency at Cooil Roi, and other matters in regard to the financial statements. He advised that improvements introduced during the financial year including a new electronic system for payment authorisations and a new method of monthly reporting to the Commissioners devised by Sue Gower-Jackson had increased the efficiency of the Authority's accounting systems. He indicated that he would be able to attend the meeting on November 20<sup>th</sup> to assist the Commissioners with drafting a financial plan for the next three years. There followed a discussion of how unpaid rates debts could be recovered. It was noted that Treasury recovered these monies on behalf of the Commissioners and that in general outstanding monies would eventually return to the Commissioners when a property was sold. MR briefed the Commissioners on points raised during the Audit that had been included in the Letter of Representation from the Local Authority and actions taken to date to review leases etc. The audited Financial Statements that had been circulated earlier that afternoon were considered in the light of Mr Begley's briefing. Several minor errors were noted and discussed in regard to the dates that members had been chair in the year, and in a reference to the status of Cooil Roi. Corrections were agreed. JS proposed that the audited accounts be accepted and agreed by the Board subject to the corrections discussed. This was seconded by SR and resolved unanimously. MF was given instruction to sign the corrected documents at the earliest opportunity. RFO to arrange this for 21.10.21.</i>	
<b>125/21</b>	<b>Planning Matters</b>	
	<b>Planning Applications</b>	
<b>a)</b>	21/01145/B Keayn Reayrt, Croit E Quill Road, Laxey, Erection of rear garden terrace, rear first floor balcony and window / door alterations. <i>TK advised that he lived on Croit e Quill and asked if he should declare an interest. MR advised that due to the distance of TK's property from the application site the clerks' recommendation was that he did not have an interest in the application. The application was considered. There were no objections to the proposals.</i>	

<b>b)</b>	21/01175/B Cliffside And End Café, The Promenade, Laxey, Variation of condition 1 of approval for Demolition of existing dwellings, garage and outbuildings and erection of four dwellings (PA 17/00006/B) to extend permission for a further 4 years. <i>Members discussed this application to extend the permission for a further four years. The history of the site was noted as were the previous planning applications relating to the property. Members voted unanimously to object to the application. There followed discussion of health and safety issues. It was noted that Environmental Health had recommended that a structural survey be obtained by the owner of the building to assess the dangers it posed to the public and to recommend actions that needed to be taken.</i>	
<b>c)</b>	21/01181/B 1 & 2 Mount Sayle, Port E Vullen, Maughold, Conversion and extensions to create a single residential dwelling. <i>This application was considered in detail. Concerns raised by Highways regarding the size of the proposed garage were noted. Notwithstanding this, the Board resolved that they had no objections to the application.</i>	
<b>d)</b>	21/01184/B Cruachan, Highfield Drive, Baldrine, Lonan, Alterations and erection of extension to existing dwelling and erection of a detached garage. <i>This application was studied closely. Questions were asked about the adequacy of parking provision. A report from Highways indicating that the Department were content with the level of on-site parking was noted. The Board had no objections to the application.</i>	
<b>e)</b>	21/01194/B Isabella Cottage, 24 Mines Road, Laxey, Installation or replacement slate tiles to rear elevation (retrospective). <i>There were no objections to this retrospective application.</i>	
	<b>Approval Notices (DEFA Planning Committee) - ntr</b>	
	<b>Refusal Notices (DEFA Planning Committee) - ntr</b>	
	<b>Appeal Notices (DEFA Planning Committee) - ntr</b>	
	<b>Planning Enforcement (DEFA Planning and Building Control) - ntr</b>	
<b>126/21</b>	<b>Approval of Minutes</b>	
<b>a)</b>	Approval of minutes of meeting of 6 <sup>th</sup> October 2021. <i>These were agreed to be a correct record of the discussions and decisions made at the meeting. Proposed SR, Seconded TK. Resolved. A discussion took place.</i>	
<b>127/21</b>	<b>Matters Arising &amp; Other Business</b>	
<b>a)</b>	Audit YE 2021 <i>These matters were dealt with at item 124/21 above.</i>	
<b>b)</b>	To consider a procedure to discuss the proposals from local businesses for development in two public areas on Laxey Promenade. <i>JP declared an interest and withdrew from the meeting. This discussion was moved into Private Session. The consensus was that the loss of public open space that each proposal entailed would have to be considered very carefully. The current use of public areas by the two businesses was noted. It was felt that a 'holistic' approach would have to be taken to the use of the whole Promenade area to ensure that any development was undertaken with sensitivity to the character of the area and to ensure that the correct balance of access to public open space was achieved. The clerks advised that the senior northern planning officer had visited the promenade and had indicated that Recreation Policy 2 (see below) of the Isle of Man Strategic Plan had the most relevance when considering the two proposals; particularly where public open space would be leased for a private venture. This policy was discussed. The clerks were asked to seek full clarification from the Planners in regard to its interpretation against the two proposals.</i>  <i>Recreation Policy 2: Development which would adversely affect, or result in the loss of Open Space or a recreation facility that is or has the potential to be, of recreational or amenity value to the community will not be permitted except in the following circumstances:</i>	

	<p>a. <i>where alternative provision of equivalent community benefit and of equivalent or better accessibility is made available; and</i></p> <p>b. <i>where there would be an overall community gain from the development, and the particular loss of the open space or recreation facility would have no significant unacceptable effect on local open space or recreation provision or on the character or amenity of the area.</i></p> <p><i>In addition, it was agreed that the Board should undertake a full assessment of the future use of the whole promenade area. Further discussion was reserved until a subsequent meeting. A Member referred to a management point in the auditor's report in relation to use of the public shelter by an adjoining business. This recommended that the Board seek a means to formalise the situation. There followed discussion of this matter. It was agreed that legal advice should be sought before any further consideration of this matter. The clerks were instructed to undertake an initial meeting with an advocate.</i></p>	
c)	<p>Request from PK to address Members in regard to trees in Laxey with a view to a full discussion at a subsequent meeting on the subject (<i>this to give opportunity for all Members to fully consider any actions, etc</i>).</p> <p><i>A discussion of various wooded areas of Laxey took place. It was noted that some of these were in private hands but some were owned by DEFA, other government agencies, and the Commissioners. The clerks reminded Members that the Commissioners had taken trees out in recent years in areas they owned land beside New Road, etc, particularly where they were diseased. Ivy had also been removed from trees in large sections of woodland. The expense of tree management to the ratepayer was discussed. It was agreed that the clerks should contact DEFA Forestry Division with a view to obtaining initial advice on a programme of tree management for Laxey.</i></p>	
d)	<p>To discuss changes in the Local Government Amendment Bill to the regulations for the payment of attendance allowance expenses.</p> <p><i>A document detailing the current regulations had been circulated. Members were briefed on revised proposals in the new Bill which was likely to become an Act in the next six months. It was noted that whatever the regulations permitted that the Board could set its own policy for the types of Commissioners' activity that Members could claim for. It was noted that Ramsey Commissioners had recently voted to limit payment of expenses to attendance at statutory Board meetings.</i></p>	
<b>128/21</b>	<b>General correspondence</b>	
	<p><b>Resident</b> – in regard to the condition of the Liverpool Arms (dated 11<sup>th</sup> October 2021). <i>This correspondence had been circulated, was noted and discussed. The clerks advised that under instruction from the Board and following a site meeting with an Environmental Health Officer they had written to the owner asking that various maintenance issues be addressed. No response had been received to this correspondence. It was noted that the future of the building was now the subject of court action initiated by the owners who were seeking to overturn the decision made by the Minister at appeal not to allow residential use of the site.</i></p>	
	<p><b>President of Tynwald</b> – Invite to Members to the Tynwald Christmas Carols Service: Thursday 16<sup>th</sup> December 2021 at 1.10 pm, St Mary of the Isle RC Church, Hill Street. <i>This was noted.</i></p>	
<b>129/21</b>	<b>Committees &amp; Boards – By exception</b>	
a)	<p><i>TK asked if the Board would be willing to continue support for L&amp;LHT. He was instructed to ask the Trust to make a submission to the Board requesting and detailing the support they required. This would then be considered.</i></p>	
<b>130/21</b>	<b>Operational Reports</b>	
	Cooil Roi – <i>A report had been circulated by JM as indicated above.</i>	
	New Road - <i>ntr</i>	
	Health & Safety – <i>(H&amp;S &amp; Maintenance Record document circulated 15.10.21). This document was noted.</i>	
<b>131/21</b>	<b>Any Other Urgent Business</b> ( <i>to be submitted in writing by mid-day the previous Tuesday to the date of the meeting</i> ).	

<b>a)</b>	<i>JP proposed that TK be given power to TK to sign the agreements to sign papers on behalf of the Board in regard to the new ECAS site and the Committee's constitution. This was seconded by MF and unanimously resolved.</i>	
<b>b)</b>	<i>JM advised that she had taken responsibility for the Laxey and Lonan Branch of the Royal British Legion. She asked for anyone who could assist with this year's appeal to contact her as soon as possible. It was agreed to pay a sum of £100.00 to pay for the wreaths at Laxey/Lonan and the wreath at Maughold.</i>	
<b>132/21</b>	<b>Committees &amp; Boards – By exception</b>	
	<b>Matters in Private</b>	
<b>133/21</b>	To discuss the tender document submitted in regard to land beside OLH <i>A discussion took place involving un resolved contractual and financial information.</i>	
Training session	Data Protection, GDPR: the responsibilities of the Organisation, its Members, and its Staff. A training session on Members' responsibilities under GDPR was delivered by JM using powerpoint slides.	
	Meeting closed at 22.11pm Date of next meeting: Wednesday 3 <sup>rd</sup> November 2021	