

GARFF PARISH DISTRICT COMMISSIONERSWednesday 20th July 2022, 7.00 pm**Commissioners' Offices, 35 New Road, Laxey****Minutes of the Meeting**

Present: Mr S. Ryzak (SR) Chair, Mrs M. Fargher (MF) Vice Chair, Ms M. Christian (MC), Ms A. Creer (AC), Mr T. Kenyon (TK), Mr P. Kinnish (PK), Mr S. Clague (SC), Julie Pinson (JP).
Officers: Mr P. Burgess (PB), Clerk, Mr M. Royle (MR), Deputy Clerk/RFO, Mrs J. Mattin (JM) Housing Manager
Apologies: Mr J. Smith (JS)

7.00pm Public 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.
JP advised that she had signed the record of Members' Interests book in regard to item 103.22.a

The Chair read the following statement:
The Commissioners have always intended to have tables and chairs in the Laxey Promenade Public Shelter Facility, now and in the future. This will continue to enable the general public to consume food and drink, including all patrons of the adjacent Laxey Beach Kiosk.

96/22 Planning Matters**Planning Applications**

a) 22/00736/B - Ballaragh Old Farmhouse Ballaragh Laxey. Conversion of existing outbuildings into ancillary accommodation with additional tourist use.
These proposals were discussed. The consensus being that they would be in keeping and would be a visual improvement. No Objection.

b) 22/00810/B - New Inn New Road Laxey. Removal of flat and pitched roof over ground floor yard with associated works and installation of french doors to side elevation.
These proposals were discussed. The consensus was that these proposals would cause minimal visual or other intrusion. No objection.

c) 22/00838/B - Cronk-E-Chule Wheel Hill Laxey. Creation of boundary wall.
These proposals were discussed. The consensus being that they would be in keeping and would be a visual improvement. No Objection.

Approval Notices (DEFA Planning Committee) – The following range of planning matters were noted by Members. No further instruction.

d) 22/00279/B - Ard Beg Pinfold Hill Laxey. Alterations, erection of extension and decking.

e) 21/01385/B - The Shieling Baldrine Road Baldrine. Erection of a detached garage and alterations to existing vehicular access with associated landscaping works.

f) 22/00565/B - Thie Ain Ballagawne Road Baldrine. Demolish rear conservatory and erection of replacement single storey Extension.

Refusal Notices (DEFA Planning Committee) - ntr**Appeal Notices (DEFA Planning Committee) - ntr****Planning Enforcement (DEFA Planning and Building Control) - ntr****Withdrawal Notices (DEFA Planning And Building Control) - ntr**

101/22.b Cooil Roi Report.
JM had circulated a report. This was noted by Members. A matter in regard to heating charges and their impact on rents was discussed in Private Session.

97/22 Approval of Minutes

a) Approval of minutes of meeting of 6th July 2022.
 These were agreed to be a correct record of the decisions made at the meeting. Proposed TK, seconded MF,. Resolved unanimously by all those who had been present.

98/22 Matters Arising & Other Business

a) Area plan for the North and West Consultation – **MF** to lead discussion.

MF advised that she had attended the Area Plan for the North and West 'Drop-in' at Ramsey Town Hall. She advised that the deadline for submissions was the 16th September 2022. This was noted by Members and Clerks. **MF** advised that within the draft plan there was no allocation for residential development in Maughold, including in Glen Mona: there was no change to the Glen Mona settlement boundary. She advised that the officers at the drop-in had advised her that the recent announcement in the Government Plan to increase the Island's population to 100,000 may have implications for the longer term allocation of residential land; this could be a matter considered in the drafting of the new IOM Strategic Plan in 2024/25. The need for the provision of an appropriate amount of affordable housing in areas such as Glen Mona was discussed; it was felt that this would benefit the school roll and enhance the vibrancy of the area. Future potential residential development in the Corransy/Corony area was also discussed. **MF** advised that the Cabinet Office were also interested in improving the infrastructure in areas such as Glen Mona in ways that would encourage Active Travel. MR drew Members attention to the designation of further potential areas for mineral extraction in the regions of Dreemskerry and Dhoon Quarries. This was noted. Methods of advising the public of the consultation were discussed. **MF** requested that details of the consultation be posted in the Glen Mona noticeboard and on social media/website. This was agreed. It was also agreed that the Commissioners should encourage Members of the public to write in with their views which could then be considered. The Commissioners had arranged a public meeting in Glen Mona in 2020 when the 'Call for Sites' process had been initiated. Feedback received then had generally favoured provision of some affordable housing. It was agreed that the Commissioners should continue liaising with the community including the school and Dhoon Church. Members were asked to consider the draft plan and submit comment to the office to enable the preparation of a statement prior to the 16th of September. Further discussion to take place at subsequent meetings.

b) Extension of HSBC Loan agreement - AMENDMENT AND RESTATEMENT AGREEMENT (ARA) Resolution required to proceed. Please see minute below.

The following documents were produced to the meeting:

1. An Amendment and Restatement Agreement between The Treasury (acting as Guarantor), HSBC Bank Plc (acting as Lender) and Others (as Borrowers) to amend and restate a facility agreement originally dated the 27th July 2015 as amended and restated on the 27 July 2020 and as further amended on the 30th September 2021 (the "Agreement"); and
2. a Facility Agreement as amended and restated by the Agreement ("the Facility Agreement") between the same parties

IT WAS RESOLVED that:

1. the Authority has the power to borrow and the purpose for which it will borrow under the Facility Agreement as amended and restated by the Agreement is consistent with the power in section 51 of the Local Government Act 1985.
2. it is in the best interest of, and to the advantage and further benefit of the Authority, for the Authority to enter into the Agreement and the terms of both the Agreement and the Facility Agreement as amended and restated were hereby approved and that the Authority will comply with the obligations set out in the Agreement and the Facility Agreement (as amended and restated by the Agreement).
3. Stan Ryzak, Chairman, Marinda Faragher, Vice Chairman, Peter Burgess, Clerk, are hereby authorised to sign the Agreement and any other documents that may be considered by such signatory necessary or desirable for the purposes of carrying into effect any of the foregoing resolutions or the transactions contemplated thereby; and

	<p>4. the Authority takes such steps and execute such further documents as required by the Treasury and/or the Bank in order to give full effect to the Agreement and the Facility Agreement as amended and restated by the Agreement.</p> <p><i>Members considered the above Amendment and Restatement Agreement. PB outlined the reasons why this was necessary and explained that there would be no significant changes. It was noted that Cooil Roi held two loans with HSBC and that there was an additional loan for the Mines Road Streetlighting Scheme. It was also noted that HSBC had the official arrangement with the Manx Government to supply loans to public bodies. Loans through this arrangement attracted very low interest rates in comparison to standard base rates. In addition, the loans benefitted from Manx Government guarantees. MC proposed that the loan agreements be extended with HSBC. This was seconded by AC and agreed unanimously.</i></p>	
c)	<p>Presentation on Bathing Water Quality feedback from meeting 13th July 2022.</p> <p><i>TK expressed disappointment with the presentation and what had subsequently been discussed. PK stated that the Laxey outfall was too close to the bathers in the bay. Several Members expressed support for this assertion. The information provided by MU that they would be permitted to release screened, but untreated sewage through the outfall on up to 60 occasions per year was noted. The consensus was that this was too excessive. Some Members expressed a view that this was one of the key reasons why the sewage should be pumped away to Meary Veg. Some Members expressed the view that over the last few years of discussion Manx Utilities had issued contradictory information. It was noted that Michelle Hayward MHK had spoken out requesting more water quality testing in Tynwald. JP stated that she felt the Commissioners should fund extra testing. It was noted that Environmental Health had said that they would only test on designated bathing beaches: because of the raw sewage outfall Laxey beach had not been accorded this status. It was also noted that DEFA had stated that they did not have funding or human resource to undertake testing when they were asked by the Commissioners in 2021. SR proposed that the Commissioners approach DEFA again and also seek support from Manx Utilities in this request. There followed a discussion of the 50m 'territorial water' distance: despite what had been said at the meeting with the Manx Utility's consultant Members felt that the UK distance of one nautical mile should have been adopted in the legislation. SC proposed that closer liaison take place between the Best 4 Laxey group and the Commissioners in regard to pushing for extra testing as well as on other beach water quality and sewage treatment matters. MC noted the length of time it was taking MU to announce the site of their proposed combined treatment works in Lonan and stated that she felt the Commissioners should ask when this information was available. SR noted that MU were still in negotiations with the landowner and had cited 'sensitivities' at this stage of the discussions so had said they could not release the information at this stage. It was agreed to monitor this situation and pressure MU to release the location of the site at the earliest opportunity. Some Members felt that other information was being withheld unnecessarily and were concerned that MU would only release this when the planning application was submitted. SC stated that the proposals from MU for a combined sewage plant somewhere in Lonan was now a 'done deal' and would go to planning. He asked if the Commissioners could consider how to engage with the planning process to ensure the best outcome for Laxey & Lonan residents in the circumstances. He felt that the comments made by Mrs Caine and Mrs Sharpe at the meeting demonstrated support for a pump away solution.</i></p>	
d)	<p>Campervan Parking on Laxey Promenade. Correspondence received.</p> <p><i>TK stated that he had walked the Promenade area earlier in the day and had counted around 90 potential parking spaces, including 34 in the DoI's Shore Road car park. He stated that at 6.00pm today 3 of 8 designated motorhome bays were in use in the car park. It was noted that the DoI issued more permits to motorhome owners and they were available on a 'first come, first served. Basis, that is the parking space was not guaranteed. AC questioned the wisdom of this allocation system. PB asserted that in winter the bays would be filled by motorhomes. There followed a discussion of the issue of motorhomes parking overnight on the Promenade itself. There was a developing consensus that the time limit for motorhomes parking on the Promenade could be capped at either 24 or 48 hours which it was suggested could increase rotation and allow a compromise situation. A Member stated that there were issues with disposal of waste from the motorhomes.</i></p>	

	<i>There had over the years been some reports that the odd motorhome owner had emptied their waste into the storm water drains. The adequacy of emptying the waste into the public toilets was also discussed. It was noted that the problem had been exacerbated during TT this year as there had been many vehicles on the Promenade, a proportion of which had reportedly stayed for an extensive period, thus blocking the Promenade for other vehicles to park, etc. On one occasion during TT 19 had been counted. Some Members expressed reluctance to place restrictions on motorhome parking. There was a suggestion that the situation be monitored and reviewed on a regular basis over the next period of months. Three proposals were put forward. A proposal to limit parking to maximum 24 hours was rejected at this stage. A second proposal to limit parking to a period of 48 hours was also rejected. A third proposal to monitor the current situation and review in due course was agreed that this monitoring should take place and the situation reviewed in due course.</i>	
99/22	General correspondence – ntr	
a)	Email from Equality Advisor dated 11 th July 2022, regarding accessibility to the Public Shelter & Ice Cream shop in the shelter. <i>This remained to be circulated. It was agreed that the email should be circulated and the matter should be placed onto the agenda of the meeting taking place on August 3rd.</i>	
b)		
100/22	Committees & Boards – By Exception	
a)	<i>ECAS - SR advised Memebtrs that the sale agreement for the land to build the new Eastern Civic Amenity site at Middle Park in Braddan had been signed and the sale would now progress.</i>	
101/22	Operational Reports	
a)	35 New Road – <i>The clerks reported on several issues including arrangements for the Governor’s visit to Laxey & Lonan on the 21st of July, the opening of the new play park in Laxey Glen Gardens (Commissioners assisting with the official opening), hedgecutting and weed-spraying operations, progress with the replacement skatepark within the Glen Road Recreation Area, the Promenade Green Beach Shower. MR advised Members that the accountant had completed the draft financial audit report for YE 2022, and that the a planning meeting would take place with the Auditors in early August. A new community police officer had been appointed to cover Garff. A meeting had taken place with the clerks, but the officer was also very willing to attend a meeting to speak to the Board should a request be submitted.</i> <i>The Clerks advised that the the Laxey Promenade Play Area had deteriorated markedly in the past 12 months. Refurbishment works to the equipment and fence would take place during W/C 25th July’, It was agreed that there would be discussion of the facilities at the location at the Commissioners meeting on the 21st September. Requests was made to cut the hedges and for the DoI to cut the hedges and vegetation on the Ballabeg section of the A2 main highway.</i>	
b)	Cooil Roi –	
102/22	Any Other Urgent Business <i>(to be submitted in writing by mid-day the previous Tuesday to the date of the meeting).</i>	
a)	<i>SC reminded Members to submit comments and feedback on the proposals for sheltered housing and new office facilities at the former Princes Motors site to the office as soon as possible.</i>	
103/22	Matters in Private	
	Note: Local Government Act 1985, section 65; Disclosure of Information ‘Any member or former member of a local authority who, without the consent of the authority, divulges any information communicated to him in confidence as such member shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1000.’ <i>This was noted by Members. It was agreed to investigate a procedure for dealing with such breaches.</i>	
101.22.b	Impact of Global Oil Prices on Cooil Roi Heating Charge. <i>JM briefed Members on the consequences of the rise in oil prices at Cooil Roi. A discussion on the level of heating charge took place.</i> <i>JM left the meeting.</i>	
b)	Correspondence received regarding Telephone Box on Pinfold Hill. A discussion took place.	
a)	Prom Shelter – Update, progress. <i>A discussion took place.</i>	

b)	<i>A matter in relation to the Glen Mona Car Park was discussed.</i>	
	Date of next Meeting 3 rd August 2022	