

GARFF PARISH DISTRICT COMMISSIONERS

Wednesday 7th September 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 A. Creer (AC),
Mr T. Kenyon (TK), Mr P. Kinnish (PK), Mr S. Clague (SC), Julie Pinson (JP), Mr. J. Smith (JS).
Officers: Mr P. Burgess (PB), Clerk, Mr M. Royle (MR), Deputy Clerk/RFO.
Apologies: Ms M. Christian (MC),

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.

This was noted by Members.

112/22 Planning Matters

Planning Applications

- a)** 22/00879/B - Erection of fencing to side front garden. Thornhill Highfield Drive Baldrine. (Retrospective). Amended plans received.
The amended information was considered by Members. It was agreed that the height and style of the fence would cause an unacceptable visual intrusion into the Highfield Drive 'streetscape'. The Commissioners resolved to submit an objection to the proposals.
- b)** 22/00842/B - 15 Baldrine Park Baldrine. Removal of an existing chimney.
This application was considered in detail. The consensus being that the proposals would have minimal visual impact. There were no objections.
- c)** 22/00278/C - 1 Amulree Glen Road Laxey. Additional use of residential property (class 3.3) as tourist living accommodation (class 3.6).
This application was considered in detail. It was noted that Highways did not oppose the proposals. The Board resolved to submit no objection.
- d)** 22/00338/B - Hunters Moon Baldrine Road Laxey. Erection of single storey side and rear extensions and raised decking, installation of flue system and re-roofing of existing dwelling.
This application was considered in detail. The consensus being that the proposals would not significantly alter the visual impact of the property on the surrounding area. The Board resolved to submit no objection.
- e)** 22/00940/B - 72 Ard Reayrt Laxey. Installation of replacement windows to garage door, removal of extended chimney stack and widening of driveway access with associated works.
This application was considered in detail. The consensus being that the proposals would not significantly alter the visual impact of the property on the surrounding area. Comments from Highways requesting conditions in terms of visibility splays were noted and supported. Notwithstanding this, the Board resolved to submit no objection.
- f)** 22/00949/B - Adjacent To Ballaragh Old Farmhouse Ballaragh Road Ballaragh. Erection of retaining wall with associated planting and post and wire fencing in association with PA 20/01434/REM -Erection of new dwelling.
This application was considered in detail. The consensus being that the proposals would not significantly alter the visual impact of the already approved dwelling on the surrounding area. The intention to use stone from the demolished barn was welcomed by Members. The Board resolved to submit no objection.
- g)** 22/00529/B - 2 Marguerite Cottage Glen Road Laxey. Installation of a rooflight (retrospective).
AC declared an interest and left the meeting for the duration of this discussion. There were no objections to this application.
- h)** 22/00661/C - North Baldrine House Baldrine Road Laxey. Erection of Summerhouse (Retrospective) and Additional use of summerhouse as tourist living accommodation.

	<i>The Board had submitted no objection to the initial proposals. The amendment to the description of the application was noted. No objection.</i>	
i)	22/00973/B - Tara Highfield Drive Baldrine. Removal of chimney stack and erection of single storey side extension. <i>This application was considered in detail. The consensus being that the proposals would have minimal visual impact. There were no objections.</i>	
j)	22/00617/B - Highcroft Upper Cronk Orry / Ramsey Road Laxey. Erection of detached single storey summer house to replace existing shed at the rear. <i>The Board had submitted no objection to the initial proposals. The new amendments were considered in detail; these were not considered significant. The Board resolved to confirm its decision not to object to the proposals.</i>	
k)	22/00986/B - Roseanne Minorca Hill Laxey. Replacement of garage door with a doorway and window and erection of a replacement porch. <i>This application was considered in detail. The consensus being that the proposals would have minimal visual impact in this location. There were no objections.</i>	
l)	22/01031/B - Energy Dissipater Outlet Station Dumbells Terrace Laxey. To install an energy dissipater at the outlet of new surface water system. <i>This application was considered in detail. The clerks were asked to submit a request that the concrete structure be clad in a 'Manx stone' style finish that would be sympathetic with the adjacent stone bridge.</i>	
m)	22/01078/B - Yn Thie My Chree 36 Mines Road Laxey. Installation of replacement windows and doors, roof tiles, render and addition of a front porch. <i>SC declared an interest and left the meeting for the duration of this discussion. This application was considered in detail. The refurbishment of the building was very much welcomed. It was noted that the dwelling was in a sensitive location in terms of tourists and visitors with it being prominent on the approach to the Laxey Wheel which includes 'Ham & Egg Terrace', etc. In this circumstance the Commissioners felt that choice of window configurations for the restoration needed to be made very carefully; the consensus of the Board being that 'sliding sash' windows would be more appropriate in this culturally important location. The clerks were instructed to request that the Planning Officer, the Conservation Officer, and the Planning Committee consider these comments. Members raised no objections to the proposals for the front porch.</i>	
n)	22/01081/B - Grianane Back Shore Road Laxey. Installation of a flue. <i>PK declared an interest and left the meeting for the duration of this discussion. Members discussed this application in detail. Concerns were expressed in regard to the visual impact of the proposed flue particularly when viewed from Old Laxey Hill. The Clerks were instructed to make a submission which requested that (if the current chimney could not be used to house a flue internally) measures be taken to reduce the visual impact of the flue as proposed.</i>	
	Approval Notices (DEFA Planning Committee) <i>The following approvals were noted. No further instruction.</i>	
o)	22/00708/B - 2 Shore Road Laxey Isle Of Man IM4 7DJ. Replace existing wooden front door and frame with bespoke painted hardwood incorporating upper double glazed.	
p)	22/00838/B - Cronk-E-Chule Wheel Hill Laxey. Creation of boundary wall.	
q)	22/00669/A - Balla Bluff Pinfold Hill Laxey. Approval in principle for the erection of 2 residential dwellings.	
r)	22/00245/B - Savannah Clay Head Road Baldrine. Erect gate posts, gate and bin store.	
s)	22/00888/B - Hall Trinity Laxey Nursery Shore Road Laxey. Variation of condition two of PA 14/01294/C to amend operating times from 08.30 -16.30 to 08.00 - 18.00.	
t)	22/00856/C - La Petite Colline Snaefell Road Agneash. Additional use of residential property as tourist accommodation.	
	Refusal Notices (DEFA Planning Committee) <i>The following refusal was noted. No further instruction.</i>	

u)	22/00618/A - Thie Dhorlish Rhenab Road Cornaa Ramsey. Approval in principle to build a replacement three bedroom two story house with separate garage and workshop.	
	Appeal Notices (DEFA Planning Committee) - ntr	
	Planning Enforcement (DEFA Planning and Building Control) - ntr	
	Withdrawal Notices (DEFA Planning And Building Control) - ntr	
113/22	Approval of Minutes	
a)	Approval of minutes of meeting of 3 rd August 2022. <i>These were agreed to be a correct record of matters discussed and decisions made at the meeting. Proposed, TK, Seconded, MF. Resolved.</i>	
114/22	Matters Arising & Other Business	
a)	Proactive Publication of Information Consultation Document available via: https://consult.gov.im/cabinet-office/proactive-publication-code-of-practice-consult/ <i>This consultation was noted. PB advised that the document had been issued on the 3rd of August with a 14 day consultation period. Garff and several other Authorities/Government Departments had requested an extension as the consultation period was inadequate. MR advised that the draft Code of Practice was for all areas of central government boards, public bodies and local government. The document was intended as an additional document to be considered alongside the FoI process. The intention was to encourage Departments/Authorities to publish as much information as possible for the public to access. The examples given in the document being minutes, accounts, organisational contacts/structures, etc. It was noted that the Commissioners currently published meeting minutes, financial accounts, various reports, policies, etc. The clerks advised that the Commissioners should presume to publish all material that did not contain contractual or personal matters relating to staff or residents, tenants, etc. The Board requested that a submission be made to the consultation indicating the range of materials published currently and indicating support for the principles outlined in the document.</i>	
b)	Shore Road car parking – Laxey Village Car Parking. <i>PK initiated the discussion expressing his concern with the current parking situation at and around the DoI's Shore Road Car Park. Two items of correspondence from local residents had been circulated previously which outlined similar concerns particularly when the Promenade was busy with visitors. One correspondent asked that the Commissioners consider parking issues before organising or permitting future events. A discussion of the needs of local residents and visitors took place. It was noted that DoI intended to bring forward further proposals for protecting the Promenade and Harbour areas from flooding/over-topping. SR stated that this was likely to be a fundamental factor in improving the parking situation in the area: it was agreed that the Clerks should request an update on progress with these proposals from DoI. There followed discussion of motorhome usage of the Promenade and Shore Road Car Park by visitors and locals. It was noted that the Commissioners had agreed to monitor the situation on an ongoing basis. JS referred to several events that the Commissioners had organised in which a funded shuttle bus service had run to and from Laxey Promenade. He noted that these had been successful and suggested that the Commissioners should request a shuttle bus service to link the Promenade with upper Laxey. The clerks were instructed to write to Bus Vannin in this regard. MR reported that the DoI would not be conducting a full parking survey in Laxey as had been promised in 2019. The monies for this had been removed from the Department's budget. It had been intended to fund a report by consultants to set out the options for improving parking in the whole Village. Notwithstanding this, the clerks were instructed to write to the Department seeking a dialogue on actions that could be taken to improve the parking situation in Laxey.</i>	
c)	Music on Laxey Promenade – discussion. <i>Members discussed options for live music on Laxey Promenade; these included the provision of a dedicated space from which musicians could perform. There followed discussion of where</i>	

	<p><i>this space could be, whether performers should be licensed through audition, and whether set days and hours should be implemented, etc. SC suggested that the Commissioners ask for the submission of opinions on this from the public as well as on a range of other matters. At the end of the discussion the consensus was that the matter should be considered and revisited in early 2023 so that appropriate arrangements could be put in place for the season.</i></p>	
d)	<p>Railings on steps to the Beach <i>PK outlined concerns he had with the safety of the access steps onto Laxey Beach, particularly those towards the harbour. These had been re-instated by DoI several years ago along with handrails which failed within weeks and not been replaced. The consensus was that the steps were very dangerous and needed urgent attention. The Commissioners had reported their concerns to the Department on several occasions in the past few years but no action had been taken to resolve the situation. It was agreed that correspondence expressing the concerns of the Board should be sent to the Director of Highway Services at DoI. PK made a further suggestion that a concrete ramp be constructed to allow easier access across the stone section of beach. This was noted.</i></p>	
e)	<p>Area Plan for the North and West <i>MF advised that she had attended a meeting in regard to the proposals within the draft Area Plan with Mr Kelly, Head Teacher at the Laxey & Dhoon Schools, Clare Christian (C.P. Maughold), Nigel Cretney (Dhoon Church), and one of the clerks. Mrs Caine MHK had been unable to attend but had also provided input to the meeting. It was noted that the Commissioners had submitted comments previously indicating that they would support the extension of the Glen Mona settlement curtilage into some of the surrounding fields. It was noted that following this submission the Cabinet Office had not designated any additional land in the vicinity in the recently released draft Area Plan. It was agreed that the Commissioners would make a joint submission with Messrs Kelly, Christian, Cretney, & Caine that identified particular fields that it was felt should be incorporated. Clerks to draft and submit by 16th September.</i></p>	
f)	<p>Princes Motors site <i>Revised drawings for new sheltered housing and office provision for the Commissioners on the former Princes Motors site were noted at the meeting. It was agreed that electronic copies should be circulated along with an outline report on the proposed facilities and the options for their finance. It was noted that JM had submitted a needs case for the Sheltered element of the proposed development. The report and drawings to be issued to Members prior to the next meeting.</i></p>	
g)	<p>Ramsey Commissioners Boundary Review – Meeting 24th August 2022 <i>SR briefed Members on the discussions that had taken place with representatives from Ramsey Commissioners regarding their request for changes to the boundaries between Garff, Ramsey, and Lezayre. He advised that the consensus amongst the Garff representatives was that no new information had been provided and that Ramsey had failed to provide any justifiable reasons for the changes to take place. It was noted that there were only two properties involved that were currently in Garff; in this sense the financial implications for Garff were negligible. The consensus however was that Garff should seek to protect the interests of these ratepayers who would be affected by a steep rise in rates if the boundary was changed. It was noted that the financial implications for Lezayre were much more significant as there were many more properties affected. The timing of Ramsey’s bid to have change the boundaries was questioned. The consensus was that the bid was premature as the Area Plan for the North and West was yet to be published. One Member felt that the two properties at the Crossags could be considered to be in Ramsey due to their access road emerging onto Lezayre Road. This was noted with no further comment. Members expressed particular concern that the proposal was being progressed at the time of a cost of living crisis. The cost of the required public inquiry was discussed. Ramsey had revealed the amount they had spent on preparing documents thus far but it was felt that this was a matter for their political members to discuss with their ratepayers. The consensus was that the Board write to Ramsey Commissioners recommending that they withdraw their proposal on the grounds stated above.</i></p>	

h)	<p>Receipt of petition by the office. Laxey Beach Stop Cafe.</p> <p>SR advised the meeting that the petition had been submitted to the office for consideration by Members. The number of signatories was noted. The Chair thanked the tenant for gathering and presenting the petition to the Commissioners. SR stated that the petition would form part of the Board's ongoing considerations. He advised that as soon as the Board had agreed the precise details of the enhancements to the Public Shelter and promenade area there would be a full announcement of the decisions made. The two statements already issued by the Commissioners were referenced; as was their availability online.</p>	
115/22	General correspondence	
a)	<p>Attorney General's Charges – Proposed change to rates debt collection charges. Email from Kirsty O'Neil circulated 02.09.22.</p> <p><i>Details of these proposals had been circulated. The AG's office were proposing to charge local authorities for costs incurred when taking action against rate debtors. The Officers advised that more details would have to be forwarded as it was unclear how the proposal would work in practice. For example, how would the upfront costs be apportioned between MU, burial authorities, and local authorities – equally, proportionately, etc? Other potential difficulties were discussed. It was agreed that the Commissioners should respond rejecting the proposal. There followed a discussion of the level of administration charges levied by Treasury Rates Section during the Covid period when they were not pursuing bad debtors. The clerks advised that the Commissioners had discussed taking further measures to recover monies from debtors in the coming months. The need to offer staged payments was discussed. It was noted that Treasury already offered split payments through the direct debit/standing order process; there was facility to negotiate a scheme to stage payment of arrears through this method.</i></p>	
b)	<p>Resident parking – Shore Road and Promenade - <i>this matter had been discussed at item 144/22.b above.</i></p>	
116/22	Committees & Boards	
a)	Municipal Association – ntr	
b)	Laxey & Lonan Sports and Community Facilities - ntr	
c)	Northern Neighbourhood Policing Team Community Partnership meeting - ntr	
d)	Eastern Civic Amenity Site Joint Committee – ntr	
e)	Northern Civic Amenity Site – ntr	
f)	Northern Swimming Pool Board - ntr	
g)	Northern Sheltered Housing Committee - ntr	
h)	Glen Road Recreation Area Sub-Committee – <i>it was agreed that the clerks would arrange a meeting once the river works had ceased in October.</i>	
i)	Garff Sewerage Consultative Group – <i>Clerks to contact MU and request date of next meeting.</i>	
117/22	Operational Reports	
a)	<p>35 New Road –</p> <p>Laxey Promenade. Proposal to purchase large litter bins.</p> <p><i>The possibility of installing larger bins on Laxey Promenade and in the Rose Garden Shelter was discussed. It was agreed to obtain quotations for 12 bins and come back to the Board. It was agreed that other local authorities be approached with a view to a bulk order being placed. There followed discussion of whether the bins would be too large for the Promenade walkway. The suitability of these items to be discussed once costs were established.</i></p> <p><i>The clerks advised the following:</i></p> <ul style="list-style-type: none"> • <i>Daphne Caine MHK had asked the Commissioners to consider if there were any appropriate actions that they could take to mitigate against the looming cost of living crisis. SC suggested that the clerks liaise with Isle of Man Live at Home and other organisations. SR asked if an item could be put on the next agenda and that Members consider these matters prior to the next meeting.</i> • <i>MR advised that the YE 2023 audit process was on track to complete in the next 10/14 days.</i> 	
b)	Cooil Roi –	

	<p>Public sector housing rent setting 2023-24.</p> <p><i>Government had requested input from local authorities on the level of rent increase it should set across the island. A report had been circulated by the Housing Manager recommending a rise of 1.5% - 2%. It was noted that this was in line with what other local authorities were proposing to Government and with the proposed rise in pensions. There followed discussion of the level of rise and the possibility of recommending 1% was discussed. JP proposed that a 1% rise be recommended to Government. This was seconded by JS. Three Members voted for this proposal. MF proposed accepting JM's recommendation of a recommended rise of 1.5% to 2%. Five Members voted in favour. Thus the later proposal was carried. JM to submit the recommendation for a 1.5% to 2% rise to Government.</i></p>	
118/22	Any Other Urgent Business	
a)	<p><i>SR raised concerns with the style of cladding that had been used on the new river wall constructed by DoI alongside the Shore Hotel. It was noted that the style of cladding (grey slate) did not match the colour/style of the Manx stone wall on the opposite side of the river. It was noted that at meetings prior to the installation DoI had stated that the style would be matching. The consensus was that the finish of the new wall was out of character with the area. SR advised that finishes which matched more closely were available and should have been sourced. The clerks were instructed to contact the DoI's Liaison Officer to express the Board's concerns in regard to this matter.</i></p>	
b)	<p><i>JP advised that she had had a report from a visitor that there was a smell of dog fouling on Laxey Beach. This was noted, but it was felt more likely that this smell was caused by the raw sewage outfall that had been predominant in recent weeks. JP asked for an update on the implementation of the Dog By-Laws. MR advised that the application had been held up for several reasons over the last few years as progress of legislation had been delayed due to the additional pressures on the AG's Chambers and on Government caused by the need for new Covid and Brexit legislation. The pressures caused by the range of other business dealt with by the Commissioners was also a factor in the extended delay. The LGU had recently advised the office that due to the time that had elapsed it would now be more appropriate to re-publish the proposals for public comment. MR advised that the first step would be to re-present the current proposals to the Board at a forthcoming meeting. Once these had been amended and approved a period of public consultation would take place. The final proposals would then be amended and re-submitted to the LGU and AG's Chambers. There discussion included Members comments on Laxey Commissioners experiences with the costs of employing a warden as well as the difficulties and costs of pursuing action through the courts. The new proposals were currently being prepared to bring to the Board at the earliest opportunity.</i></p>	
119/22	Matters in Private	
	<p><i>The following extract from the LGA was read and noted by Members.</i></p> <p>Note: Local Government Act 1985, section 65; Disclosure of Information</p> <p><i>'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></p>	
a)	<p>Staffing Matters - Clerk to brief members.</p> <p><i>A staffing matter was discussed.</i></p>	
b)	<p>Tenant arrears – Update.</p> <p><i>A discussion took place.</i></p>	
	Additional Matters to Note:	
c)	<p><i>AC reminded Members and officers that the first gathering of the Laxey & Garff Community Care Group was taking place on Sunday 11th September from 10.30am. All to meet at the Valley Gardens in the first instance. This was noted.</i></p>	
d)	<p><i>SR proposed that the Commissioners meet on a monthly basis for a trial period. SR continued stated he was conscious that members committed a lot of their free time to the role, most without any remuneration. This was agreed. Resolved the next meeting will take place on Wednesday 5th October 2022.</i></p>	

e)	<i>SR asked if MC could be thanked for representing the Commissioners and Laxey so well at a recent interview for a programme on Manx Radio.</i>	
	Date of next Meeting 05.10.22, 7.00pm.	