

GARFF PARISH DISTRICT COMMISSIONERS

Wednesday 9th November 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) Mr S. Clague (SC), Mr T. Kenyon (TK). Mr P. Kinnish (PK), Julie Pinson (JP), Mr. J. Smith (JS).
Officers: Mr P. Burgess (PB), Clerk, Mr M. Royle (MR), Deputy Clerk/RFO, Mrs J. Mattin (JM), Housing Manager.
Apologies: Ms A. Creer (AC).
Mrs Daphne Caine MHK was also in attendance for a portion of the meeting.

7.00pm**Public Meeting**

The Chair opened the meeting at 7.02pm.

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.

146/22.a**Cooli Roi Report**

The monthly Cooli Roi report had been circulated. JM advised Members on the actions she was taking to ensure that an acceptable temporary road surface was laid at the complex. The current one had proven inadequate and not fit for purpose. Correspondence received from a resident requesting that the Commissioners investigate and intervene in the situation had been circulated. This was discussed. JM stated that DoI had agreed to lay a more durable tarmac surface w/c 7th December. She advised that works had not started as yet. It was agreed that JM & SR should continue pressurising DoI to undertake the work this week as promised. The clerks were instructed to advise the resident of the actions being taken by JM and the Commissioners. JM advised that fire tests were up to date. A Christmas craft fair would take place at Cooli Roi on the 26th November. Members thanked JM for the report which was received and noted. JM left the meeting at 7.21pm.

141/22**Planning Matters****Planning Applications**

- a)** 22/01195/B Ballaquine Glen Roy Laxey, Replacement front porch.
This application was considered. It was noted that the increase in size of the proposed porch was minor and it was agreed that there would be no significant visual impact. No objection.
- b)** 22/01282/B Whim Boutique 1 - 2 Dumbells Terrace Laxey, Replace windows and doors to front and side elevations and replacing the existing shop front door (side elevation) with a window.
The proposals were considered in detail. The needs of the business were acknowledged but the iconic status of the terrace was also noted; as was the location in the Laxey Conservation Area. The consensus was that the views of the Conservation Officer should be obtained and circulated to Members. A submission would then be agreed.
- c)** 22/01243/B Narradale Ballamenagh Road Baldrine, Erection of a first Floor extension to dwelling.
The location was noted and discussed. It was noted that the extension was to the rear of the property. The consensus reached was that the extension would not cause sufficient visual intrusion to warrant objection. No Objection.
- d)** 22/01275/B Green Oak Clay Head Road Baldrine, Installation of replacement windows and widening of driveway.
These proposals were studied in detail. The consensus reached being that the alterations to the windows would not cause further significant visual intrusion. It was noted that Highways had not objected to the proposals to widen the driveway. Members had no objections to the proposals.
- e)** 22/01319/B 4 Bay View Terrace Laxey, Installation of replacement three windows and door to rear elevation.
The configuration of the old and proposed windows were studied in detail. It was noted that the application was for new windows at the rear of the property. The consensus reached was that the installation of the new windows would be a visual improvement.
- f)** 22/01364/B Land to Rear of Olinda South Cape Laxey, AiP for erection of a detached dwelling with garaging.

	<i>There were no objections to this application.</i>
g)	Amended Plans: 22/00442/B Ballacreg Dreemskerry Hill Maughold, Extensions and alterations to existing dwelling to include replacement windows and doors and associated works (documents circulated 01.10.22). <i>These amended plans were noted and studied in detail. The general consensus being that the amended proposals were an improvement on the original proposals in terms of size, scope and the visual balance of the building. No objections.</i>
h)	Additional Drawing: 22/01182/B Berwyn South Cape Laxey, erection of a replacement dwelling and garage (document circulated 01.10.22). <i>The Commissioners had requested a drawing showing the position of the roofline when viewed from the A2 Highway. This had been provided and it was noted that the proposed dwelling would be below the adjacent dwelling. It was also noted that no objections had been submitted by neighbours to date. The difficulty of access down Old School Hill were discussed. In regard to this Highways had not objected. The consensus reached was that the Commissioners would not object to the proposals.</i>
i)	Approval Notices (DEFA Planning Committee) <i>The following approvals were all noted. The approval at item k) was questioned. No further instruction was given on any other of the approvals.</i>
j)	22/01165/B Installation of a flue, 12 All Saints Park Lonan Laxey.
k)	22/01119/B Erection of a smoking shelter, Shore Hotel Old Laxey Hill Laxey. <i>It was noted that the proposals had been amended prior to approval with detail changes such as a slate style roof, etc. Members expressed concern about the positioning of the shelter between the two buildings. The consensus reached was that the proposal would bring significant visual intrusion that would be out of character with the Laxey Conservation Area. The clerks were requested to contact the Conservation Officer to discuss these concerns. The Board would then determine whether to submit an Appeal request.</i>
l)	22/00752/B Erection of patio, walling with adjoining clock towers and associated landscaping works (Retrospective), Copper Top 1 Booilushag Ballajora Maughold.
m)	22/00617/B Erection of detached single storey summer house to replace existing shed at the rear, Highcroft Upper Cronk Orry/Ramsey Road Laxey.
n)	22/01098/B Proposed alterations and erection of extension to side, south-east, Elevation, 4 Phillips Terrace Minorca Hill Laxey.
o)	22/01081/B Installation of a flue, Grianane Back Shore Road Laxey.
p)	22/01078/B, Installation of replacement windows and doors, roof tiles, render and addition of a front porch, Yn Thie My Chree 36 Mines Road Laxey.
q)	22/00580/B Alterations and erection of a two-storey extension to existing public house to provide restaurant, hotel accommodation and staff manager accommodation with associated alterations to existing car park comprising amendments to PA 21/00336/B, Shore Hotel Old Laxey Hill Laxey.
r)	2/01180/B Installation of a replacement front door, 1 Bay View Terrace Laxey.
s)	22/01077/C Change of use application of a dwelling (class 3.3) to allow additional Tourist Use (class 3.6) Creggan Port E Vullen.
t)	22/00973/B Removal of chimney stack and erection of single storey side extension, Tara Highfield Drive Baldrine.
u)	22/00529/B, Installation of a rooflight (retrospective), 2 Marguerite Cottage Glen Road Laxey.
v)	22/00934/B Installation of balustrade around edge of roof over single storey side extension to create a roof terrace and installation of a first-floor doorway to access the terrace, 5 Reayrt Ny Glionney Close Laxey.
w)	22/01031/B To install an energy dissipater at the outlet of new surface water System, Energy Dissipater Outlet Station Dumbells Terrace Laxey.
x)	22/00810/B Removal of flat and pitched roof over ground floor yard with associated works and installation of french doors to side elevation, New Inn New Road Laxey.
y)	22/00986/B Replacement of garage door with a doorway and window and erection of a replacement porch, Roseanne Minorca Hill Laxey.

z)	22/00694/B Conversion of existing Workshop/Home Office to provide additional living accommodation in association with the main dwelling with additional tourist let usage, Cottimans Port E Vullen.
	Refusal Notices (DEFA Planning Committee) <i>The following three refusals were noted. No further instruction.</i>
aa)	22/01145/B Erection of a detached double garage with living accommodation/home office, Primrose Lodge Slieau Lewaigue Lewaigue Maughold.
bb)	22/00690/B Installation of a mobile field stable / shelter (retrospective), Fields 622432, 622468, 622467, 622463, 624497, 622465, 622471, 622435, 624326 & 624325 Adjacent To Dhoon Loop Road Dhoon Maughold.
cc)	22/00532/B Erection of agricultural building, Field 624395 Ballavelt Farm Cornaa.
	Appeal Notices (DEFA Planning Committee) - ntr
	Planning Enforcement (DEFA Planning and Building Control) - ntr
	Withdrawal Notices (DEFA Planning And Building Control) - ntr
	Demolition Notice (DEFA Planning And Building Control) -
dd)	Demolition of existing stone cottage Southview Minorca Hill Laxey. <i>This matter was noted. No further instruction.</i>
142/22	Approval of Minutes
a)	Approval of minutes of meeting of 26 th October 2022. These were agreed to be an accurate record of the discussions and decisions made at the meeting. Proposed MC , Seconded MF . Unanimously resolved.
143/22	Matters Arising & Other Business
a)	All island leisure rate. Correspondence from Mrs Caine MHK previously circulated. <i>TK stated he felt the rates should stay local. SC agreed. Concerns were expressed that local control over finances would be reduced. PK felt an All-Island Leisure Rate should be implemented. He said this would encourage the provision of more innovative facilities that the public could use. SR asked Members if Standing Orders could be suspended to permit Mrs Caine to address the Board. This was resolved. DC stated that she would like to hear the views of the Board before a debate on the matter in Tynwald. Jason Moorhouse MHK had asked for a debate to assess the impact that an all-island leisure rate might have financially and in terms of provision of facilities. It was noted that leisure facilities were funded differently in various areas. For example, Maughold residents contributed to the running of the Northern swimming pool, whilst residents of Laxey & Lonan made no contribution to a swimming pool. Mrs Caine stated that there were concerns that this could become another tax and could also be the beginning of a general all-island rate. Mrs Caine outlined how the rates charged by local authorities varied dramatically across the Island. It was noted that Garff was geographically the largest authority and the fifth largest in terms of population: only Douglas, Onchan, Ramsey, and Peel were larger. It was also noted that the level of Garff rates were much less than these areas. Mrs Caine stated that residents in other areas where rates were higher questioned this situation but added that some might ask, "why should we pay more for no added benefit?". Mrs Caine stated that rates reform needed to be implemented carefully so that authorities were not rewarded for having higher rates. Another option was to fund all leisure facilities through taxation rather than an all-island local authority rate. This was noted. MHKs would debate the matter at November Tynwald.</i>
b)	Various correspondence in regard to the progress of Treasury with implementing an Insurance compensation scheme to assist residents in Glen Road, Laxey who are experiencing difficulty obtaining insurance against flooding. (response from Treasury and Garff MHKs circulated 07.11.22) Mrs Caine advised that Andrew Smith MHK was currently liaising with residents of Glen Road in the flood zone in regard to the latest position with insurance provision. TK asked when the insurance companies would take this on board and reduce premiums. Mrs Caine advised that she did not feel there was appetite to include the Isle of Man in the UK flood reinsurance scheme either from the IoM or UK governments because of the complexity of the UK's computerised flood mapping and the size of population of the Isle of Man compared to the UK. She stated her understanding was that the UK Government would need to change their primary legislation and first the IoM would need to

	<p>change its rates system. She said she felt that the Isle of Man Government also seemed resistant to implementing a standalone underwriting scheme locally. Various mechanisms for funding compensation schemes were discussed. Mrs Caine referred to the solution for the coastal overtopping at the Harbour and Promenade in Laxey and questioned if there were any new proposals. The clerks advised that nothing had come forward as yet. JP suggested that government contact Age Concern UK who she stated operated a support/compensation scheme in the UK. JS suggested that a short-term option would be to set up a joint scheme which was funded by both insurance companies and the Manx Government, where the flood excess was reduced. MF stated that there was a 'moral responsibility' on the government to assist residents with these huge bills. She felt that the Government was to blame referring to the ARUP report which had indicated causes such as the build-up of fallen timber which the Department had been made aware of by the Commissioners prior to the flood in 2019. SR proposed writing to Treasury for an update on progress with setting up a scheme to assist affected residents. It was agreed that a letter should be sent to political representatives at the Department asking for their update on what had been achieved with the ten recommendations of the ARUP report.</p>
c)	<p>Live streaming Board Meetings. MC had asked for this matter to be debated. She felt that it would improve openness and transparency. SR agreed but felt that the Board needed to improve the manner in which it debated. It needed to become more professional. The clerks advised that standing orders were not always followed particularly the aspects that no Member should speak over the Chair who was there to direct the debate, ensure it flowed, and that all Members were given a chance to contribute. The clerks observed that on some occasions Members spoke over each other and sometimes even raised their voices over others (including the chair), so as to make themselves heard. The clerks referred to previous advice they had given that each Member be given the floor and permitted to speak uninterrupted and finished expressing their view without being overridden. SR stated that the Board must work towards improving the quality of debate. It was noted that meetings were currently conducted in public and that live streaming would be an aspiration the Board would seek to implement as soon as possible. It was suggested that streaming could be trialled at a forthcoming meeting. The clerks were instructed to investigate technical aspects and the outlets on which streaming could take place with a view to doing a trial. The clerks advised that Ramsey had already been contacted for technical advice. SR also stated that Members were volunteers and that whilst criticism was expected and useful, it was unfair when it progressed into personal abuse and personal insult. This aspect was putting people off from standing in local and national politics as had been a contribution to several Members standing down in recent years.</p>
d)	<p>Glen Mona Hotel – Licence application. <i>SC declared an interest and withdrew from the room for the duration of this discussion. Members were then briefed on the licence application from the Glen Mona which had been adjourned from the 10th November to a later date to be confirmed. The application was limited to half of the building's ground floor; the other half would be living accommodation. The applicant had stated that the licence application was for Friday evening/night, all day Saturday/Sunday & Monday evening: the latter being the night the Glen Mona darts team used to meet. There was close discussion of parking provision at the hotel, which had been diminished when the former car park was disposed of separately. It was noted that a neighbour had access rights which enabled them to ask that no vehicles were parked on part of the frontage of the hotel. Notwithstanding the reduced parking, the consensus was that on balance reinstating the pub in the manner set out in the licence application would be of benefit to the local community. The Board resolved that in principle they supported the re-opening of the hotel as a pub and it was agreed that a statement be submitted to the licensing Court prior to the rescheduled hearing.</i></p>
e)	<p>Arrangements for Lonan/Laxey/Maughold Remembrance services. <i>The forthcoming Remembrance services in Laxey, Lonan, and Maughold were noted. These being: Friday 11th November, Armistice Day Service, War Memorial, Laxey Valley Gardens, 10.50am lay wreaths. Sunday 13th November, Kirk Maughold, 10.00am. SR to lay wreath on behalf of the Commissioners.</i></p>

	<p><i>Sunday 13th November, All Saints, Lonan, 2.00pm. TK & MC to lay wreaths on behalf of the Commissioners.</i></p> <p><i>JP advised that there would also be a "One minutes noise' on Laxey Promenade. This would take place at mid-day on Sunday 13th November. She advised that this was in remembrance of bikers that had passed in previous years.</i></p>
144/22	General correspondence - ntr
a)	<p>Department of Infrastructure – Transport Services Division. Letter inviting stake holders to share views on issues affecting Garff regarding review of public transport week commencing 5th December 2022.</p> <p><i>This was noted. It was agreed to invite representatives of the Division to a meeting in December or January with a view to discussing current and future public transport provision.</i></p>
b)	<p>Correspondence received regarding use of Authority resource carrying out clearance of vegetation on two sections Ramsey Road/New Road Pavements (<i>document circulated 27.10.22</i>).</p> <p><i>The correspondence had been circulated to Members. The clerks had drafted a report that summarised the works done on the A2 Highway in the past two years. These were predominantly minor tasks such as re-tightening road signs/junction mirrors, minor vegetation on pavements, etc. The report detailed the recent work on two sections of the A2 undertaken by the Commissioners maintenance staff (1.8 equivalent) full time equivalent to cut back vegetation between Princes Motors and Minorca Crossroads. There had been multiple complaints from the public in regard to the restrictions caused by the vegetation to pedestrians. The maintenance team had been asked by the office to clear this section as it was clear that DoI had not been responding to requests for the work to be undertaken. The Commissioners did not own the adjacent land along this section. Cutting this section back is in principle the responsibility of the landowner, however over many decades it has become general 'custom and practice' for the Highway Board/DoI to cut such areas. It had taken a total of 10 person hours to complete this section which equated to a cost of £160.00. It was noted that the team had also cut back vegetation on the section of pavement from the Queen's Hotel to Lhergy Grawe in recent weeks. The section of the adjoining land was owned by the Commissioners and in this circumstance it was felt to be appropriate for the work to be undertaken by the local authority. This work had taken a total of 14 person hours to complete this section at an estimated cost of £224.</i></p> <p><i>The report also referred to the 'Transferred Services Partnership' which had been set up with DoI in 2015. Under this agreement the Commissioners were responsible for limited maintenance on the 'minor roads' in Garff (such as gully-pot cleaning, hedge cutting, etc.) whilst the Department retained responsibility for structural works, open ditches, road surfaces, etc, on the minor roads. The DoI also retained overall responsibility for maintenance of the A2 Coast Road as it was a primary strategic route. The minor works undertaken by the Commissioners on the A2 were considered and felt to be 'de-minimus'. The consensus was that for such minor tasks it was appropriate to do the work rather than calling DoI in from Ellerslie. The works on the section from Princes Motors to Minorca were discussed. This was considered separately as it had taken longer to complete. A Member stated that the clearance work had been completed to a high standard and the team were thanked for their diligence; positive comments had been made by Members of the public in regard to the work. A member of the public had sent in correspondence however questioning why DoI had not undertaken the work. The clerks advised that many requests were submitted to DoI on a daily basis for work to be undertaken throughout Garff. The DoI were clearly struggling to meet these demands which ranged from cutting vegetation to filling potholes/resurfacing, etc. When questioned previously Departmental officers claimed that there was a lack of both financial and human resources at the Department; maintenance staff had reportedly been reduced from 300 to 80 in the last decade. The clerks advised that under the transferred services partnership they regularly called DoI in as they had larger more powerful machinery: for example to clear gullies that were too blocked for the Commissioners contractors to clear. They also undertook road-sweeping on roads such as the Promenade after overtopping as they had sweepers that were more robust. The DoI also assisted with in other ways where necessary: hedge-cutting operations on minor roads on occasion was another example. The costs incurred by the Commissioners were assessed against the costs incurred by DoI assisting the</i></p>

	<i>Commissioners on the minor roads. It could be seen that the DoI provided more support to the Commissioners in financial terms. In this circumstance it was felt that to begin invoicing the DoI for the works could initiate a similar response from the DoI which was unlikely to be in the financial interest of the Commissioners. These matters were noted. There was no further instruction.</i>
c)	<p>Media and Social Media Policies (<i>request generated by JP in email dated and circulated 24.10.22</i>). JP requested that all Members follow the Social Media Policy. She stated that the social media policy should be reviewed and training given to Members.</p> <p>SR advised that the Policy had been established in 2021 and at this stage there was no necessity for it to be reviewed. He asked that JP provide specific examples which he would ensure were investigated. SR stated that in his view there was no need for training at this stage as the requirements set out in the policy were clear and very straightforward. JS suggested that if a Commissioner read a statement by another member that they felt was incorrect or was not the view of the Board they should contact the office. He stated that if he had unknowingly done this he would expect to be asked to edit the comments. SR asked JP to submit her concerns in writing to the office for his attention.</p>
145/22	Committees & Boards –The By exception
146/22	<p>Operational Reports</p> <p>TK advised that a meeting had taken place at the current Eastern CA site to discuss disposal of commercial white goods, freezers, fridges, etc. This was noted.</p>
a)	<i>The Clerk advised members of proposed increases for the 2023 season which included increasing the charge for adults from £10 to £12 per night. These charges were agreed. The Clerk also advised that investigations were being undertaken regarding moving to an online booking system. JS asked if residents could be offered reduced charges. It was agreed this would be investigated once the new booking system was up and running. It was agreed that the charge for adults should be raised to £12.00 per night.</i>
147/22	Any Other Urgent Business (<i>to be submitted in writing by mid-day the previous Tuesday to the date of the meeting</i>).
a)	JP Reported that reserved car parking spaces had been installed at Ballacannell Housing Estate and tenants where being charged £7 per week to have a reserved car parking space. Clerks to contact Department of Infrastructure for clarification.
b)	Letter from Coil Roi Resident regarding the state of the temporary road. It was noted this matter had been discussed at item 146/22.a at the beginning of the meeting.
148/22	Matters in Private (<i>from 9.23pm</i>)
	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.'
a)	To discuss a recent Subject Data Access Request made by a resident; its impact on rate funds and consequent adjustments to staffing/office functions during the period. <i>This matter was discussed and temporary measures to limit the impact on resources were agreed.</i>
b)	Public Service Commission pay award. 6% backdated to April 2022. PB & MR left the room. The matter was discussed.
c)	Request from residents of Amulree in regard to access to their property. <i>This matter was discussed. The resident to be advised of the outcome.</i>
148/22.a Continued	<i>As a matter of courtesy, SR advised JP that emergency matters in regard to the Commissioners plans for the Public Shelter would also be discussed at the meeting. JP withdrew from the room at 9.39pm. The matter was discussed.</i>
	<p>The meeting closed at 10.08pm. Date of Next Meeting 7th December 2022</p>