

GARFF DISTRICT COMMISSIONERS

Wednesday 6th September 2023, 7.00 pm

Commissioners' Offices, 35 New Road, Laxey

Minutes of the Meeting

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

This was read by MF and noted by Members.

Brought Forward
83/23. a

Correspondence from a resident - Proposed Planning Application Sewage Treatment Plant at Axnfell dated 23.07.23 (*Circulated 26.07.23*)

This correspondence had been circulated. Concerns had been raised in the letter regarding the proposal from Manx Utilities to site a sewage treatment plant in Axnfell Plantation: these concerns being the potential for odour generation, noise generation, visual intrusion, impact on the natural habitat, and additional heavy traffic, etc. A response to the questions put in the letter had been made by Mr Dobbins the Executive Director of Manx Utilities. This correspondence was also considered at the meeting. MF confirmed that several other letters and emails had been received expressing concern with the Axnfell proposals.

MF invited a member of the public to address the meeting. The resident expressed disappointment with a response from Mr Dobbins which had been sent to the resident and Commissioners that day. The Commissioners had not had sight of the letter before the meeting. The resident stated that the site identified at Axnfell was inappropriate for the reasons set out in the correspondence. He added that it was disingenuous of Mr Dobbins to say that there would be no odours. He suggested that the proposal would be more acceptable if it were sited further west in the plantation in the vicinity of the car park. The consensus amongst the residents who were present was that they would like the Garff Commissioners to object to the proposals.

There followed discussion of the 'Public Inquiry' process through which the application would be decided. Concerns were expressed by AC and other Members about this process. PB stated that the public would still have opportunity to submit comment and attend the Inquiry. Some Members expressed the view that MU had not answered their questions adequately in the past.

A resident referred to concerns regarding surface water run-off and the potential for storm waters to be contaminated by the proposed works. These matters were noted by Members.

It was also noted that Manx Utilities had stated that if their proposals for this site were not successful then the Cairns site would be re-considered.

SC stated that the sewage should be pumped away to Meary Veg, adding that in ten-year's time people would be asking why this was not done.

There followed a discussion of how clean the effluent would be after treatment in the proposed IRBCs. PK stated that grey water should not be discharged into Laxey Bay.

MF stated that the whole sewage issue was a difficult problem, adding that everyone in Laxey was concerned about where the sewage plant and other facilities such as pumping stations were going to go. She added that it was a very big thing for everyone to consider and resolve.

AC stated that the Commissioners had put much pressure on MU over the past years and had met with them on many occasions, challenging them and seeking explanations. MF added that the Commissioners had asked questions all the way along about all the options and proposals that had been brought forward. She referred to the formal request recently made by the Commissioners to the Auditor General to investigate the matter.

The clerks were instructed to write to the Auditor General to ask if his findings would be ready by the end of September as he had previously indicated.

	<p><i>SC asked that the minutes from this meeting be passed on to Manx Utilities. This was agreed. A resident asked if a petition could be started. It was felt that this could be an action taken when the full proposals had been released.</i></p> <p><i>The clerks were asked to seek permission from MU to circulate the response from Mr Dobbins to residents.</i></p>
	Planning Matters
79/23	Planning Applications
a)	<p>Deferred from August 2nd Meeting: 23/00799/B Eskadale King Edward Road Onchan Isle Of Man Proposal: Demolish existing house and construct a replacement dwelling including new vehicular access for associated parking.</p> <p><i>A Member expressed concern with the style of the proposed dwelling which they felt was inappropriate for this rural location. It was noted that the visual impact of the building would be mitigated by the current level of vegetation. The consensus reached was that the Commissioners should submit no objections to the proposals.</i></p>
b)	<p>Deferred from August 2nd Meeting: 23/00889/B Hawthorn Cottage Maughold Alterations to create new vehicle access and additional parking.</p> <p><i>Members had previously outlined their concerns that a number of structures associated with the dwelling had not been included in the elevation drawings. It was noted that this is a sensitive location within the Maughold Conservation Area and that Maughold Village Green and Church area have an iconic status in terms of the Island's culture and heritage. The Commissioners are very concerned that the removal of the hedge will cause a significant change in the character of the area. The planning statement made by the applicant's agent was noted. Previous permissions at the site have been given on the basis that the hedge will screen the development. If the screen is removed, then the various structures will be highly visible and intrusive.</i></p> <p><i>The unanimous consensus was that a better solution needs to be determined to safeguard the and preserve the character of the Village Green and the approach to Kirk Maughold. Members requested that amended be brought forward before any approval is granted. The Commissioners object to these proposals until these matters are reconciled.</i></p>
c)	<p>23/00932/B Part Field 615019 Land Adjacent To The Salmon Lake Centre Mines Road Laxey Creation of new parking area, installation of new footbridge, creation of new ford (retrospective) and installation of new foot path.</p> <p><i>SC declared an interest in this matter and withdrew from the meeting for the duration of the discussion. The proposals were carefully noted. MR stated that pre-planning advice had been sought from planning, and advice had also been sought from DEFA and the Flood Risk Liaison Officer. Members discussed the amenity value of the area as it developed as a space that could be used by the community for leisure and recreation. There were no objections to the proposals and the clerks were asked to indicate support.</i></p>
d)	<p>23/00883/B Woodside Cottage Breeze Hill Laxey Isle Of Man IM4 7DL Removal of dormer extension and replace with first floor extension to the existing property line</p> <p><i>SC declared an interest in this matter and withdrew from the meeting for the duration of the discussion. SC and MC declared an interest in this matter and withdrew from the meeting room.</i></p> <p><i>It was noted that only the Board was not quorate. MR advised that the proposals were significant enough to warrant deferral until a meeting at which there was a quorum. It was agreed that the application should be considered on the 4th of October.</i></p>
e)	<p>22/00934/B Linwood Cottage Ballabeg Laxey First floor extension to single storey cottage and replacement extension to rear elevation.</p> <p><i>The design and visual impact of the proposals were considered. One Member felt that the design was inappropriate and out of keeping with the rest of the dwelling. Another Member felt that a chimney on the northern end of the proposed extension would help to 'balance' the design of the dwelling. The general consensus was that the proposals were acceptable. It was agreed that a submission would be made indicating 'no-objections'.</i></p>
f)	<p>23/00936/B Cornaa House Ballaglass Glen Road Cornaa, Erection of garden store.</p> <p><i>It was noted that the Deputy Clerk had misinterpreted the location of the proposed store in his report. AC outlined the objection of Highways to the location which they felt would compromise visibility splays</i></p>

	<i>when emerging from the property in a vehicle. There were no objections to the size, scope, and design of the store, but the consensus was that a decision on this application should be deferred to Highways and the Planning Authority. No further instructions.</i>
g)	23/00966/B Slieau Ruy Highfield Drive Baldrine Removal of existing garage and erection of extension together with a garden shed. <i>Members considered this application carefully. The proximity of the first-floor extension to the neighbouring dwelling was noted and considered. The consensus was that the development would have a significant impact on the adjacent property due to its proximity and the proposed height increase. The clerks were instructed to raise these concerns in the submission made to the Planning Authority.</i>
h)	23/00969/B Seaview Fairy Cottage Laxey Installation of replacement porch <i>AC and MC declared an interest in this application and withdrew from the meeting room while this item was considered. It was noted that there were only four Members present. MR referred Members to the plans and recommended that, if standing orders were suspended, a decision could be made on this application. The recommendation was that this would be acceptable because the proposals were for very minor changes; they constituted replacement porches of similar style, size, and scope. It was agreed that standing orders should be suspended and the application was duly considered. There were no objections.</i>
i)	23/01005/B Kurisutojuri 12 Cronk Cardle Corony uPVC porch to front elevation of property to replace current over door porch. <i>MR declared a conflict of interest in this application and left the room. The size, scope and impact of the porch were considered. There were no objections to this application.</i>
	Approval Notices (DEFA Planning Committee) <i>The following approvals were noted. No further instruction.</i>
j)	23/00854/B Variation of condition one of PA 21/00058/REM, Erection of a detached dwelling and garage, to extend period of permission by two years. Land Adjacent To Laurieston House Booilushag Ballajora.
k)	23/00317/B Erection of detached workshop and installation of gated access to rear Boundary. Cronkbane 5 Baldrine Park Baldrine.
l)	23/00842/B Removal of a chimney stack. 33 Baldrine Park Baldrine.
m)	23/00506/B Erection of replacement rear extension. Thie Gamman Beg The Crescent Baldrine.
n)	23/00467/B Installation of replacement roof tiles (retrospective). Kionehenin Dhoon Loop Road Dhoon.
o)	23/00459/B Alterations and extensions to existing dwelling, including the removal of a two-storey extension and single storey garage. Crofton Baldhoon Road Laxey.
p)	23/00331/B Refurbishment of and extension to existing barn building and Alterations/conversion of existing adjacent store to garage. Barn Adjacent To Dreemskerry House Ballajora Hill.
	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
	Demolition Notice (DEFA Planning And Building Control) – ntr
80/23	Approval of Minutes
a)	Approval of minutes of meeting of 2 nd August 2023 <i>These were agreed to be a correct record of the decisions made at the meeting. Proposed TK. Seconded AC. Resolved.</i>
81/23	Matters Arising & Other Business
a)	To discuss the options for a replacement raft for Laxey Beach.

	<i>It was noted that the Laxey Skiff Project had approached the Commissioners with a view to building a new raft for the 2024 season. The clerks were instructed to engage in further discussions with the project leaders.</i>
b)	<p>To discuss options for cardboard recycling following withdrawal of the Glen Road service. <i>The clerks reported on the withdrawal of the cardboard recycling receptacles by the contractor. PB explained that this was because of the level of contaminants being deposited which included plastics, other household waste and even nappies, etc. The contractor had stressed that he was providing the service free of charge but was not prepared to have to physically sort the receptacles and pay for disposal of the contaminants through other means.</i></p> <p><i>AC asked if we could approach the contractor and see what could be done to have the service re-established. This may include more signage and an indication to the public that if it were abused the service would be withdrawn permanently. MR felt that if we could meet with the contractor and give assurance that new measures were in place, they would re-instate the service. The clerks were instructed to contact the service provider to discuss if they would be prepared to re-instate the service for a trial period.</i></p> <p><i>PB also advised that Waste Management at DOI had been in touch that afternoon to advise that the lid on the paper bin at the Glen Road facility had been broken open and that cardboard had been deposited. PB added that the bins clearly state, 'No Brown Cardboard'. PB had visited the site and examined the cardboard with address labels.</i></p>
c)	<p>Update on meeting with DoI regarding the provision of additional sheltered housing and new office premises.</p> <p><i>MR advised that feedback on the project from DoI had been anticipated for this meeting; unfortunately, this had been delayed. The feedback was now expected during w/c 11th September. MR advised that if the project went ahead the sheltered housing portion of the building would be funded through rental income and deficiency payments. The section of the proposed build that would be dedicated to offices would be funded through the rates.</i></p>
d)	<i>PK raised concerns with the difficulty of exiting Old School Lane. This was noted. Clerks to discuss these concerns with Highways Network Engineers and report back to PK.</i>
82/23	General correspondence -
a)	<p>Resident - Proposed Planning Application Sewage Treatment Plant at Axnfell dated 23.07.23 (<i>Circulated 26.07.23</i>).</p> <p><i>This matter had been discussed at the beginning of the meeting (see above).</i></p>
b)	<p>Resident – Expressing concern regarding the lack of pavement on A2 Ballabeg to Ballacannell dated 23.08.23 (<i>circulated 26.08.23</i>).</p> <p><i>PK stated that he had raised concerns regarding pedestrian safety on this section of the A2 on several occasions. He felt that there needed to be a path and lighting. MR reported that the DoI had been contacted on several occasions to cut the hedge back, but the Department had declined to do this because of the Wildlife Act. It had been pointed out to them that cutting could take place for road safety reasons. The clerks were instructed to raise the concerns with the Network Manager at Highways with a view to options for a long-term solution.</i></p>
83/23	Committees & Boards – By exception <i>No matters were reported or raised by Members.</i>
84/23	Operational Reports
a)	<p>35 New Road –</p> <ul style="list-style-type: none"> - Update Skatepark development & Official Opening Event 19th September. <i>MR advised that the official opening of the Skate Park would be on Saturday 19th September. Several Members indicated that they would be attending. A member asked if the BMX track could be given some attention. MR advised that initial contact had been made with the Manx Mountain Bike Club who had agreed to advise on improvements to the course. The office would feedback on this matter in due course.</i> - External Audit Update. <i>MR and PB advised that the auditors were in the process of completing the audit for YE 2023.</i>

b)	Cooil Roi – A report had been circulated to Members by JM. This was noted and received. JM advised that she had attended the meeting for the discussion on whether a Cooil Roi sub-committee should be formed. As there were only five of the nine Members present it was felt appropriate to defer discussion of this matter until the October meeting.
85/23	Any Other Urgent Business (to be submitted in writing by mid-day the previous Tuesday to the date of the meeting).
a)	PK asked if the millrace beside the footpath between Lower Rencell and the Shore Hotel could be examined. PB advised that the Commissioners' H&S contractor would be asked to assess the structure.
b)	MR advised that Marown Civic Service would take place at 11.00am on October 1 st 2023 at Marown Parish Church. This was noted.
c)	It was agreed that TK would represent the Commissioners on Sunday 20 th March at the 130-year celebrations of the MER. Attendance details were passed to Mr Kenyon.
d)	MR referred Members to two live consultations which would be on the agenda for the meeting on the 4 th of October. These were a review of the Isle of Man Strategic Plan and a review of the Town and Country Planning Act. It was noted that these could be accessed on the Government's Consultation Hub.
e)	Correspondence from a resident of Port St Mary commenting on the disabled access railings at the public shelter on Laxey Promenade had been circulated. The resident had also commented that the wooden picnic tables were unhygienic. It was noted that this type of furniture supplied by the Manx Workshop for the Disabled was the norm at most public shelters, outdoor cafes, and picnic areas across the Island. The correspondent had also complained that the Promenade Kiosk was the only refreshment outlet in Laxey. It was noted that there were at least four others across the Village. The clerks were instructed to acknowledge the correspondence.
f)	The mobile sauna which had located on Laxey promenade over the last few weekends was discussed. It was noted that the facility had attracted around one hundred customers each weekend. It was felt that the facility was attractive and complemented the Promenade experience. MR advised that method statements, risk assessments, etc had been forwarded to the office and it appeared that the facility was being very well run. The consensus was that the sauna should be permitted to operate. A licence would be issued in due course.
86/23	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.'
a)	Laxey Fair & future funding Laxey Fair's reinstatement in 2024 and past and future funding matters were discussed. The Board were made aware of: actions being taken by members of the community regarding the formation of a new committee; the current availability of funds; and the options for funding the event in the future.
b)	Island Rover – Request for additional pitch at Laxey Campsite. A discussion took place. The clerk's were instructed to contact Island Rover.
	Meeting closed at 9.28 pm
	Date of Next Meeting: Wednesday October 4th 2023