

	GARFF DISTRICT COMMISSIONERS Wednesday 10th January 2024, 7.00 pm Commissioners' Offices, 35 New Road, Laxey
	Minutes of the Meeting
	Present: Mr S. Ryzak (SR) Chair, Ms M. Christian (MC), Mr S. Clague (SC), A. Creer (AC), Mr T. Kenyon (TK), Mr P. Kinnish (PK), Mr. J. Smith (JS). Officers: Mr P. Burgess (PB), Clerk, Mr M. Royle (MR), Deputy, Mrs J Mattin, Housing Manager (By remote means). Absent: Mrs J. Pinson (JP). Apologies: Mrs M. Fargher (MF) Vice Chair.
7.00pm	Public Meeting <i>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>
06/24.b	Cooli Roi Report <i>JM joined the meeting by remote means. A written report had been circulated to Members by JM on the 8th of January. This advised that all fire safety tests were up to date. JM added that boiler maintenance had taken place. Additional CCTV to cover the carpark was also being considered as there had been some minor incidents of anti-social behaviour including dog fouling in recent times. The upgrade would also improve night vision clarity. This would cost in the region of £200 and would also cover an area of the Valley Gardens which would provide a further surveillance benefit. It was agreed that the additional CCTV hardware should be installed. JM reported that there were currently three void flats, and these were on track to be ready for new tenants within the next few weeks. Other plumbing and maintenance tasks had been completed. JM advised Members that, as reported in the press, public sector rents would be rising by 7.5%. JM would report on the final rise once she had determined the heating element of the charge. A recent table top sale organised by residents had raised £500 for their specified charities. JM left the meeting at 7.20pm.</i>
	Planning Matters
01/24	Planning Applications
a)	23/01362/B Methodist Sunday School, Glen Road, Laxey Erection of bicycle store and storage sheds. <i>There were no objections to these proposals.</i>
b)	23/01388/B Glevum, The Promenade Laxey Installation of Pagoda, PV Panels and Air Source Heat Pumps. <i>A discussion of the visual impact of the PV panels on the roof took place. It was noted that the application site was within the Laxey Conservation Area. The positive benefits of such energy saving installations was also referenced. The consensus reached was that the addition of the angled panels would not be significantly detrimental in this location to warrant an objection. There were no objections to the timber 'pagoda' structures.</i>
c)	23/01396/B Field 616147 Ballamenagh Road, Baldrine Using cut and fill methods to make level areas for horticultural activities, and to install land drains and soakaway (Retrospective). <i>It was noted that the applicant was seeking to undertake some horticultural activities in a small portion of the agricultural field which included proposals to improve its drainage and establish vegetation which would provide a range of produce, predominantly soft fruit. The location and layout of the field were explored using a Google Earth image, highlighting its size and visibility. It was noted that some minor elements of the application involving cutting and drainage works were retrospective. Correspondence from MNH relating to this application was noted as was correspondence from the applicant in response. It was particularly noted that no structures such as polytunnels were indicated in the application: any such structures would have to be the subject of a planning application if the applicant were to propose these in the future.</i>

	<i>Members considered the visual impact of the proposals; the consensus reached being that these would not be detrimental. The clerks were instructed to submit comment indicating 'no objection' to the proposals.</i>
d)	23/01411/B Linwood Cottage, Ballabeg, Laxey Single storey extension to rear elevation in conjunction with replacement roof to single storey cottage. Removal of chimney stack. <i>There were no objections to this application.</i>
e)	Amended Plan: 23/00966/B Slieu Ruy, Highfield Drive, Baldrine Removal of existing garage and erection of extension together with a garden shed. <i>The amended plans were considered it was noted that the extensions had been moved away from the boundary. There were no submissions from neighbours. The clerks were instructed to make a submission noting the amendments with further comment indicating no objection to the new proposals.</i>
f)	23/01409/B Lily Cot, Queens Terrace, Laxey Demolish existing single storey rear extension, and replace with larger footprint, two storey extension. Front porch extension. Remove part of front boundary wall to create new driveway and extend existing dropped kerb. <i>There were no objections to this application.</i>
g)	23/01422/B Coronry Beg, Coronry Hill, Coronry, Maughold Demolition of an existing conservatory and replacement with an extension; erection of a porch; extension of an existing entrance porch. <i>There were no objections to this application.</i>
	Approval Notices (DEFA Planning Committee)
	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
02/24	Approval of Minutes
a)	Approval of minutes of meeting of 29 th November 2023 & 6 th December 2023. 29 th November 2023: These were agreed to be a correct record. Proposed, JS, Seconded, MC. 6 th December 2023: These were agreed to be a correct record. Proposed, JS, Seconded, MC.
03/24	Matters Arising & Other Business
a)	YE 23 Audited Accounts to be agreed & signed off. <i>The audited accounts had been circulated to Members previously and were discussed at the meeting. MR outlined that the deficit of £38,177 had been due to additional costs that had amounted throughout the year following above inflation rises, these included a 60% rise in audit fees (which the Commissioners had asked the Auditor General to investigate), a rise in insurance charges that was well in excess of CPI, and unforeseeable legal and professional costs. Charges for streetlight maintenance and other services such as hedge-cutting had also risen markedly. The auditor's management recommendations had been circulated with the accounts. These were discussed and the Board's responses would be the subject of a report to be circulated prior to the February meeting. JS proposed that the audited accounts for YE 23 be received and agreed to be a correct record by the Board. This was seconded by AC and Resolved.</i>
b)	To discuss setting the Budget for YE 2025. <i>A document with additional project Proposals from PK. SR asked PK to outline his proposal for a 3-metre-high fence to function as a barrier between the 'Bowling Green' area and the river at the Glen Road Recreation Area. MR advised that such a fence would cost in the region of £8/£10,000. The consensus reached was that as they would be the beneficiary this was a project that the football club were open to consider rather than the Commissioners. PK stated that he would raise his proposal with their next meeting. The budget spreadsheets had been amended following the last meeting of the Commissioners. These had been circulated and were discussed. The document demonstrated that a rise above the average CPI (for the previous 12-month period) would be</i>

	<p><i>required, and to balance projected income and expenditure, a rise in the region of 11% would be necessary. The clerks had circulated a document which outlined areas in which expenditure would rise markedly above CPI. These included a 12% rise at NCAS for YE 25 and the 100% increase in contributions to the Swimming Pool Board which is required to safeguard its future. Other factors were the new levels of audit fee imposed (in excess of 60% rise), increased pension and salary responsibilities, and projected ongoing legal fees relating to clarifying the status of a facility and drafting a lease agreement for a property. It was noted that several members of staff had exercised their right to join the pension scheme and an evaluation of staff salaries across the organisation had resulted in the realignment of the remuneration of several members of operational staff to be in line with the rates paid by the other local authorities for similar roles. Further investment was also planned in the campsite to ensure that adequate facilities were provided for visitors to Laxey and Garff. It was noted that the campsite's income was continuing to rise and that investing in facilities such as electrical hook-ups would provide further income and profit in the future. It was also noted that there may be changes to the charging structure at NCAS which would increase the charge made to Garff. If these went ahead, they would be difficult to predict, but the Board agreed that it would be prudent to factor in contingency should the changes be made. MR advised that in recent years the Commissioners had funded additional general facilities maintenance and that the amount of hedge-cutting and road sweeping being undertaken had increased. Savings were possible in several areas, but it was likely that any reduction in this service provision would not be welcome with the public; these areas would be monitored and reviewed on an ongoing basis and any savings would be made that did not significantly affect the level or quality of service. The scale of the services transferred from government taxation onto local authorities for hedge-cutting, gully cleaning, and road sweeping impacted particularly heavily on Garff due to the extensive size of its rural areas; these caused a much lower burden on similarly sized town authorities for example. It was noted that despite being the fifth largest authority in terms of population (and largest in terms of geography), Garff's rates were significantly lower than comparably sized town and village authorities. There followed discussion of the impact on ratepayers of an above inflation rise. It was noted that a relatively small contingency fund had been included in the budget estimate. The consensus was that to provide a more realistic contingency a rise above 11.5% should be considered. A discussion of the level of the rise took place and figures of 15% and 14% were proposed. A session of voting took place in which a 15% rise was rejected. JS proposed that the rate rise for YE 25 be set at 14%. This was seconded by MC and unanimously resolved.</i></p> <p><i>There followed discussion of a spreadsheet which gave a comparison of the rates set by a range of similarly sized local authorities. It was noted that Garff was markedly the lowest rate in this comparison with all the other authorities charging at least 30% more than Garff. The need to retain a proportionate level of rates was agreed to be one of the principal concerns of the Board, but it was agreed that the provision of adequate services such as refuse collection could not be compromised.</i></p>
<p>c)</p>	<p>To discuss the government consultation on proposed changes to the Town and Country Planning (Development Procedure) Order and the Town and Country Planning (<i>Application and Appeal Fees</i>) Order (summary documents circulated 7.11.23).</p> <p><i>These proposed changes were discussed. Concern was expressed that access to the right to appeal a planning decision may be compromised by the criteria which set the grounds for a third party to make an appeal. The clerks were instructed to include this concern in the Commissioners' submission.</i></p>
<p>d)</p>	<p>To discuss proposals for amendments to the Marine Infrastructure Management Act 2016 regarding offshore projects (<i>correspondence from Emily Curphey circulated 02.01.24</i>).</p> <p><i>These matters were noted. No further instruction was given.</i></p>
<p>e)</p>	<p>ECAS - Recommend approval of 6.6% increase. Cost apportioned to Garff £51,640.</p> <p><i>TK outlined that the Committee had received two tenders and were recommending that the lower of the two be approved by each Board. This tender was from the current contractor (Douglas Corporation). TK proposed that the Garff Board accept this recommendation. This was seconded by MC and unanimously resolved. Clerks to inform the ECAS co-ordinators.</i></p>

f)	<p>ECAS - Recommend approval of tender process for WEE, Fridge, dry-cell, and lithium-ion battery recycling contract. Letter dated 20th December.</p> <p><i>Acceptance of this tender for WEE, etc, was also the recommendation of the ECAS Committee. TK proposed that the Board accept the recommendation. This was seconded by MC and Resolved. Clerks to inform the ECAS co-ordinators.</i></p>
g)	<p>NCAS – Recommend approval of 12% increase.</p> <p><i>SR advised that discussions were being undertaken with Bride who were in dispute with NCAS regarding the contribution they made to the running of the site. Bride were refusing to pay their portion of the charges and the dispute had escalated to the Department and to legal representatives. It was noted that Bride received approximately 70% of its rate income from mining extraction activities in the Parish: this resulted in their domestic rates being heavily commercially subsidised. It was noted that although in terms of CA site charges they paid a seemingly higher amount, they received an extremely generous amount because of the system that far outweighed the outgoing. It was noted that in recent years government had proposed collecting commercial rates centrally and redistributing them in equal portion to all the Island's local authorities. If this were undertaken, ratepayers in authorities such with fewer commercial businesses such as Garff, would benefit greatly. It was felt unlikely that this would change in the short term. An increase in the region of 12% had been recommended by the NCAS Committee. SR proposed that a 12% rise in charges be accepted by the Board. This was seconded by MC and unanimously resolved.</i></p>
h)	<p>To discuss apportioning monies to the mobile and family library in the YE 25 budget.</p> <p><i>It was agreed to forward a donation of £1,500 to the Library to assist with its operations. The mobile library stops in areas of Maughold, Laxey, and Lonan on a fortnightly basis.</i></p>
i)	<p>Feedback from MF & SR following meeting with Manx Wildlife Trust in regard to the Hairpin Woodland Project at Cloughbane, Maughold.</p> <p><i>SR, MR, SGJ, and PB had attended a meeting with delegates from MWT at which they had been briefed on progress with the 'Hairpin Woodland Project' that was ongoing and being developed in the Cloughbane area of Maughold. MWT had requested that the Commissioners write to the relevant Ministers in regard to progressing the lease of several further fields in the area from Government. This was agreed.</i></p>
j)	<p>All Saints Church, Dhoon Church Field - Meeting with Archdeacon -</p> <p>Suggested dates – Monday 15th or 29th at 10.30am. Friday 19th 10.30pm.</p> <p><i>It was agreed that the meeting should take place on Friday 29th January, 10.30pm at Commissioners' Offices in Laxey. This was noted by Members.</i></p>
04/24	General correspondence -
a)	<p>Malew Parish Commissioners – Invitation to attend Annual Civic Service. Sunday 3rd March 2024, 3pm at Abbey Church Ballasalla.</p> <p><i>SR advised that he was unable to attend. Any Member able to attend should advise the clerks office as soon as possible.</i></p>
05/24	Committees & Boards – By exception
	<p>ECAS: <i>TK to advise Members on the signing off of the ECAS tender process. This matter was dealt with at item 03/24.e above.</i></p>
06/24	Operational Reports
a)	<p>35 New Road</p> <p><i>Due to the late hour SR requested that any outstanding matters be circulated to Members via email.</i></p>
b)	Cooil Roi – Report to be circulated. <i>This matter was dealt with at the beginning of the meeting.</i>
06/24	Any Other Urgent Business <i>(to be submitted in writing by mid-day the previous Tuesday to the date of the meeting).</i>
a)	<p><i>Proposal to register the Flour Mills as a registered building. The consensus was that this was a positive idea. AC expressed concern that such a registration may limit opportunities to develop the building and may be counterproductive as it may mean that it fell into a permanent state of decay. It was agreed that the Commissioners should submit a view that expressed support for the proposal, but also expressed the concern raised by AC.</i></p>

b)	<i>SC raised concerns in regard to items placed on the frontage of a commercial building on New Road, Laxey. The clerks were instructed to write to the owner of the building asking that the frontage be made tidy.</i>
c)	<i>AC raised concerns about the landslip at the southern end of Laxey Promenade. She had viewed the area in recent days and felt that the extent of the slip was creeping northwards along the cliff face. Clerks to view the site and report back to the Board Members.</i>
d)	<i>Anti-social behaviour and criminal damage</i> <i>The clerks reported that a recent spate of anti-social behaviour was being investigated by the police. This had occurred at various locations in Laxey Village including some public conveniences. A group of around a dozen local young people had been involved. Criminal damage amounting to around £500 had been committed when Christmas decorative lights on the Rose Gardens Shelter had been destroyed using a sharp implement. The Police would take action, as necessary. The Commissioners request that members of the public report any anti-social behaviour that they encounter.</i>
07/24	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)	To discuss the lease for Laxey Harbour Toilets – <i>deferred due to late hour</i>
	Any urgent Business in Private.
b)	Auditor's Management Points. <i>AC raised a matter which it was noted would be addressed at the February meeting.</i>
	Date of Next Meeting: Wednesday 7 th February 2024