

	<b>GARFF DISTRICT COMMISSIONERS</b> <b>Wednesday 6<sup>th</sup> March 2024, 7.00 pm</b> <b>Commissioners' Offices, 35 New Road, Laxey</b>
	<b>Minutes off the Meeting</b>
	Present: Mr S. Ryzak (SR) Chair, 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, Mrs J Mattin, Housing Manager. Apologies received from: A. Creer A(AC), J. Smith (JS).
<b>7.00pm</b>	<b>Public Meeting</b> <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>
<b>19.24.a</b>	<b>Cooil Roi Report</b> <i>JM had circulated a written report prior to the meeting. This was presented and discussed. All fire tests were up to date. The condition of all door closers and other fire safety equipment was being reviewed and would be replaced, as necessary. The yearly external test of all emergency light systems is booked for the end of March. A full fire alarm system will be scheduled in the coming weeks. JM reported on other maintenance matters and letters indicating the rent rise set by the Department had been circulated to residents. SC asked if an independent company undertook audits of the heating system at the complex. JM reported that regular boiler maintenance was conducted by Manx Petroleum engineers and that two separate sets of independent inspections also took place by professionally qualified companies. One of these sets of inspections were conducted by a company nominated by the Authority's insurers. JM reported that the housing application forms were currently being updated. She also reported that changes were being made to the format of the bi-annual Older Person's Housing Meetings; these would now be facilitated by the involved local authorities by rotation. JM reported that she was also representing the local authorities who had sheltered housing at Departmental Public Housing meetings to discuss point allocation in individual cases. Previously there had been no representation from a sheltered housing representative. SR thanked JM for reporting these matters to the Board.</i>
	<b>Planning Matters</b>
<b>14/24</b>	<b>Planning Applications</b>
<b>a)</b>	24/00059/B Belmont Lewaigue Road Dreemskerry Maughold. Proposal: Variation of condition one of application 20/00061/B for Erection of a detached replacement dwelling with associated driveway, to extend the period of approval for a further four years. <i>Members discussed drainage in the vicinity which had caused waterlogging of the grounds at the property but had been addressed by DOI. The design of the proposed new dwelling was discussed. It was noted that the current dwelling was also non-traditional and that the proposed dwelling was larger and had extensive glazing in the elevation that overlooked the Crowville Trench. Notwithstanding these matters it was also noted that there were a range of large non-traditional dwellings on Dreemskerry Road. MR reported that the latter fact had been key in the Board taking a pragmatic decision not to oppose the development in 2020. The consensus was that the Board would not object to this extension to the previous approval.</i>
<b>b)</b>	24/00115/B 55 All Saints Park Lonan Laxey. Proposal: Rear bedroom Extension. Garage Conversion. <i>It was noted in MR's report that this proposal was for a modest extension that was in keeping with the base dwelling. It was felt that it would cause no significant visual intrusion for neighbours or public. No Objection.</i>
<b>c)</b>	24/00127/B Cooil Roi Elderly Persons Complex Glen Road Laxey. Proposal: Erection of fence, (retrospective) and creation of 3No additional parking bays at Cooil Roi. <i>This application was for three aspects at the sheltered housing complex. A retrospective application for fencing that had been installed to ensure two units were 'dog-friendly,' three</i>

	<p><i>additional parking spaces, and regularisation of the new road that DOI had installed to service the river wall repair works; the benefits of which to the residents were evident once the works had ceased. JM explained the context in which the fence was erected in 2020. New Human Rights legislation meant that options were required to allow tenants with dogs. As a result, two units on the ground floor had been identified as 'dog friendly'. A tenant with a dog had moved in and a resident had complained about the dog being walked on the grass. The Board considered the matter at the time, and it was agreed that each unit should have a small paddock demarcated by a low fence of one metre height. The Housing Manager had consulted Planning at DEFA at the time and been verbally advised that planning permission was not necessary for the fence. Consequently, the fence was erected. Over three years later Planning were contacted and asked that a planning application for the fence be submitted. JM pointed out that more residents had cars now and the application to regularise the road and for the additional parking spaces would benefit residents greatly. MR to consult with Highways in regard to further details on the parking spaces prior to the application going to Planning Committee.</i></p>
<b>d)</b>	<p>24/00152/B Laxey Football Club Glen Road Laxey.          Proposal: Replace 900mm wide window with 1300mm wide roller shutter.          PK declared an interest in this matter and took no part in the discussion. <i>There were no objections to these proposals.</i></p>
<b>e)</b>	<p>24/00180/B Ballamilghyn Cottage Baldhoon Road Laxey.          Proposal: Proposed plant room extension, new glazing, rooflights, extended decking area and general internal alterations.  <i>The contemporary nature of the extension was noted, the consensus being that its design was an attractive addition to the traditional dwelling. There were no objections to the proposals.</i></p>
<b>f)</b>	<p>24/00229/A Land North Of Honeysuckle Cottage Mines Road Laxey          Proposal: Approval in principle for the erection of a detached dwelling.  <i>SC declared an interest in this application and withdrew from the meeting for the duration of the discussion. The recent history of the plot was noted. The traditional style of the proposed dwelling was also noted. It was felt that should a subsequent REM application be submitted that a dwelling of such a design would be in keeping with adjacent dwellings and character of the area. Members requested that other matters such as parking provision and maintenance of safe entrance/exit for large vehicles to the fire station and coach park be considered by Highways and the Planning Committee. MC asked about the potential for flooding in the area. MR reported that some properties had been flooded in October 2019 and measures were currently being put in place by DOI to reduce water flows from the railway tracks behind the properties. The clerks would consult the flood risk management team. The consensus was that if these matters caused no issues and if a dwelling of the design and scope of the dwelling indicated in this AiP application were proposed then the Board would be supportive of any subsequent REM applications.</i></p>
<b>g)</b>	<p>24/00249/B Hawthorn Cottage Maughold          Proposal: Installation of replacement conservatory; installation of replacement windows and door to main dwelling.  <i>SR declared an interest in this application and withdrew from the meeting for the duration of the discussion. These alterations included replacement glazing panels, the replacement of a translucent conservatory roof with a tiled roof, and replacement uPVC frames. It was noted that all the works were on the rear elevation and could not be viewed by neighbours or public. There were no objections to the proposals.</i></p>
<b>15/24</b>	<b>Approval of Minutes</b>
<b>a)</b>	<p>Approval of minutes of meeting of the 7<sup>th</sup> of February 2024.  <i>These were agreed to be a correct record of the decisions made at the meeting. Proposed TK. Seconded MC. Resolved unanimously.</i></p>
<b>16/24</b>	<b>Matters Arising &amp; Other Business</b>
<b>a)</b>	<p>Update from MF on submission to the Department regarding the Ramsey Boundary Review Inquiry.</p>

	<p><i>MF reported that concerns had been expressed that the schedule of the Public Inquiry had been altered on the second day resulting in matters scheduled to be heard and cross examined the following day had been brought forward. Due to a pre-arranged engagement, she had had to leave whilst the witnesses from Ramsey were giving evidence and being cross-examined. Both SR and MR had arranged other engagements for that day because the original schedule did not include evidence from Ramsey at that time. They had arranged to attend when it was scheduled to take place on the following morning. It was also noted that the lead advocate for Lezayre was absent and that a junior advocate for Lezayre had had to take her place. It was also noted that the Inquiry schedule had been widely published and members of the public may have missed important evidence and cross examination. MF felt that the impromptu change was a far from satisfactory situation and had directed MR to submit an expression of concern to the Department. SC sought clarification as to legal costs of the Inquiry. MF reported that Garff had not obtained legal representation, adding that the Commissioners had been represented at the Inquiry by herself, SR and MR. MF advised attendance allowance costs for herself, and SR, had been submitted to the Inquiry Chair and that cost for the preparation works and attendance of MR had also been submitted. In that sense there would be no legal burden for Garff ratepayers. MR reported that the expression of concern had also been submitted to the DOI Minister, Departmental Members, and the two Garff MHKs.</i></p>
b)	<p>To discuss management of the stones on Laxey Beach (<i>generated by TK by email 01.03.24</i>). TK reported that he had been approached by a resident asking why, rather than being moved on the beach by DOI, could not be removed and use them for aggregate or some other purpose. SR stated that this was a matter for the Department. It was noted that the DOI stated that they had moved the stones recently to protect the sea wall which was their asset. The efficacy of moving the stones in this way was discussed as they would likely be moved again by wave dynamics and sea tides, currents, etc. In past years, the Department had received advice from external consultants regarding beach management including the stones. At that time, it had been stated that the stones played significant part in absorbing the energy of the waves as they broke on the shoreline. It was also noted that stone removal would require a 'mining licence' which would have to be issued by DEFA. The general consensus was that this was a matter for Government Departments to determine. TK to report back to the resident.</p>
<b>17/24</b>	<b>General correspondence -</b>
a)	<p>Pasta Mie Limited – Request for a trading licence for a pop-up mobile pasta business. (<i>document circulated 23.02.24</i>.)</p> <p><i>This matter was discussed in detail. An objection that had been submitted from a local business was noted and considered. The potential effect on existing 'fixed' businesses was discussed. It was noted that the outlet would be in direct competition to one existing business in terms of times and opening hours and that there could be an effect on other food outlets in the village. It was noted that the current economic circumstances were difficult for businesses with several food outlets having been forced into closure in the last few years. Notwithstanding this, the point was made that the outlet could provide additional footfall into the village. SR asked if the outlet had provided detailed information about times and locations where they wished to trade. PB reported that this had not been indicated in the correspondence. SR proposed that further details be submitted so that the Board could make a more informed decision. This was agreed and the item was deferred for further consideration at the April meeting. Clerks to request the details requested by the Board.</i></p>
b)	<p>Tynwald Auditor General – For noting, the Tynwald Auditor General writes to confirm that he approves a 6% rise for YE25 audit fees following the 58% rise in audit fees set by the external auditors during 2023.</p> <p>This matter was noted. No further instruction.</p>
<b>18/24</b>	<b>Committees &amp; Boards – By exception</b>
a)	<p><b>ECAS</b> – TK reported that ECAS had decided that they needed to replace and repair a number of skips at the site. The contribution from Garff was estimated at £1,000. SR felt that this expenditure could have been indicated by the ECAS Committee prior to the recent setting of local authority</p>

	<i>budgets. He felt that this must have been known about for at least several months. MR stated that in the last year several significant forced and 'unannounced' rises had impacted the Commissioners budgets giving no opportunity to plan for the increases. As no opportunity had been given to include the cost of the skips in this year's budget SR proposed that the request from ECAS be declined, noting that the situation could have been avoided if the matter had been flagged up in January before the Board set its budget. This was seconded by SC and resolved with five Members for the motion and one against. TK to inform the ECAS Committee of the decision.</i>
<b>b)</b>	<b>Northern Sheltered Housing Committee –</b> <i>MF reported that Ramsey's auditors had requested that a procedure be written to set out an agreement between Ramsey Commissioners and the Northern Sheltered Housing Committee to indicate sharing of staffing and other costs between the two entities. She reported that as Chair of the Committee she had requested a meeting with the financial officer and housing staff at Ramsey. A meeting had been arranged which would be attended by MF, PB, the Ramsey Financial Officer, and Ramsey Housing officers. MF to report back to the Board on the outcome. It was noted that the agreement would result in no costs being apportioned to Garff ratepayers as sheltered housing was funded by resident rent income and government deficiency.</i>
<b>c)</b>	<b>NCAS –</b> <i>SR reported that the compactor at the site had broken down recently and that prices were being sought for a replacement. A small machine had had to be hired in to keep the site open. The Committee would consider the long-term options once these had been collected. SR would revert to the Board in due course.</i> <i>SR also advised Members that a meeting would be taking place between the northern authorities and the Department in regard to the request by Bride that their contributions to the running of the site be reduced. He would report back on this matter once the meeting had taken place.</i>
<b>19/24</b>	<b>Operational Reports</b>
<b>a)</b>	<b>35 New Road –</b> <i>MR had circulated a report to Members on recent maintenance activity. This was noted.</i>
<b>b)</b>	<b>Cooil Roi –</b> <i>This matter was dealt with at the start of the meeting.</i>
<b>20/24</b>	<b>Any Other Urgent Business</b>
<b>a)</b>	<i>TK reported that a resident had asked if the Commissioners could install a handrail on the lower section of the 'zigzag' path between Old Laxey Hill and the south end of the Promenade. It was noted that this was a Public Right of Way and as such it was encumbent on the DOI to fund such a measure. SR stated that he felt that this was a good idea but added that the ratepayer should not be funding facilities that were the responsibility of the Department. SR added that the budget had been set and there were no monies available from the ratepayer to fund a rail. MR reported that the Commissioners had part-funded (with DOI) tarmacking of the lower path as an emergency measure in 2022. At the time DOI had stated that they were aware that the whole of the 'zig-zag' path needed to be refurbished (including the handrails higher up) but had no monies to do this in the current economic circumstances. The clerks were asked to approach DOI again with a request that the works be undertaken as soon as possible. TK to inform the resident of this situation and the approach being made to DOI.</i>
<b>b)</b>	<i>Licence to the Laxey Community Skiff Project of the Promenade Garage as a workshop.</i> <i>PB informed the Board that the current licence ended on the 31<sup>st</sup> of March 2024. It was noted that, due to its value as a community project, the Skiff Group had been given a reduced rate to use the facility. The Board began considering renewing the licence and at that point PK revealed the rental paid by the previous tenant. SR advised that this was private contractual information which should not be discussed in public. The matter was deferred to the Private Session.</i>
<b>c)</b>	<i>SC raised concerns about 'paraphernalia' on the frontage of a business in Garff. It was noted that this was on private land and that some of this had recently been removed. The clerks were instructed to raise the matter with the owner of the business.</i>
<b>d)</b>	<i>Twining with Bagillt - TK advised that signage indicating Laxey's twinning arrangement with Bagillt in north Wales would be erected once the signs had been delivered. The Snaefell Wheel had been manufactured in Bagillt and this would be referenced on the sign.</i>

e)	<p><i>Condition of the Glen Garwick Road – SC asked for an update on this matter. MR reported that the response from the Department to the Commissioners request for a meeting on site had been declined. In this circumstance, it was agreed that a formal letter should be sent by the Chair to the Minister requesting a site meeting. It was also noted that both Mrs Caine MHK and Mrs Kinnish MLC had advised following the February meeting that they would make enquiries into this. Clerks to consult with them to check on their progress prior to sending the Chair’s letter. The clerks would also consult with Mrs Caine and Kinnish in regard to their investigations into progress with the proposals to develop the former Princes Motors site as a new sheltered housing complex.</i></p>
f)	<p><i>MR reported that the new dog byelaw signage would be installed in the next two weeks. The maintenance staff had been held up as they had had to be deployed at the camp site to fully refurbish the ladies shower which had suffered water damage to its structure. At the same time as installation the new byelaws and the ‘dog poo hotline’ would be announced. The new signage would be deployed at Laxey Beach and at a host of locations across Garff.</i></p>
g)	<p><i>MC asked if there had been any updates about the sewage treatment proposals. PB advised that investigations into a route for the pipework were ongoing and that no significant announcements had been made in recent months by Manx Utilities.</i></p>
<b>21/24</b>	<b>Matters in Private</b>
	<p><b>Note: Local Government Act 1985, section 65; Disclosure of Information</b>  ‘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.’</p>
a)	<p>To discuss a commercial licence.  <i>A matter was resolved.</i></p>
b)	<p><i>Licence to the Laxey Community Skiff Project of the Promenade Garage as a workshop. The benefits of the project were referenced, and it was agreed that it provided very positive community value for Laxey giving local residents opportunity to become involved in building and sailing the skiffs. The Board resolved to offer the Group a licence for a further twelve months.</i></p>
	<b>Any urgent Business in Private.</b>
a)	<p><i>A discussion in regard to the DOI’s harbour toilets on Laxey Promenade took place. The clerks were instructed to contact the Department in this regard.</i></p>
	Meeting closed 9.03pm
	Date of Next Meeting: Wednesday 3 <sup>rd</sup> April 2024