

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom at Hawthorn Villa, Main Road, Onchan, on Monday 18th November 2002 at 7.03 p.m.

Present: Mr S.T. Black, J.P. (Chairman)
Mr G.K. Astill
Mr D. Crellin
Mrs E.J.C. Kelly
Mr M.J. Kennaugh
Mr E.D.R. Killey
Mr A.T.W. Norton
Mr H.L.G. Parkin
Mr D.J. Quirk
Mr J.K. Watterson (from 7.08 p.m.)

In Attendance Mr J.E.S. Smith (Chief Executive/Clerk)
Mr M.J. Williams (Deputy Clerk)
Mr B.T. Price (Building Control Officer)

C02/11/01/01

MINUTES

The minutes of the public section of the ordinary meeting held on 14th October 2002, copies of which having previously been circulated, were considered, agreed as a correct record of proceedings and signed by the Chairman.

C02/11/01/02

BUSINESS ARISING

1. C02/10/01/12(2) – Refuse Disposal Charges

The Chief Executive/Clerk reported receipt of a letter dated 15th November 2002, from the Department of Local Government and the Environment, relating to the implementation of refuse disposal charges. The letter indicated that at a meeting of the Council of Ministers held on Thursday 12th November 2002, a decision had been taken that, in relation to the 2003/04 financial year, 10% of the cost of landfill charges would have to be met by Local Authorities in respect of refuse collection.

Mr Quirk expressed disappointment that a decision in relation to refuse disposal charges had not been left until the matter had been considered by Tynwald, suggesting that this may have been done to pre-empt any decision by the Tynwald Court. He expressed amazement at the comment contained within the letter regarding the number of responses which had been received and referred to an advertisement which had appeared in the local press where Patrick Parish Commissioners were still seeking views from their electorate on the proposals. Mr Quirk suggested that Local Authorities should be advised as to how many responses had been received, what had been said and be given an indication as to what the Department intended to do to assist collection authorities to reduce, reuse and recycle.

Mr Quirk went on to refer to outstanding matters which sat with the Department in relation to civic amenity issues, which had been raised by the Eastern District Joint Civic Amenity Site Committee.

Mr Quirk argued that in his view, the cost of refuse disposal should continue to be borne through the taxation system and not through the rating system. He feared that the transfer of costs of refuse disposal from a Central Government funded activity to a rate funded activity would set an unreasonable precedent for the future. He commented that the letter had not been circulated to Members. He added that the Onchan District Commissioners had on a number of occasions submitted proposals to the Department of Local Government and the Environment to help reduce the amount of waste, but the Department had not supported same.

Mr Quirk added that he still supported the efforts of the Department in relation to the Energy From Waste Plant.

Mr Parkin endorsed most of the comments made by Mr Quirk. In particular, he added his concern to that expressed by Mr Quirk that an unreasonable precedent had been set. Mr Parkin suggested that although the indication was that only 10% of the waste disposal cost for 2003/04 would fall upon the waste collection authorities, there was no indication as to what would happen in subsequent years. Would it, for example, mean that 100% of the cost of waste disposal would fall on Local Authorities in subsequent years?

Mr Parkin went on to refer to the pilot composting scheme which had been carried out by the Onchan District Commissioners in 1990, confirming that the results of the scheme, which had been encouraging had been conveyed to the Department and nothing further had happened to facilitate the receipt of compostable material. Mr Parkin called for

action from the Department to assist Local Authorities in reducing waste for disposal.

Mr Norton expressed disappointment that the information received from the Department of Local Government and the Environment did not contain any information with regard to future costs or subsidies.

In answer to enquiry from Mr Parkin, the Chief Executive/Clerk confirmed that the cost of 10% of waste disposal to the Onchan District Commissioners, calculated on the basis of actual weight figures and the anticipated charge of £100 per tonne, would equate to 8.5p on to the rate for 2003/04.

Mrs Kelly argued that Central Government was requiring payment by collection authorities, because of the non-activity of the Department in relation to recycling issues.

The Chief Executive/Clerk reminded Members that they had been aware for some time that a charge was likely to be levied and that the previous advice received from the Department was that the costs were likely to be phased in over a lengthy period, although the final proportion of the cost to fall upon the rates was not specified. He reiterated that the item had only be discussed by the Council of Ministers on 14th November, the letter having been issued on 15th November and received at the Commissioners' Office on 18th November. Any proposals were subject to the implementation of the appropriate part of the Public Health Act 1990 by the publishing of an Appointed Day Order which had to be laid before Tynwald.

Mr Killey stated that the proposals appeared to be ridiculous when appropriate systems were not in place to assist Local Authorities with waste reduction. The proposals appeared to have been rushed through.

Mr Crellin made reference to the reported letter and to the phrase which stated that charging for waste disposal "should" begin in 1st April 2003.

Mr Watterson described the reduction of the possible charge to 10% as providing waste collection authorities with some breathing space. He felt that the principle of charging for waste disposal through the rating system had been agreed at the Department for a little while. He stated that for some considerable time, waste collection authorities had been provided with waste disposal facilities at no cost. Mr Watterson, however, suggested that a rate rebate system should be devised, and that householders should be charged for any waste disposed by weight or

volume. Mr Watterson agreed with the introduction of charges as proposed by the Department of Local Government and the Environment. He acknowledged that the refuse disposal site was now better engineered and that there were safety costs involved therewith. He suggested that all individuals should play their part in the reduction of waste arisings. He added that the performance of the Department of Local Government and the Environment in the past appeared to have been checkered in relation to waste management, and expressed the hope that the Waste Management Board would help to progress this issue.

Mr Crellin referred to the amount of junk mail and pre-wrapped items which were purchased locally and suggested that Central Government should look to reduce waste arisings by addressing the material used in production.

In answer to the comments of Mr Watterson, Mr Norton clarified that individuals had paid for waste disposal as tax payers although not as rate payers. He also commented on the suggestion of Mr Crellin that local firms should be asked to reduce packaging.

Mr Quirk made reference to an article which had appeared in the Isle of Man Examiner that evening, which differed a little from the content of the letter which had been reported.

The Chief Executive/Clerk reminded Members that recycling initiatives would have a cost implication for Local Authorities. It was clarified that the letter did not seek views from the Local Authority and its contents were noted.

2. C02/10/01/10(1) - Skateboarding

Mr Quirk sought the permission of the Chairman and of the Board to bring the decision of the Commissioners in relation to the provision of a skateboard park, which had been taken at a private meeting of the Board into the public domain. Mr Norton commented that in his view, most issues should be discussed in public. A proposal was made by Mr Quirk, seconded by Mr Watterson, that the resolution of the Board taken at its private meeting on 14th October 2002, be brought into public.

A vote was taken with Mrs Kelly and Messrs Norton, Parkin, Quirk and Watterson voting in favour of the proposal. Messrs Astill, Black, Crellin, Kennaugh and Killey voted against and the proposal fell, on the casting vote of the Chairman.

Mr Quirk reminded Members that as a result of the vote, the decision of the Commissioners could not be disclosed.

C02/11/01/03

BUSINESS ARISING FROM PREVIOUS MEETINGS

None.

C02/11/01/04

CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:-

1. Torchlight Procession

The Chairman confirmed that the Torchlight Procession would take place on the evening of Tuesday 10th December 2002. In the event of inclement weather, the event would transfer to Wednesday 11th December 2002. The Chairman reminded Members of the need to indicate that they would be able to assist in the organisation of the event.

2. Village Christmas Trees

The Chairman referred to a number of outstanding replies in relation to the invitation to participate in the Commissioners' Christmas Tree scheme. He sought submission of a response as soon as possible.

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C02/11/01/05

QUESTIONS

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There were no questions submitted under the provisions of Standing Order Number 5.

C02/11/01/06

HOUSING COMMITTEE MINUTES

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The minutes of the public section of the Housing Committee meeting held on Monday 24th October 2002, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

1. H02/10/01/04(3) – Abandoned Cars – Nursery Avenue

Mr Quirk commented that at least one of the abandoned vehicles in the lane to the rear of Nursery Avenue had been there for three months. The Chairman of the Housing Committee, Mr Kennaugh, advised that the car would be removed shortly. The Building Control Officer confirmed that an instruction had been issued to the Department of Transport and in response to enquiry, confirmed that the cost of the removal would fall on the Authority.

2. **H02/10/01/08 – Health and Safety Business**

In answer to enquiry from Mr Watterson, regarding the results of the testing of electrical equipment, the Deputy Clerk advised that in the interests of expediency the electrical testing had been delayed to a quieter period between Christmas and New Year, when all electrical equipment would be tested.

3. **H02/10/01/04(4) – Lane, Rear Nursery Avenue**

Mr Quirk suggested that a concrete stand should be created to the rear garden of the properties in Nursery Avenue adjacent to the gates, to provide a hard stand on which the wheeled refuse containers could be kept. The Deputy Clerk confirmed that the provision of such concrete stands had been anticipated and it had been suggested that they be included within the future housing planned maintenance scheme for the refurbishment of footpaths within the Nursery Avenue area.

C02/11/01/07

RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Housing Committee meeting held on 24th October 2002, be and are hereby received. There were no resolutions contained therein requiring the consent of the Board.

C02/11/01/08

WORKS AND CLEANSING COMMITTEE MINUTES

The minutes of the public section of the Works and Cleansing Committee meeting held on Monday 28th October 2002, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

1. WC02/10/09(a) – Blackberry Lane/Summerhill Road – Option 4 – Mini-Roundabout

Mrs Kelly expressed disagreement with any proposal to create a mini-roundabout at the junction of Blackberry Lane and Summerhill Road, pointing out that the area was already dangerous for pedestrians. The Chairman of the Works and Cleansing Committee, Mr Parkin, advised that the proposals of the Department of Transport had taken pedestrian usage into account and that the plans had been circulated with the agenda for the Works and Cleansing Committee meeting.

2. WC02/10/07(a) (ii) – Flooding, Church Road

Mr Norton made reference to his attendance at the Climate Change Conference and suggested that the Department of Transport should be encouraged to plan for a greater rainfall and possible heavy flooding. Mr Parkin expressed agreement with Mr Norton, suggesting that risks should be eliminated as soon as possible. The Building Control Officer added that the Department of Transport were already taking steps to try to avoid similar situation arising in future, increasing the minimum size of storm water drains from 225 cm to 300 cm in an effort to allow the drains to carry greater capacity.

3. WC02/10/09(a) – Blackberry Lane/Summerhill Road – Option 4 – Mini-Roundabout

Mr Norton confirmed that he too was yet to be convinced with regard to the proposal. Mr Parkin pointed out that the Works and Cleansing Committee had not identified anything wrong with the proposal.

4. WC02/10/06(a)(ii) – King Edward Road/Port Jack

Mr Quirk advised that no warning lights were insitu in relation to the works being undertaken on King Edward Road/Port Jack. The Building Control Officer was asked to investigate.

5. WC02/10/05(a)(iii) – New Vehicle

The Chief Executive/Clerk confirmed that the new refuse collection vehicle was due to be received on Wednesday 20th November 2002 at 2.00 p.m. in the Commissioners' car park.

A presentation would then be made by representatives of P.M. Onboard, commencing at 3.00 p.m. in relation to bin weighing equipment. Other Authorities would be present for that presentation.

C02/11/01/09

RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Works and Cleansing Committee meeting held on 28th October 2002, be and are hereby received. It was further **RESOLVED** that the following resolution contained therein, requiring the consent of the Board, be approved:-

- 1. that the Department of Transport be advised that the Commissioners are in agreement with the proposed scheme for the creation of a mini-roundabout at the junction of Blackberry Lane and Summerhill Road, subject to necessary drainage works being carried out and an appropriate relocation adjacent to the site of the public seat.***

Mrs Kelly and Mr Norton voted against the resolution.

C02/11/01/10

LEISURE AND AMENITIES COMMITTEE MINUTES

The minutes of the public section of the Leisure and Amenities Committee meeting held on Monday 4th November 2002, copies of which having previously been circulated, were considered.

Mr Quirk sought the approval of the Chairman and of the Board to have detail of the debate contained within the private minutes of the Leisure and Amenities Committee, in relation to the provision of skateboarding facilities brought into the public domain. Mr Crellin viewed that items such as the item referred to should be debated in public. Mr Parkin suggested that the Chairman of Committees should take responsibility within their meeting and direct items for recordal either in public or in private.

Mr Quirk proposed that the debate in relation to the provision of skateboarding facilities, contained within the private minutes of the Leisure and Amenities Committee meeting held on 4th November 2002 be brought into public. The proposal was seconded by Mr Norton. A vote was taken, and on the casting vote of the Chairman, the proposal fell.

Mrs Kelly and Messrs Norton, Parkin, Quirk and Watterson voted in favour of the proposal. Messrs Astill, Black, Crellin, Kennuagh and Killey voted against.

The following matters were arising from the minutes:-

1. **LA02/11/03(b)(i) – Park Roundabout**

Mrs Kelly enquired whether the proposal to replace the roundabout within Onchan Park would provide a new roundabout. This was confirmed.

2. **LA02/11/03(c) – Pennington Hall**

Mr Norton enquired whether contact had been made with the complainant as required by the Board. It was not believed that contact had been made, due to the continuing absence through ill health of the District Surveyor. The Chairman of the Leisure and Amenities Committee, Mr Astill, confirmed that three skips of rubbish had been removed from the area.

3. **LA02/11/04(b) – Port Jack Glen**

Mr Killey expressed disappointment that the suggestion of works within Port Jack Glen were not to be progressed in the current financial year, referring to the time which had already elapsed since the original suggestion had been made. He also referred to the willingness expressed by Onchan Rotary Club to assist in such a project, and the fact that the Commissioners had not been in a position to assist. Mr Crellin enquired as to why there had been delays.

4. **LA02/11/04(e) – Centenary Park**

Mr Kennaugh asked that an opportunity be arranged for Members of the Board to visit Centenary Park and this was agreed.

5. **LA02/11/04(b) – Port Jack Glen**

Mr Norton sought an assurance that the provision of signs at the entrances to the Port Jack Glen would not be forgotten.

C02/11/01/11

RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Leisure and Amenities Committee meeting held on 4th November 2002, be and are hereby

received. There were no resolutions contained therein requiring the consent of the Board.

C02/11/01/12

POLICY AND FINANCE COMMITTEE MINUTES

The minutes of the public section of the Policy and Finance Committee meeting held on Monday 11th November 2002, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

1. **PF02/11/04(1) – Rates Collected**

The Chairman of the Policy and Finance Committee, Mr Killey, was pleased to report that as at 5th November 2002, 94.57% of rates payable, less refunds, had been received at the Commissioners' Office.

2. **PF02/11/06(1) – Standing Orders**

Mr Killey confirmed that a notice of motion in relation to an amendment to standing orders had been received and would be considered by the Board later in the meeting.

3. **PF02/11/05(2) – Third Supplemental Rating Valuation List 2002**

The Chief Executive/Clerk confirmed that the increase in the net rateable value of the district by £23,957 would increase the income for the Authority by approximately £40,000 per annum.

C02/11/01/13

RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Policy and Finance Committee meeting held on 11th November 2002, be and are hereby received. It was further **RESOLVED** that the resolution contained therein requiring the consent of the Board be approved as follows:-

1. ***that the said payments from revenue account as detailed on the list attached to the minutes be endorsed.***

C02/11/01/14

RURAL COMMITTEE MINUTES

The minutes of the public section of the Rural Committee meeting held on Wednesday 6th November 2002, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

1. **R02/11/02(c) – DOT Matters**

The Chairman of the Rural Committee, Mr Watterson, expressed disappointment that the works to the Schollag Road had been left out of the budget of the Department for another year. He recollected that the matter had been ongoing for some 11 years, and wondered whether a road in the Urban district would be left for 11 years without some concerns being expressed. Reference was also made to proposed works in relation to Brandish Corner which would take priority.

2. **R02/11/07(d) – Waste Oil Storage**

Mr Quirk submitted a series of photographs which he had taken of materials apparently dumped, at the Pinfold site. He suggested that advice should be obtained from the Environmental Health Inspectorate with regard to the storage of waste materials on the site, and if necessary, a licence should be obtained. Mr Quirk added that the photographs clearly indicated that the waste materials included household rubbish.

Mr Watterson agreed that the content of the photographs did not look good. He enquired whether the materials could be seen from the public highway. Mr Quirk asked that the matter be taken up with the Environmental Health Inspectorate.

Mr Quirk asked that the resolution of the Rural Committee be amended to ensure the necessary environmental protection. He indicated that he would vote against the resolution of the Rural Committee unless the amendments were made. Mr Watterson assured Mr Quirk that the Rural Committee would ensure that the Department were aware of the necessity to comply with all environmental controls.

C02/11/01/15

RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Rural Committee meeting held on 6th November 2002, be and are hereby received. It was further **RESOLVED** that the resolutions contained therein requiring the consent of the Board be approved as follows:-

1. *to recommend to the Board that the Rural Committee has no objection to the temporary use of the Pinfold site for the storage of waste containers.*

C02/11/01/16

LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS

1. **Planning Decisions/Communications from the Department of Local Government and the Environment Planning Committee**

PA Number	Description	Comment
02/0504	Land at Greenfields, 14 Main Road	ODC Recommendation – Refusal Initial Planning Decision – Refusal Refusal of the application confirmed upon review – an appeal against the decision lodged
02/1073	Land between 87 and 93 Royal Avenue	ODC Recommendation – Refusal Planning Decision On Review – Refusal The decision of the Appeal Inspector to refuse the application noted.

2. **Good Neighbour Scheme**

The Chief Executive/Clerk had circulated with the agenda a copy of a letter received from Commissioner Norton dated 20th October 2002, in which he asked the Board to consider the proposal that the Board set up a Good Neighbour Award Scheme. Mr Norton confirmed that the proposal was to encourage a good community spirit. It would recognise the contribution which had been made by an individual to the quality of life of one or other of the Onchan residents. Mr Crellin enquired whether this would be a similar award to the Crosh Pobble Chonnaghyn and the Chief Executive/Clerk confirmed that it would be different. Mr Norton agreed. He indicated that there were schemes to award good neighbours on a national basis and considered that similar schemes should be operated locally. Mr Norton submitted his proposal.

Mr Quirk confirmed that he was happy to second the proposal, and suggested that the judgement of such an award be undertaken at the same time as the gardens competition.

Mr Parkin asked that the proposal be amended to allow the matter to be referred to the Leisure and Amenities Committee for examination and evaluation. Mr Norton and Mr Quirk accepted the amendment and it was **RESOLVED** that the proposal that the Board should set up a good neighbour award scheme be referred to the Leisure and Amenities Committee for further evaluation and report back to the Board in due course.

3. Local Authority Elections

The Chief Executive/Clerk had circulated with the agenda a copy of a letter received dated 23rd October 2002, from the Local Government Unit Manager at the Department of Local Government and the Environment, in relation to recommendations received by the Department from the Local Elections Focus Group. The decision of the Department in relation to individual recommendations were itemised within the letter as follows:-

- (a) there should be one election date for Local Authorities. This would take place in April two years after a general election.
- (b) All Commissioners and Councillors should retire on the same day;
- (c) All Commissioners and Councillors would serve a five year term;
- (d) Polling Cards should be issued to all voters by each Local Authority at the expense of that Authority;
- (e) Opening hours for Polling Stations should be extended to 8.00 a.m. till 8.00 p.m.;
- (f) Legislation should be sufficiently flexible to allow for possible future voting and supermarkets, post offices, mobile telephones, internet etc;
- (g) The Department should determine the Local Election Day. This would afford an opportunity to use Saturday as an election day if the Department considered it appropriate. The Department should fix the day (in April) and publish it no later than 31st December the previous year;
- (h) The recommendation on absent voters should be accepted but there should be no lowering of the age of voting;
- (i) That the current Local Election (Fees) Order should be updated; and

(j) That consultation should take place with Economic Affairs to see if a more up to date voters registration could be progressed for use in local elections.

The letter confirmed that the Department was currently in discussion with the Attorney General's Chambers with regard to the legislative implementations of the above and the timescale to implement such changes. It was envisaged that the necessary changes in primary legislation would be implemented with effect from Thursday 1st April 2004. It confirmed that any one elected to office in April 2003 would only serve for one year.

The letter went on to state that discussions were taking place at national level by the Select Committee appointed by Tynwald to look into House of Keys elections which may have an impact on the polling machinery.

Mr Kennaugh sought clarification, which was given, that the first of the proposed local election days would take place in April 2004. Mrs Kelly was disappointed to note that she had been elected in 2002 to serve a three year term, and at the time of her election, nobody had suggested that she would only be able to serve two years. She was not in agreement with the proposal.

The Chief Executive/Clerk confirmed that the proposal still required primary legislation but that the letter had not asked for comments upon the proposals.

Mr Quirk believed that the proposal gave insufficient time and that Members already elected should serve a full three year term. Mr Parkin clarified that the reduction in term, without prior notice, would only affect those Members elected in April 2002. Any one standing for election in April 2003 would be aware that they would only serve a term of 1 year prior to the Local Election Day in 2004.

Mr Quirk suggested that the letter implied that all of the recommendations would be implemented at the same time. The Chief Executive/Clerk clarified that the proposed amendment to primary legislation would not deal with the method for voting. That would be dealt with under regulation.

Mrs Kelly expressed concern that, in the event of an election, the ballot paper would contain the names of at least 11 candidates from which the public would be asked to choose. In addition, the plaqueards of 11

candidates placed through out the district in the event of an election, would be undesirable.

Mr Norton accepted the comment of Mrs Kelly, pointing out that the Onchan Local Authority election would potentially be the largest individual election, given that other larger Authorities had split their district in to wards. Mr Crellin concurred with the views expressed by Mrs Kelly and pointed out that the extension of the voting day would be difficult for the candidates.

Mr Killey wondered whether any split of the Onchan constituency in to wards would apply not only to local authority elections but also to the House of Keys as well.

Mr Watterson expressed agreement with the proposals. One of the concerns which had previously been expressed, in relation to continuity, would not, in his opinion, be a difficulty, since he did not anticipate a wholesale change of membership of the Board following an election. He considered that the present system whereby some Members retired each year, was more confusing for the public.

Mr Quirk suggested that the Chief Executive/Clerk should write to the Local Government Unit Manager, suggesting that Local Authorities should be kept informed when discussions were ongoing. The Chief Executive/Clerk confirmed that any Bill put forward by the Department of Local Government and the Environment would be circulated to the Authority for information.

Mr Norton commented on the suggestion of the introduction of compulsory voting, contained within the recommendations of the Local Elections Focus Group. He did not believe that compulsory voting would be in accord with Human Rights legislation unless an additional option was included on a ballot paper to confirm that the voter had not recorded a vote against any of the candidates who were standing.

As the letter did not seek comment, the proposals were noted.

4. Litter - Fixed Penalty Order and Regulations

The Chief Executive/Clerk had circulated with the agenda a copy of a letter received dated 7th November 2002 from the Manager of the Legislation and Policy Unit at the Department of Local Government and the Environment. The letter enclosed copies of the Litter (Fixed Penalty) Order and the Litter (Fixed Penalty) Notice Regulations, which the

Department were seeking Tynwald approval for in November. The effect of the Order would be to increase the amount of the fixed penalty from £10 to £50, whereas the Regulations would enable the wording on the actual fixed penalty notices to be updated.

The letter stated that during the last year or so the Department had been giving consideration to introducing fixed penalty notices for litter offences and the views of local authorities had been previously sought. After taking those views in to account, the Department had now determined that the fine should be increased from £10 to £50.

The letter confirmed that the legislation was scheduled to come into effect on 1st January 2003 and that the Department would be arranging for new fixed penalty notice books, together with some guidance notes on their use, to be issued to Local Authorities and the Police during December. The Department was also looking to co-ordinate a publicity campaign over the following few weeks to help raise public awareness of the new fixed penalty fines and the Department would keep the Local Authorities advised of any future proposals.

The letter went on to say that although it had been possible to issue fixed penalty notices for litter offences since 1990, the reality was that there had been hardly any enforcement to date – either by the Police or Local Authorities. The Department had already received assurances from the Police that they would do their best to enforce the law and the Department were now hoping that “authorised officers” of Local Authorities would also play their part in helping to enforce the new notices.

Mr Kennaugh enquired as to when the last prosecution had been undertaken under the Litter Act. The Chief Executive/Clerk confirmed that the Local Authority was now in a position to appoint an authorised officer to issue fixed penalty notices.

The Chairman suggested that this was another matter which Central Government had referred to Local Authorities to implement and he believed that the matter should remain with the Police for enforcement. Mr Crellin expressed agreement with this view. Mr Quirk commented, however, that the letter stated that the Police would do their best to enforce the law in this matter.

Mr Crellin enquired whether a fixed penalty fine should be imposed in the case of fly tipping. He sought confirmation as to who would train the “authorised officer” and who would be responsible for the collection of the fixed penalty fines. Mr Norton added that he was unclear as to where the fines would go to. The Chief Executive/Clerk confirmed that at present, all

finances had to be paid to the Chief Registrar. He understood, however, that the costs of the enforcement of the legislation would fall on Local Authorities.

Mr Crellin expressed concern over the implications for Local Authorities, particularly in the gathering of evidence and the presentation of a court case. Mr Killey concurred with previous comments of Mr Crellin, indicating that in his view, the proposals required greater investigation. He suggested, for instance, that someone who was fly tipping might happily accept a £50 fixed penalty fine for the disposal of an item, rather than pay substantial disposal costs at civic amenity site, landfill or Energy From Waste Plant. Mr Quirk enquired whether fixed penalty notices could be issued in relation to abandoned vehicles. The Chief Executive/Clerk referred to the letter and reminded Members that the Department had undertaken to offer guidance to Local Authorities in relation to the regulations.

Mr Crellin enquired whether it was intended to grant the “authorised officer” power of arrest in certain circumstances. The Chief Executive/Clerk confirmed that the regulations would empower Local Authorities to appoint the “authorised officer” but not enforce such an appointment upon those Authorities.

5. Criminal Justice (Amendment) Act 2001 – Anti-Social Behaviour Orders

The Chief Executive/Clerk had circulated with the agenda a copy of a letter dated 11th November 2002 from the Administrator of the Department of Home Affairs, referring to the Criminal Justice (Amendment) Act 2001 and in particular to part 8, Clause 28 on Anti-Social Behaviour Orders. The letter stated that Clause 28 introduced Orders prohibiting anti-social behaviour, that is, acting in a manner to cause harassment alarm or distress to one or more people. It stated that Orders could be placed on any person age 10 or older for a maximum period of 3 years. The requirement to apply for Orders was with the Local Authorities, the Department of Local Government and the Environment, the Department of Education or the Police. Each could apply to the Courts for an Order prohibiting the defendant from doing anything in that Order.

It stated that following a recent meeting of the Department of Home Affairs, it had become apparent that there appeared to be some misunderstanding as to whether there was currently the means for the relevant Authorities to apply by complaint to the Court of Summary Jurisdiction in order to request that the Court consider making an Anti-Social Behaviour Order. In that regard the Department brought Clause 28

into force on 21st June 2001 and there was no reason why any relevant Authority may not apply to the Court for an anti-social behaviour order or indeed that it could not have done so since the Department made the Application Order on 21st June 2001.

The letter went on to state that the misunderstanding appeared to be in regard to the purpose of Clause 28(2) which stated that “a relevant Authority shall not make such application without consulting each other relevant authority”. The relevant authorities were those who could apply to the Court of Summary Jurisdiction for an Anti-Social Behaviour Order. The reason for obliging relevant authorities to consult was that it would ensure that any application to a Court was not duplicated and it would also assist in providing a stronger case to a Court where more than one relevant Authority wished an Anti-Social Behaviour Order to be made. The provision was not designed to enable case conferences with all agencies over whether to apply to the Court for an Order. The procedure for application to the Court by a relevant Authority was that the Authority made a case, consulted with the other relevant Authorities and then made a complaint to the Court “that a person had acted in an anti-social manner” that was to say in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself and that such an Order was necessary to protect any person in the Island from further anti-social acts by him. The Court would then decide whether the relevant Authority had proved that a person had acted in an anti-social manner and it was then for the Court to decide in each case what information, reports, etc, it required, if any from other agencies, to decide if an order should be made and to assist the Court in deciding what prohibitions should be imposed by the Anti-Social Behaviour Order.

Mr Kennaugh enquired as to how an individual would approach the Local Authority with a complaint about the behaviour of another, and suggest an application for an Anti-Social Behaviour Order be made. It was agreed that this would be either through an elected Member or officer, and such officer would then deal with the issue. Mr Crellin cautioned that to prepare a case to support an application for an Anti-Social Behaviour Order would not be simple. Mr Quirk suggested that Mr Lalor-Smith be invited to attend a meeting of the Board to discuss the issue.

6. Mr J. Houghton, MHK – Anti-Social Behaviour Orders

The Chief Executive/Clerk had circulated with the agenda a copy of a letter received 12th November 2002 from Mr J. Houghton, MHK, with regard to Anti-Social Behaviour Orders. The letter stated that Mr Houghton was pursuing the inclusion of additional measures in order to

make Anti-Social Behaviour Orders and effective sanction. He was granted leave to introduce a Private Members Bill covering these matters in March 2002. One of his principle concerns related to the perceived inability of interested parties to co-operate effectively whilst involved in the preparation of an Anti-Social Behaviour Order against an offender, due to the fact that relevant Authorities were unable, in law, to share information with each other. He pointed out that a relevant clause in the U.K. Crime and Disorder Act which permitted the sharing of information did not exist in the recently introduced Criminal Justice Act, hence his concern. However, on taking advice on his draft Bill in consultation with the Department of Home Affairs, he was now advised that Anti-Social Behaviour Orders could be processed with immediate effect without the inclusion of any amendment clause. He awaited with interest to see whether the existing Act did, in fact, hold sufficient and robust powers to deal with such an issue. The purpose of his letter therefore, was to inform Local Authorities that the Department of Home Affairs now awaited applications from any relevant Authority who wished to have an Anti-Social Behaviour Order served on an offender. Anti-Social Behaviour Orders could, of course, be imposed on adults in addition to juveniles. Mr Houghton respectfully asked that, if the Onchan District Commissioners wished to pursue the imposition of Anti-Social Behaviour Orders, that contact be made with the Administrator of the Department of Home Affairs who could be requested to provide the Authority with procedural advice in order that the Authority could become acquainted with the new law.

Mr Houghton stated that, as a matter of interest, he was seeking to bring forward a simplified version of the "Parenting Order". Such an Order would, if it became law, be imposed by a Court in appropriate circumstances on parents of juveniles affected by an Anti-Social Behaviour Order. This would force parents to ensure that their child observed their respective Anti-Social Behaviour Order or face an appropriate sanction themselves if their child was found to be in breach of such Order.

Mr Crellin suggested that Anti-Social Behaviour Orders and Parenting Orders were certainly to be encouraged but cautioned that enforcement was the key. He felt that the Anti-Social Behaviour Orders and Parenting Orders would be left to the Local Authorities to progress, rather than the Police, because there were very few Officers around the area any more.

7. Bus Shelter – Birch Hill

The Building Control Officer advised of receipt of notification of the construction of a new bus shelter in Birch Hill at opposite Cronk Avenue

on Birch Hill Crescent. It was agreed that notice of the proposed construction be passed to householders in the immediate vicinity who would be affected.

8. Public Right of Way – Rear of Summerland to Imperial Terrace

The Chief Executive/Clerk advised of the receipt of a notice from the Department of Transport, suspending temporarily a public right of way between the rear of Summerland and Imperial Terrace. Such action had been necessary following a landslip caused by the recent heavy rains, and was to enable repair works to be carried out. The Order would continue in force until 26th May 2003 or until storm damage works were completed, whichever was the earlier.

C02/11/01/17

CLERK'S REPORT

None.

C02/11/01/18

DISTRICT SURVEYOR'S REPORT

None.

-

C02/11/01/19

MOTIONS

-

1. Commissioner M.J. Kennaugh moved:-

That the following sub-paragraph be added to Standing Order number 1 "Meetings of the Authority" :-

"(1)(4) Meetings of the Authority shall conclude not later than 11.00 p.m. and any business on the agenda that has not been transacted by that time shall stand adjourned until the next meeting of the Authority.

The motion was seconded by Mr Killey.

The Chief Executive/Clerk confirmed that a notice of Motion to amend Standing Orders had been proposed and seconded, and that in accord with Standing Orders consideration of such motion was deferred to the next ordinary meeting of the Authority.

There being no further business the meeting terminated at 8.35 p.m.

Minutes of a meeting of the **HOUSING COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Monday 25th November 2002 beginning at 7.02 p.m.

Present: Mr M.J. Kennaugh (Chairman)
Mr S.T. Black, J.P.
Mr D. Crellin
Mrs E.J.C. Kelly
Mr A.T.W. Norton

In attendance: Mr M.J. Williams (Deputy Clerk)
Mr A.B. Sutherland (Housing Maintenance
Manager)

-

H02/11/01/01 **MINUTES**

The minutes of the meeting of the Committee held on Monday 24th October 2002, copies of which having previously been circulated, were considered, agreed as a correct record of proceedings and signed by the Chairman.

H02/11/01/02

MATTERS ARISING FROM THE MINUTES

-

1. Deputy Clerk's Report

-

The Deputy Clerk had prepared a report updating the Committee in relation to matters arising from the minutes. The following matter was arising:-

1.1 H02/10/02/16(1) – Sheltered Housing Consultative Committee

In answer to enquiry from Mr Black, the Deputy Clerk confirmed that the Committee would receive information, as soon as possible,

following a review of sheltered housing applications in light of the new criteria. However, the Deputy Clerk awaited a response from the Department of Local Government and the Environment, in relation to matters of clarification raised in his letter of 8th November 2002.

-
H02/11/01/03

MATTERS ARISING FROM PREVIOUS MEETINGS

-
None.

-
H02/11/01/04

HOUSING AND OTHER ESTATES BUSINESS

-
1. **Maintenance Report**

-
None.

2. **Deputy Clerk's Report**

-
The report of the Deputy Clerk, in relation to housing and other estates business, copies of which having been circulated with the agenda was noted. There were no matters arising therefrom.

3. **H02/10/01/04(3) – Abandoned Cars, Nursery Avenue**

Mr Black made reference to the remaining abandoned vehicle in Nursery Avenue, which had been fire damaged. In answer to enquiry, it was confirmed that an order had been placed for the removal of the vehicle. The Housing Maintenance Manager was asked to expedite its removal by speaking to the contractor.

H02/11/01/05

SPRINGFIELD COURT MATTERS

-
1. **Maintenance Report**

-
None.

2. **H02/10/01/19(2) – Manx Carephone**

The Deputy Clerk had circulated with the agenda a copy of a letter dated 18th November 2002 from a Director at Manx Carephone confirming an increase in monitoring charges in respect of Springfield Court. The letter stated that Manx Carephone had tried to keep their monitoring fees at their original price charges in 1997, for as long as they could but had found that it was no longer possible. Therefore, the new charges for providing “out of hours and emergency “ monitoring of Springfield Court would be a 10% increase on the existing charge.

The Housing Committee concurred that the increase was not excessive and noted the letter.

3. Visit

The Chairman suggested that the Committee should undertake a visit to Springfield Court and this was agreed. The timing was discussed but on the suggestion of Mr Black, it was agreed that arrangements would be made for a visit early in the new year.

H02/11/01/06

HEYWOOD COURT MATTERS

-

The Deputy Clerk advised that he had amended the agenda for the meetings of the Housing Committee, to include a section for consideration of Heywood Court matters. With effect from the following month, a report would be prepared under the heading of “Heywood Court” to advise the Committee of the latest position with regard to that Complex, in the same way as reports were prepared in relation to Springfield Court. *Noted.*

H02/11/01/07

GARAGE MATTERS

-

None.

H02/11/01/08

PLANNED HOUSING MAINTENANCE

The Deputy Clerk confirmed that he and the Housing Maintenance Manager had held a meeting with officers of the Department of Local Government and the Environment, with regard to the housing planned maintenance programme. A detailed discussion had taken place on schemes which

were already included within the housing planned maintenance programme for the next three years, together with the timing of those projects.

A detailed report in relation to the discussions, particularly as they related to any future proposals, would be made to the Committee at its next meeting.

H02/11/01/09

HEALTH AND SAFETY BUSINESS

-

The Housing Maintenance Manager had submitted a report in relation to Health and Safety matters, dated 22nd November 2002. He confirmed that first aid boxes, harness equipment, ladders and diary had recently been inspected and were to a satisfactory standard. It was further confirmed that all electrical appliances would now be inspected and tested during the Christmas break.

The Housing Maintenance Manager also confirmed that a hand portable radio was based within the Surveyor's Department and any person working alone or in an isolated area would be provided with the radio at that time.

H02/11/01/10

OFFICERS REPORT

None.

H02/11/01/11

OTHER CORRESPONDENCE/COMMUNICATIONS

None.

-

H02/11/01/12

FINANCIAL MATTERS

-

The Chief Finance Officer had prepared financial reports in respect of income and expenditure for the activities of the Housing Committee under the headings of housing maintenance expenditure, elderly persons complex maintenance expenditure and housing non-maintenance activities. The reports covered the period to 21st November 2002 and the content of the reports were noted.

H02/11/01/13

OUTSTANDING MATTERS

-
None considered this month.

H02/11/01/14

MATTERS REFERRED BY THE BOARD/OTHER COMMITTEES

None.

-
H02/11/01/15

ANY OTHER BUSINESS

1. Commissioners' Surgery

-
It was noted that the next Commissioners' Surgery was due to take place on Thursday 2nd January 2003, but that the Onchan District Commissioners' Offices would be closed on this date. It was agreed that the Deputy Clerk liaise with the two Commissioners involved, with a view to finalising the Surgery date.

2. Date of Next Meeting

-
It was noted that the next ordinary meeting of the Committee would be held on Monday 6th January 2003, commencing at 7.00 p.m.

There being no further business, the meeting closed at 9.28 p.m.

Minutes of a meeting of the **WORKS & CLEANSING COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Monday 2nd December 2002 at 7.00pm.

Present: H.L.G. Parkin (in the chair) Messrs S.T. Black JP, D. Crellin, D.J. Quirk and J.K. Watterson

In attendance: J.E.S. Smith (Clerk), B.T. Price (Building Control Officer) and Peter Kelly (Administration)

- WC/02/12/1

MINUTES

- Minutes of the meeting held on 28th October 2002, copies of which having previously been circulated, were taken as read, confirmed and signed.

- WC/02/12/2

MATTERS ARISING

- There were no matters arising from the public minutes other than those items listed separately on the agenda paper.

- WC/02/12/3

MATTERS ARISING FROM PREVIOUS MEETINGS

a) Hawthorn Close

- Mr Quirk commented that there were still several outstanding matters in respect of Hawthorn Close. The road was not surfaced and the street lighting scheme was not complete. These matters had been raised at the recent joint meeting with DoT and the police. The Clerk pointed out that they were basically planning matters and should be referred to the Planning Enforcement Officer.

b) DoT Depôt Hillberry

Mr Quirk enquired as to what progress was being made on the tidying up of the DoT depôt at the Pinfold. This had been mentioned by him at a previous meeting when he had produced photographs that he had taken of items in the yard. The Building Control Officer replied that DoT were looking into the complaint.

- WC/02/12/4

WASTE MANAGEMENT AND OTHER CLEANSING BUSINESS

a) Officer's Report

- Copies of the Cleansing Report had been circulated prior to the meeting and were noted without further discussion.

-

b) Civic Amenity Site

- The Clerk reported that he was having difficulty contacting the Clerk to Braddan Commissioners at the present time as he was electioneering. Hopefully he will be able to contact him shortly to arrange a meeting. Mr Watterson enquired whether the commissioners held a copy of the plans for the Middle River site to which the Building Control Officer advised that he thought there was a copy. Mr Watterson asked could he look at them at sometime. It was suggested that some of the matters could be discussed at the meeting with Braddan Commissioners to be held on 16th December 2002; the Clerk to establish which members of the commission were able to attend.

c) Agenda 21

- Details had been circulated regarding the use of LNG (natural gas) for the refuse collection vehicles. Mr Watterson commented although there appeared to be some advantages the reference made in the documents circulated was over engine noise yet when a refuse collection vehicle was in operation the noise which the public heard was in fact the lifting gear and the emptying rather than the engine itself. Whilst he felt developments were heading down the right road there was still a long way to go. The Clerk reported having spoken to Mr Ken Kinrade from the Office of Fair Trading who advised that there was no supply of LNG available on the Island. There were some vehicles using LPG but there was only one garage in the Island where it could be obtained. Mr Quirk suggested that Mr Martin Hall, Chief Environmental Officer should be asked for his views. Mr Watterson added that if it was worthwhile then the road haulage industry would already be converted to it. The matter was noted with interest.

- WC/02/12/5

STREET LIGHTING

- a) Officer's Report

- Copies of the District Surveyor's report had been circulated prior to the meeting, and was noted with the following point being discussed further

King Edward Road

Confirmation was given that the replacement lights were now lit. Mr Quirk asked what had happened to the tops from the old lights. The Building

Control Officer responded that those that could be salvaged will be and the others will be scrapped. Noted.

b) **Other Lighting Matters**

i) **Bemahague Footpath**

Mr Parkin commented that the bollard lights on the footpath running through the fields at Bemahague were out. Other members pointed out that these were the responsibility of DoT and not the commissioners. Mr Quirk then made reference to the similar lights within Heywood Park to which the Building Control Officer replied that the electrical engineer had suggested that these would be better replaced by streetlights. After a brief discussion it was agreed that the matter should be investigated and a scheme put together.

ii) **Replacement Heads**

Mr Black commented that in those areas of Onchan where the white sodium lights had been replaced by the new orange sodium lights things were a lot better lit and that this scheme should be ongoing. The Building Control Officer replied that this was in fact still in operation and in answer to question, advised that there were various pockets of the white lights throughout the district yet to be replaced. Mr Quirk suggested that there should be an increase in the allowance in next year's estimates to allow for this work. Mr Watterson advised that he was against the principle of such an increase as there would be an increase in the rates to cover the user pays policy for refuse and that the lights in question were not so much below standard to require immediate replacement. It was proposed however by Mr Quirk, seconded by Mr Crellin and

RESOLVED

“that the Board be requested to allow £50,000 in the estimates for ancillary lighting schemes”.

- **WC/02/12/6**

DRAINAGE FUNCTION

- a) Officer's Report

- **Copies of the Officer's report had been circulated prior to the meeting and was noted.**

- b) **Other Drainage Matters**

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i) Alberta Drive

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Mr Quirk made reference to two road gullies at the top of Alberta Drive which were blocked, causing flooding. He added that both of these had been "none runners" for a year.

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ii) Summerhill Road

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Mr Crellin enquired as to the position with the culvert that runs through the garden of 82 Summerhill Road from the Hague Well. The Building Control Officer advised that he had spoken with S. Craig and Son regarding the rebuilding of the chamber in the drive to this property.

-
iii) The Butt

-
The Building Control Officer advised that this area had been inspected and the suggestion from Orry Mitchell of DoT was that five additional road gullies be placed in the area.

-
iv) Inoculation

-
Mr Quirk enquired whether full medical profiles had been undertaken on the sewer operatives. The Building Control Officer advised that this had been undertaken as was the case with all DoT drainage operatives. Noted.

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WC/02/12/7

PLANNING MATTERS

a) Planning Communications

The Building Control Officer reported on one planning application where the decision of the Planning Committee was different to the recommendation of the commissioners:-

PA 02/1131 Creation of hairdressing salon in room, 15 Howe Road, Onchan

The commissioners had recommended refusal but the Planning Committee had approved the application. It was noted that a neighbour had requested a Review.

RESOLVED

“to continue opposition to this application”.

b) Applications

Copies of the minutes of the extraordinary meeting held on Thursday 28th November when seven planning applications were considered, were taken as read, confirmed and signed.

Minutes of an extraordinary meeting held on 14th November when fifteen applications were considered, were taken as read, confirmed and signed.

WC/02/12/8

CAPITAL AND REVENUE SCHEMES

- a) Officer’s Report

- Copies of the Clerk’s report had been circulated prior to the meeting and was noted with the following items being discussed further

i) Port Jack Railings

- In answer to question, the Building Control Officer advised that this matter was awaiting the return to the office of the Surveyor to progress.

ii) Ramp for the Disabled at YCC

- In answer to question regarding the permanent fixing of the guard/handrail, the Building Control Officer advised that this also awaited the return to the office of the Surveyor. Noted.

- WC/02/12/9

BUILDING CONTROL

- Draft Building Regulations 2003

- The Building Control Officer reported receipt of a copy of the proposals which appeared to be based on the UK regulations. He had not had time to go through it fully as yet but he was of the opinion that it was bringing in additional items such as the electrical wiring of properties having to be certified before a completion certificate can be issued. Mr Watterson took the opportunity of thanking the Building Control Officer for carrying out the

functions of the District Surveyor as well as undertaking his own duties during the prolonged absence of the Surveyor through illness.

WC/02/12/10

HIGHWAY AND TRAFFIC MATTERS

a) Belgravia Road

A copy of the Belgravia Road (Onchan) (Temporary prohibition of through traffic) Order 2002 with plan had been circulated prior to the meeting showing the lower part of the road being closed together with the lane running alongside no 3 Belgravia Road whilst building operations are carried out on the Imperial Terrace site. The order came into effect on Thursday 28th November and continues in force until Thursday 19th December or until the building work is complete whichever is the earlier. This was noted with Mr Quirk commenting that the hoarding erected by the contractors around the building site had resulted in a couple of the streetlights being positioned within the compound. Mr Quirk also referred to the six foot wide pedestrian passage which was being left alongside no 1 Royal Avenue West pointing out that it was not well lit.

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WC/02/12/11

FURTHER REPORTS

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There were no further reports from the Clerk or Surveyor.

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WC/02/12/12

CORRESPONDENCE/OTHER COMMUNICATIONS

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a) Chief Constable

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Letter reported as received from the Chief Constable referring to the Policing Plan 2003/04 and Force Strategy 2003/2006. Copies of the letter had been circulated prior to the meeting and was noted with the following matters being discussed further

i) Representative

-

Mr Quirk enquired whether Mrs Keren Corkill still wished to be a member of the Police Consultative Committee. The Clerk replied that understood from the Deputy Clerk that persons on the committee automatically go forward unless they indicate that they no longer wish to stand. Mr Crellin commented that he felt this was an ideal opportunity for the

commissioners to advise the Chief Constable that they would like to see the establishment of police officers in Onchan returned to its previous level. He felt that community safety was being put at risk because of the reduction in manpower. Mr Quirk added that when there was an incident in Onchan Park on Saturday evening there were no officers in Onchan.

ii) **Private Members Bill**

A copy of the letter from Leonard Singer MHK regarding a Private Members Bill he is hoping to introduce regarding street litter control notices had been circulated prior to the meeting and was noted. Mr Crellin enquired whether the expression "open land" would include the Bounty House site. The Clerk replied that it wouldn't and then gave details of why not. After further brief discussion it was agreed to send a letter of support to Mr Singer.

WC/02/12/13

OUTSTANDING MATTERS

Copies of the list of outstanding matters had been circulated prior to the meeting and were noted with the following being discussed further

W98/7/14(a) – adoption of roads and lane – Marion Court. In reply to a question from Mr Quirk the Building Control Officer advised that in the absence of the Surveyor he was not aware of the present position. This applied equally to Mr Quirk's question in respect of

W99/09/03(a) – adoption of roads – Heywood Park.

3.(2) New Streetlight – lane to Meadow View – Delete as streetlight fitted

W/00/3/11 Investigate production of street map of the district – Street map produced by Atlas UK, a copy was displayed in Onchan Park, computer disc for reproduction awaited.

WC/02/06/17(d) Site visit to view Majestic Apartments and Douglas Bay Office Development – Delete as Majestic Apartments are open to the public for inspection

Mr Quirk took this opportunity to refer to the proposed site visit to the open space at North Bank Land expressing his concern that tipping on the site by the contractors was getting near to the edge and he wondered whether

part of the open space was being eroded. He asked if the matter could be referred to the Planning Enforcement Officer for investigation.

WC/02/12/14

MATTERS REFERRED BY BOARD/OTHER COMMITTEES

Nil.

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WC/02/12/15

ESTIMATES

Copies of the draft departmental estimates had been circulated prior to the meeting and the revisions were noted.

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WC/02/12/16

ANY OTHER BUSINESS

a) Next Meeting

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Monday 13th January 2003 at 7pm.

b) Streetlight

Mr Quirk advised that streetlight no 8 in Rosedene Avenue or Rosedene Close (he wasn't sure which) was out.

c) Seasons Greetings

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The Chairman extended Seasons Greetings to the members and staff and invited them to participate in a mince pie.

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Meeting terminated at 9.29pm.

Minutes of a meeting of the **LEISURE AND AMENITIES COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Monday 9th December 2002 at 7.01pm.

Present: Mr G.K. Astill (in the chair) Messrs S.T. Black JP, A.T.W. Norton and D.J. Quirk

Apologies: Mr J.K. Watterson (off the Island)

In attendance: Peter Kelly (Administration) and Ray Quane (Amenities Officer)

LA/02/12/1

MINUTES

Minutes of the meeting held on 4th November 2002, copies of which having previously been circulated, was taken as read, confirmed and signed.

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LA/02/12/2

MATTERS ARISING

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Mr Quirk commented that the Administrative Officer would not be aware but at the recent meeting of the Board it was agreed that after each item for discussion the committee should decide whether it be placed in the public or committee section of the minutes. The Administrative Officer reported that he was not aware of this but it certainly did not present him with any problem as, of all the officers who undertook minute taking, he was the one who probably put more in public than the others. He queried however whether that was a Board decision to which the Chairman advised that the matter was certainly discussed but he was not aware that a decision was made. Mr Norton recalled that there was a discussion on the subject. Mr Black added that he was aware some members wanted this to be the case but could not recall a decision being made. Mr Quirk then advised that he was specifically concerned in relation to an item in the in committee minute section of the last meeting of the Leisure and Amenities Committee held on 4th November. He referred to that section of the minutes which the Administrative Officer read and then advised that in his opinion the Deputy Clerk who had prepared the minutes was correct in placing this item in the in committee section.

Mr Quirk said that he did not agree and Mr Norton commented that more items should be placed in public. The Administrative Officer then referred to the specific item pointing out that had this have been included in the public minutes then certain residents would become aware of a possible proposal prior to such

time as it had been fully investigated and discussion taken place with those residents to allay any fears or concerns which they may have. Equally if that item had have been made public there would be a section of a community who would be pleased to note that certain action was being taken when in reality the matter was only to be investigated and in any event the expenditure involved necessitated Board approval and it may not proceed beyond that stage if the costs were too high. For that reason the matter was held in committee as was often the case until such time as all avenues had been explored and a definitive decision taken.

The Administrative Officer reminded members as to what had happened a couple of years previous when the then Commissioner Earnshaw put forward a suggestion to have a BMX course immediately in front of the lounge at Springfield Court. Initial investigations in relation to this included a letter being sent to the residents seeking their views with the outcome that the scheme did not proceed. This item was held in the committee section of the minutes and consequently no false hope was given to the BMX bike riders that such a facility would be provided. Mr Quirk advised that he still did not agree.

The Administrative Officer then reminded members that if an item was in the committee section a commissioner had the right at the next meeting of the Board to request for it to be brought forward to the public section. Mr Quirk commented that this was what he had done at the last meeting. The Administrative Officer then asked what had happened and Mr Quirk replied that the Board did not agree for it to come forward. The Administrative Officer commented that that was a decision of the Board and obviously the Board were of the opinion that the matter should not be brought into the public at this stage. Mr Quirk commented that he did not agree.

- LA/02/12/3

PLAYGROUNDS/PARKS

-
a) Playground Log Books

-
The Amenities Officer reported that the playground log books were ready for inspection and signing by the Chairman. There was basically only one item to report and that was a cradle swing needed replacing in the Lakeside Gardens play area.
Noted.

b) Amenities Officer's Report

-

Copies of the report had been circulated prior to the meeting and was noted with the following matters being discussed further:-

i) Changing Room Facilities

Members noted that the Amenities Officer had obtained an outline estimate for the supply of an unvented Megaflo water heater together with shower fittings etc in respect of the changing rooms and toilets. Mr Quirk had a query on the price received and stated that there would be surpluses in the budget which would cover the cost of the installation. The Administrative Officer pointed out that no decision had been taken by the committee to the best of his knowledge in respect of doing this work in the changing rooms; the only decision of which he was aware was one to wait and see what recommendations were made by the English FA Association and what offer of financial assistance they were prepared to make and what contribution the Onchan AFC would make. Mr Quirk commented that at the recent meeting of the Board a decision was taken to proceed with the work.

The Administrative Officer queried how this was the case when there was no recommendation from the committee so to do. He further queried whether one of the commissioners had therefore put forward a recommendation at the Board to which Mr Quirk replied that the decision was by consensus. The Administrative Officer pointed out to the meeting that there was no such thing as a decision by consensus and if there was no formal proposal then there was no formal decision. He added that if the committee wished to put forward recommendation then obviously the matter would be put on a proper footing. Mr Quirk then proposed, Mr Norton seconded and it was

RESOLVED

“that a scheme for refurbishing the showers in the stadium should proceed on the lines of that stated on page 2 of the minutes in public dated 4th November 2002 subject to two or more quotations being received and presented to the Board at its next meeting”.

The Administrative Officer queried whether this work was to include any tiling, flooring or the establishment of a second row of showers in accordance with the verbal suggestions of the English FA. Mr Quirk confirmed that this was not the case but they could be considered at a later date.

ii) Christmas Trees

Under this heading Mr Quirk enquired as to whether the Santa decoration on the gable wall of the Surveyor's Department had been electrically tested prior to being put in position. The Amenities Officer reported that it had been. Mr Quirk then pointed out that there were sections which were not lighting up. The Amenities Officer indicated that he was aware of this and was of the opinion that hopefully next year when certain alterations had taken place to the office a new piece of decorative lighting could be purchased. Mr Quirk commented that it was only rope light and could have been repaired quite easily.

iii) Football Pitch

In answer to question, the Amenities Officer reported that there had been a number of matches which had been cancelled due to the weather and wet condition of the pitch. He reported that the vertidrain work carried out was effective but it did take two days after rain for the pitch to become dry. He further reported that a local agricultural contractor was contemplating the purchase of a vertidrain machine and was querying whether the commissioners would use his services. Mr Quirk commented that subject to next year's report from the Sports Turf Research Institute then it was probable that the commissioners would use his services. The Administrative Officer reminded members that having embarked on a vertidrain system, in order to be effective it had to be repeated for several years. On the proposal of Mr Quirk, seconded by Mr Norton it was

RESOLVED

"to advise the enquiring contractor that the commissioners were likely to use his services".

iv) Emergency Lighting

Mr Quirk enquired now that there was emergency lighting within the main grandstand was there a record book for testing and who was responsible for signing it. The Amenities Officer reported that there was a book and it was himself who was responsible. Noted.

c) Pennington Hall

The Amenities Officer reported that the Surveyor was meeting with a local firm of architects on Wednesday of that week. In answer to question the Amenities Officer advised that he was not aware that the Surveyor had actually spoken with the staff to discuss requirements. The Chairman commented that a lot of rubbish had been removed from the present building and the place looked a lot tidier. The Amenities Officer

commented that there was a pile of roof tiles which were used for housing repairs stored outside in the compound and it would be better if these were removed to another location as they were not parks related. Mr Norton made reference to the fact that there was still a lot of seats in there to which the Amenities Officer responded that they were there for painting.

d) **Petrol Cans**

The Amenities Officer reported that he understood the Deputy Clerk was yet to write to the police advising that the commissioners wished to claim compensation from the parents of the youths who removed one of the expensive petrol cans used in connection with the motorboats. There was however another item on the agenda under the heading of Youth and Community Centre which, if approved, could result in that item being incorporated into the same letter. Noted.

e) **Summer Season**

-

The Administrative Officer advised that he noted from the minutes of the previous meeting that the committee had decided that the park should open during the hours 10am to 8pm and that such hours should continue until the end of the school holidays in September 2003. He wished to point out to the committee that from mid August on it was getting quite dark at that time and certainly by September it would be too dark to operate at 8pm that is why in September Onchan Park closes at 6pm. Furthermore the suggestion that the park equipment could be handled on an agency basis by one of the tenants in the park in the period between Easter and the opening of the season may not in fact apply during 2003 as the time gap between Easter and 1st May was short. It was possible therefore that the season may commence at Easter and run right through. He felt the committee should be aware of the possibility at this stage. Noted.

LA/02/12/4

OPEN SPACES

-
a)

Amenities Officer's Report

-
Copies of the Amenities Officer's report had been circulated prior to the meeting and were noted with the following point being discussed further:-

Jubilee Park - Fencing

The Amenities officer reported that the posts for the new fence had been installed that day by the contractor and he anticipated the boarding would be applied the next day. He had also instructed the contractor to clear the weeds from the tarmac path running from Birch Hill Crescent into the area. In answer to question he confirmed this included removing the tree limb. Mr Quirk then commented that the entrance way was not defined and that the tarmac required extending out to the footpath. Matter to be investigated.

The Amenities Officer then referred to the pine trees behind the sod hedge and how the contractor had pointed out that these were extending towards the ground making grass cutting difficult. The contractor could cut them off at approximately 1 metre above ground for a certain price quoted. Mr Quirk commented that we had sufficient parks men to carry out this work without paying a contractor to do it. Contact to be made with DAFF to see if permission was required for limbing.

b) Christmas Trees

The Amenities Officer reported that all the Christmas trees as ordered by the property owners had been installed and connected. He suggested that the commissioners might like to consider an alternative for future years of using a fibre optic tree which would cost about £30 but incorporated lights and would make the whole operation easier. Mr Quirk was of the opinion that the fibres would soak up any moisture and were not really practical for an outside location. Other members were of the opinion that real trees with lights looked a lot better. Mr Quirk then queried the tree in the library which was presented annually by Mrs Dadd of Ballalheannagh Gardens. He asked if she received a letter of thanks. The Administrative Officer reported that as the arrangement was between the librarian and Mrs Dadd he was not aware, although was reasonably confident that the librarian would in fact send a letter of thanks. He would however investigate.

c) Christmas Competition

In answer to question, the Administrative Officer advised that he had checked the minutes of the previous year and noted that there was no formal decision by the committee or the Board to hold a competition for external decorative lighting to properties in Onchan. The suggestion had been put forward by the then chairman of committee who also suggested that Onchan should be judged ward by ward with two commissioners allocated to each area. Mr Quirk was of the opinion that the scheme should go ahead in any event with the competition being divided into domestic and commercial with a prize for annual presentation to each

winner. The question of judging was then considered with no immediate offers to do so. The Administrative Officer queried whether, if it was to be an Onchan decorative lighting competition, it would include the Rural Ward. Members were of the opinion that that was too far out to judge and finally it was agreed that the Chairman of the Committee together with Mr Norton would carry out the judging. Mr Norton requested that board members forward details to the judges of locations where such external lighting is to be found. It was agreed that the prizes should be presented in the New Year and that the winners cannot win for a second year in succession in similar fashion to the Estates Gardens Competition.

d) **Port Jack Glen**

-

The Amenities Officer reported that as the District Surveyor had been ill for some weeks nothing further had progressed on a design or prices for the lower entrance to Port Jack Glen. With regard to the upper sign this could put into operation shortly.

e) **Jubilee Park**

-

The Administrative Officer reported having spoken to one of the partners in the firm of advocates who had originally been instructed to prepare the deed of gift from Heritage Homes to the commissioners of additional land adjoining Jubilee Park. The partner was not aware of the current position within their conveyancing department in respect of this work and was going to report back. Reply still awaited.

f) **Centenary Park**

-

The Administrative Officer reported that since the last meeting Mr Pearn of Rainbow Borders had presented the commissioners with 25 indigenous oak trees of which 24 were now planted and the remaining one he wished the Chairman of the Board to plant on Wednesday 18th December at 10am.

Hawthorn bushes had been replanted along the top boundary of the escarpment to replace those which had been eaten by rabbits. On this occasion Mr Pearn, who undertook the planting, used guards on the young plants. Also to facilitate the planting a digger was hired in order to break up the ground to achieve a degree of water retention beneath the plants. The digger was also requested to make an opening in the hedge between Bluebell Wood and the lower meadow.

Prior to this work taking place a circular letter had been sent to the adjoining owners advising them as to what was to happen and why. This had resulted in a letter coming back from one of the owners complaining of water running onto her property from the commissioners land during periods of heavy rain. The Administrative Officer read letter as sent to the complainant offering to meet on site but as yet further contact was still awaited.

Correspondence had also been received from the Manx Wildlife Trust in respect of their wildflower scheme. The Administrative Officer reported that previously he had attempted to obtain wildflower seed from the organisation but they replied at the time that they had limited stocks and were trying to grow them on. As a result of the recent correspondence arrangements were being made for an on site meeting for the promoter of the wildflower scheme to make suggestions in respect of the whole area. Noted.

Mr Quirk requested that he be forwarded a personal copy of the documentation on wildflowers.

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LA/02/12/5

PUBLIC CONVENIENCES

-
a) Amenities Officer's Report

Copies of the report had been circulated prior to the meeting and was noted, with the following points being discussed further:-

i) Main Road Toilets

Mr Quirk enquired whether a final costing was obtained for the damage to the gents toilets and also what action the police had taken. The Amenities Officer reported that no further costing had been undertaken which principally involved an area of re-tiling and a temporary repair given the fact that the toilets were to be demolished. With regard to the police the witness was unable to provide any additional information beyond that provided before so no progress had been made.

Mr Quirk enquired as to why the time switch for the Main Road Toilets did not make provision for them to be lit during the early hours of the morning when the public were going to work.

ii) Port Jack Toilets

Mr Quirk commented that when he drove passed them at 4.30pm that afternoon they were not lit.

iii) Main Road Toilets – New Block

The Amenities Officer reported that work was due to have commenced during the previous week but this had not happened and he understood the Surveyor was now looking to the scheme starting in the new year. Mr Quirk commented that the successful tenderer was chosen partially on the basis of their start date and he felt there was a contractual arrangement which they would have entered into. He further made reference to a query from Commissioner Watterson regarding an alternative price for the installation of stainless steel fittings. He queried whether this item had been explored and what position had been taken.

LA/02/12/6

PUBLIC LIBRARY

a) Librarian's Report

Copies of the Librarian's report had been circulated prior to the meeting and was noted. The following item being discussed further.

Internet

Members noted the suggestion of the Librarian that for a limited period pensioner members of the Onchan Library could be offered the facility of sending one free e-mail with Christmas greetings as set up by Manx Net Mail. She felt that this could be a good way for elderly users to find out how easy it was to keep in touch with family and friends via e-mail. Matter was discussed with it being noted that the financial implication would have to go to the Policy and Finance Committee and then to the Board which would be too late. Mr Quirk suggested it could be carried out this year for a limited period providing the librarian monitored costs and provides a report for consideration for next year. Mr Norton was of the opinion that it would be good publicity and furthermore that the Chairman of the Board should send the first e-mail greeting.

b) Competition

Mr Norton advised that he had been in touch with the Administrative Officer regarding the possibility of the Onchan Stay at Home Scheme running a competition through the library for the design of a logo. The Administrative Officer reported his reply to the e-mail from Commissioner

Norton pointing out that in the past competitions held in the library related to the library whereas there was always a potential problem in accepting outside competitions, of being inundated in a similar fashion to schools with all sorts of firms, clubs etc trying to utilise the facility for such a purpose. Teachers often say they could end up spending all day working on competitions rather than teaching. The matter was discussed and agreed that competitions in the library should be restricted to those promoted by the librarian and used in connection with the library.

Mr Norton commented that he would therefore approach the schools to see if they would run the competition. The Administrative Officer reported that there should not be a problem in displaying the winning entries but not in physically running the competition. Mr Quirk made reference to fact that the commissioners currently had an empty shop opposite the top of Royal Avenue and this could be utilised to display entries and winning entries in the windows thereof.

LA/02/12/7

YOUTH & COMMUNITY CENTRE

-

Amenities Officer's Report

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Copies of the Amenities Officer's report had been circulated prior to the meeting and was noted with the following matter being discussed further:-

Entrance Door

Members noted that the CCTV camera had pin pointed the youth who attempted to damage the lock on the front door. This had caused the inconvenience of the next hirers having to use the back door for entry and him having to turn out to sort out the problem. The door had since been repaired by the boatman/mechanic. The police had interviewed the youth in question and the committee were required to decide whether to seek compensation before the incident. The Amenities Officer anticipated that this would be in the region of £70. After a brief discussion it was

RESOLVED

“to seek compensation from the parents of the youth who deliberately blocked the lock on the front door of the Youth and Community Centre (approximately £70)”.

LA/02/12/8

PROMOTIONS/ADVERTISING/PUBLIC INFORMATION

-
a)

Website

-

The Administrative Officer reported that certain changes to secretaries of clubs and societies had been made to the website. The classification for one of the guesthouses had also been updated. Whilst he was in Liverpool he had written the history of Onchan section which was posted back and typed during his absence. This had now been forwarded with photographs to the agent used by the commissioners to be incorporated into the website. Mr Quirk queried whether there was a link with Onchan Football Club to which the Administrative Officer reported that he was not aware that such a link had been established. Mr Quirk advised that he had been contacted by a website user who said the website was slow to download the minutes. The Administrative Officer reported that this always been the case due to the bulk of them.

b) **Enquiries**

-

The Administrative Officer reported on enquiries received by e-mail or by letter dealing with terraces in Onchan, past residents of the area, details on the history of a hotel property all of which had been dealt with.

c) **Torchlight Procession**

The Administrative Officer reported that everything was in hand for the Torchlight Procession which was due to take place the following evening. There were no queries in that regard.

d) **District Map**

-

The Administrative Officer confirmed that the map had been received from Atlas UK and was attached to the wall of the stadium building adjoining the gents toilets. The local cartographer who had tendered to carry out this work had been advised that his services were not required.

e) **Visit of Rudolph**

-

The Administrative Officer reported that the Onchan Rotary Club were bringing Rudolph and Santa to Onchan on Sunday 22nd December at 2pm. He requested permission from the committee that Santa and his helpers could be entertained in the Boardroom. Approval was given to this. He also enquired as to whether Onchan Silver Band were to be invited to play. Members concurred that an invitation should be sent but Mr Quirk was of the opinion that they possibly had another engagement that day.

f) **Day in the Park etc**

-

Mr Quirk made reference to the previous meeting where he had put forward a number of promotional suggestions regarding a “Day in the Park”, a fair on the Village Green and a football competition. The Administrative Officer referred to the minutes and apologised that he had failed to pick up that a report was to be prepared by the officers. Mr Quirk suggested therefore that the committee agree in principle that these items take place. The Administrative Officer pointed out that it was pointless a report being prepared if the decision was to be made in advance thereof. He pointed out that as the summer season was some distance away then waiting until the January meeting was not going to make any difference. Agreed that the matter remain as previously agreed.

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LA/02/12/9

OUTSTANDING MATTERS

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The list of outstanding matters had been circulated prior to the meeting and was noted with the following matters being discussed further:-

LA/02/7/3 (ii) Outline Price to be obtained for new fencing to Onchan Stadium Phase 1 - *Delete as price now obtained*

LA/02/7/8(i) Alter video timing in entrance of YCC to run for extra two hours- *Delete as now altered.*

-

LA/02/7/8(ii) Alter timing of heating at YCC to come on/go off one hour earlier each morning- *Delete as timing altered.*

-

LA/02/7/16(ii) Arrange for quotations to rebuild carriage for Taverners Train

Mr Norton queried the position the equipment regarding the Taverners Train to which the Amenities Officer replied that allowance had been made in the estimates for the provision of a new train.

LA/02/12/10

MATTERS REFERRED BY BOARD/OTHER COMMITTEES

-

There were no matters referred for consideration in public.

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LA/02/12/11

CORRESPONDENCE OR OTHER COMMUNICATIONS

- **Manx Mencap**

- Letter reported as received from Manx Mencap acknowledging the receipt of donations from the Wishing Well in Onchan Park. Noted.

- **LA/02/12/12**

ANY OTHER BUSINESS

- **a) Date of Next Meeting**

- Monday 20th January 2003 at 7pm.

- **b) The Rec**

- Mr Black made reference to the mid-way entrance onto School Road from the Recreation Ground. He pointed out that between the metal railings the surface was broken up. The Amenities Officer reported that it was his intention to have this tarmacadamed when Mr John Cain was working on other macadam work at Birch Hill. A suggestion was put forward that it would be better in concrete to which the Amenities Officer replied that whilst he would agree with that statement the difficulty was the time factor during which the entrance would have to be closed and the potential of interference with the concrete whilst it set. Noted.

- **c) Urbis**

Mr Black advised that it had been suggested to him that the names, addresses and phone numbers of the commissioners should be displayed in the Urbis board in the centre of the village. Agreed that this should be undertaken.

- **d) Stadium Football Ground**

Mr Quirk requested that the football pitch in the stadium be rolled prior to the match at the weekend. It was confirmed that no approach had been made to the office direct by the football club. The Amenities Officer advised that he would arrange for this to be undertaken subject to the weather conditions relevant to the pitch condition.

- **e) North Bank Land**

-

Mr Quirk referred to the large area of land to be placed in the control of the commissioners when the current building works by Heritage Homes alongside Lakeside Gardens was complete. He pointed out that to date a site visit had not been arranged. Members concurred that arrangements should be made for them to view the land in question. Mr Quirk expressed concern that the area could well be getting eroded by the tipping of waste materials from the building site.

f) **Seasons Greetings**

The Chairman extended to the committee and officers the compliments of the season and also invited members to participate in mince pies.

Meeting terminated at 10.02pm.

Minutes of a meeting of the **POLICYANDFINANCECOMMITTEE** held in the Boardroom at Hawthorn Villa, Main Road, Onchan, on Monday, 16th December 2002, at 5.35 p.m.

Present: Mr E.D.R. Killey (Chairman)
Mr M.J. Kennaugh
Mr H.L.G. Parkin
Mr S.T. Black, J.P.

Apologies: Mr G.K. Astill

In Attendance Mr J.E.S. Smith (Chief Executive/Clerk)
Mr A.S. Booth, F.C.A. (Finance Officer)

PF02/12/01

MINUTES

Minutes of a meeting held on 11th November 2002, copies of which having previously been circulated, were taken as read, confirmed and signed.

PF02/12/02

BUSINESS ARISING

There were no matters arising from the minutes of the last meeting other than those dealt with in the Clerk's and Finance Officer's reports and those matters listed separately on the agenda paper.

PF02/12/03

MATTERS ARISING FROM PREVIOUS MEETINGS

1. Refuse Disposal Charges

Clerk reported that the 90% rebate on waste disposal charges which were to commence on 1st April 2003 appeared to relate to all refuse disposed of by Local Authorities. The Tynwald resolution was not specific and the subsection of the Public Health Act which would empower the Department when the Appointed Day Order was made to charge Local Authorities referred to waste delivered by Local Authorities and again did not differentiate between household and trade waste. It would obviously be necessary to obtain confirmation that the 90% rebate related to both household and trade waste. If trade/commercial waste was to be charged at 100% (£100 per tonne) it would be necessary to consider the installation of weighing equipment on at least one or two vehicles to enable the charge to be passed on fairly to traders.

Clerk further reported that a meeting was to be held between representatives of Local Authorities and the Waste Operations Management Unit of the Department of Local Government and the Environment on Tuesday 17th December 2002 at which it was anticipated the proposals would be further explained.

Clerk further reported that it would be necessary to ensure that Braddan refuse both domestic and commercial was weighed and recorded separately so that the disposal charges could be passed on to that Authority.

It was agreed that the report be noted on the minutes.

PF02/12/04

FINANCE OFFICER'S REPORT

The Finance Officer's report, copies of which having previously been circulated was considered and arising therefrom:-

1. **Rates Collected**

It was noted that the total estimated collectable rates and cash received in the current financial year to 10th December 2002 compared with the previous financial year were as follows:-

2002/03 estimated amount collectable including arrears brought forward £1,098,373

2002/03 collected to 10th December 2002 less refunds
£1,072,404 (97.64%)

Comparative figures

2001/02 estimated amount collectable including arrears brought forward £1,031,869

2001/02 collected to 10th December 2001 less refunds
£1,011,138(97.99%)

2. **Revenue Account Payments**

The list of payments from revenue account during the month of November 2002, copies of which having previously been circulated, were considered and it was **RESOLVED***:-

... ***That the said payments from revenue account as detailed on the list attached to the minutes be endorsed.***

3. **Information Technology – Lap Top Computers for Members**

-

Copies had been circulated of a quotation from Data Centre for the supply of lap top computers, printers and software. For 10 such items the total cost would amount £16,500 and a further sum of £3,500 had been included for installation and ISP internet tariffs, making the total estimated cost £20,000.

After discussion, it was agreed that without endorsing the proposal that the sum of £20,000 be included in the draft estimates.

4. **Rate Arrears**

-

It was noted that the total arrears in the hands of the advocates in respect of the rating years prior to 2002/03 totalled £1,163.08 and the total arrears

referred to the Small Claims Court in respect of the rating year 2002/03 amounted to £2,020.35. It was further noted that payments received since the previous meeting totalled £3,240.03. Clerk reported that the system of referring the rate arrears to the Small Claims Court was working well achieving results and was avoiding legal costs. It was agreed that the appreciation of the Committee be conveyed to Mrs Joan Woodward, the officer responsible for the work of referring the rate arrears to the Small Claims Court and subsequent dealings with the Coroner's Office.

5. Debtors

The list of general debtors copies of which having previously been circulated was considered. Total sum outstanding as at 13th December 2002 was £18,778.82. Finance Officer was confident that all debts would be collected in full before the end of the financial year.

PF02/12/05

ESTIMATES 2003/04 PREPARATION

-
Copies had been circulated of the departmental draft estimates for the year 2003/04 with the Finance Officer and Clerk elaborating thereon.

Clerk then reported that the next stage in the process was to consider the full draft estimates and requested that this be undertaken at an extraordinary meeting of the Committee with the other Members of the Commission in attendance. It was agreed that an extraordinary meeting be arranged in early January.

PF02/12/06

HEALTH AND SAFETY AT WORK – ADMINISTRATION SECTION

-
The Clerk advised that he had nothing further to report with regard to Health and Safety at Work within the Administration Section since the previous meeting.
Noted.

PF02/12/07

CORRESPONDENCE AND OTHER COMMUNICATIONS

None.

PF02/12/08

MATTERS REFERRED BY COMMISSIONERS/OTHER COMMITTEES

None to report in public.

PF02/12/09

RECOMMENDATIONS WITH POLICY OR FINANCIAL IMPLICATIONS FROM OTHER COMMITTEES

It was **RESOLVED** that the following recommendations from the Leisure and Amenities Committee meeting held 9th December 2002 be endorsed:-

1. ***To have the battery operated kiddie cars refurbished (body filling, spraying, etc) at a cost of £100 per car.***
2. ***To seek compensation from the parents of the youth who deliberately blocked the lock on the front door of the Youth and Community Centre (approximately £70)***
3. ***To proceed with a scheme for renewing the showers in the changing rooms at Onchan Stadium (2 numbers teams and 1 number referee) subject to the receipt of the relevant number of quotations to comply with standing orders.***

PF02/12/10

OTHER BUSINESS

There was no other business for consideration in public.

PF02/12/11

NEXT MEETING

It was agreed that the next ordinary meeting of the Committee be held at 5.30 p.m. on Monday 27th January 2002.

There being no further business the meeting terminated at 6.45 p.m.

Minutes of a meeting of the **RURAL COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Wednesday 11th December 2002 at 5.24pm.

Present: J.M. Bulley (in the Chair), Messrs B.H. Moore and A.T.W. Norton

Apologise: Mr J.K. Watterson (off the Island) and Mrs E.J. C. Kelly

In attendance: Peter Kelly (Administration) & B.T. Price (Building Control Officer)

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R/02/12/1
MINUTES

Minutes of the meeting held on 6th November 2002, copies of which having previously been circulated, was taken as read, confirmed and signed.

R/02/12/2
MATTERS ARISING

The following matters were arising from the minutes:-

a) **Rates on Rural Properties**

-

The Administrative Officer made reference to ongoing correspondence with the Rating Section of Treasury regarding properties in the Rural Ward which were rated as agricultural properties but no longer had that function. A list had been provided at previous meetings in committee and the Administrative Officer advised that all proposed increases in rateable value had been approved at the recent sitting and appeared on the latest supplemental list, except one where the property has now been de-rated. Noted.

b) **Estimates for 2003/04**

The Administrative Officer reported conversation with the Finance Officer who had provided for the amount requested by the committee within headings of road signs, public seating and lighting held under other committees as has been the case previously. Noted.

c) **Ennamona Road**

-

The Building Control Officer reported that the road sign which had previously been hanging off the one of the poles had been fixed. Noted.

d) **Waste Oil Storage**

-

The Building Control Officer reported that the recommendation from the Rural Committee to the Board in respect of the Pinfold site had been "noted".

e) **Begoade Road**

-

The Administrative Officer reported having written to DoT regarding the problems experienced with flooding in October. The Building Control Officer reported copy letter received as sent by Mr Bulley, a resident in the area, to DoT. Mr Bulley advised that he had met with Mr Mitchell of DoT that morning and had pointed out all the problems which existed. It was hoped that a solution would be found which may include alteration to the culvert/pipe passing underneath the Begoade Road at the top of the Whitebridge. Noted.

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R/02/12/3

OUTSTANDING MATTERS

There were no outstanding matters for consideration.

R/02/12/4

MATTERS FROM PREVIOUS MEETINGS

-

Nil.

-

R/02/12/5

MATTERS REFERRED BY BOARD/OTHER COMMITTEES

Nil.

R/02/12/6

PLANNING MATTERS

-

a) **Planning Decisions**

The Building Control Officer reported receipt of the following planning decisions at the initial stage:-

PA 02/805 Erection of retaining wall, Slieu Lhost Shooting Range, Windy Corner for the Peveril Rifle Club – ***Refused on the grounds that the creation of the supporting stone basket structure underneath the covered shooting range to the north of the site has resulted in a structure which is a jarring element in the landscape and one which draws attention to the site and the other buildings on it, despite assurances given during the establishment of the facility (PA 98/1545) that the building would not be visible.***

-
PA 02/805 Erection of generator store and clubhouse, Slieu Lhost Shooting Range, Windy Corner for the Peveril Club – ***Approved but such approval relates only to the erection of the generator store and clubhouse as shown in the drawings received on the 22nd July 2002. No approval is granted to any other proposals not already approved on these or any other drawings submitted.***

-
PA 02/1086 Erection of agricultural building, Glenville Farm, Hillberry for Mr B. Stowell (relocation)– ***Approved subject to the building being used for agricultural purposes only or in association with the keeping of horses; the building must be clad in dark green sheeting; the excavated materials must be used to form an embankment to the south east of the building with additional planting of indigenous species of trees on top so as to form a visual barrier; or planting seeding or turfing to be carried out in the first planting season following the completion of the development and any trees or plants which die within a five year period to be replaced. – Noted that this was in accordance with the recommendations of the Committee and Commissioners.***

-
b) **Planning Decisions at Review**

PA 01/2571 Additional use of part of farm for storage of building equipment, Ballig Farm, Little Mill Road for Mr John Callow- ***Refused on the recommendation of the Planning Inspector for the reasons stated in the refusal notice at Review.***

c) **Further Planning Communication**

PA 02/1313 Construction of car park and associated works, Clypse and Kerrowdhoo Reservoirs – Notification that the application has been withdrawn. Noted.

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R/02/12/7

ANY OTHER BUSINESS

-
a) **Time and Date of next meeting**

-
Wednesday 22nd January 2003 at 5.15pm.

b) **Honey Hill**

-
Copy letter read as received from the Isle of Man Four Wheel Drive Club and sent to the Highways Division of DoT. This referred to the greenlane and how the club had carried out an inspection of recent. They noted a “tracked” machine had been down the road but they found little evidence of work and were concerned over the fact that the existing culverts, ditches and gullies required maintenance. They were concerned that the Island should preserve what greenlanes it had before many more became completely impassable. Noted.

c) **Greetings**

The Vice-Chairman extended to the members and staff the compliments of the season. These were returned by the members and also thanks was given to the Committee Chairman and Mrs Watterson for kindly providing mince pies.

Meeting terminated at 6.00pm.