

*IN PUBLIC*

29<sup>th</sup> August 2003

**PLEASE NOTE:**

1. *That the attached Minutes have yet to be confirmed by the Authority/Committees as true and correct record of proceedings at the various meetings; and*
2. *No meetings held during August due to Summer Recess.*

A handwritten signature in black ink, appearing to read 'J.E.S. Smith', with a large, stylized flourish at the end.

**J.E.S. SMITH  
CHIEF EXECUTIVE/CLERK**

**IN PUBLIC****ONCHAN DISTRICT COMMISSIONERS**

*Hawthorn Villa,  
Main Road,  
Onchan.*

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**28<sup>th</sup> August 2003**

Sir/Madam,

You are hereby summoned to attend an ORDINARY meeting of the Authority to be held in the boardroom at the offices of the Board to transact the undernoted business at:

**7.00 p.m. on Monday, 1<sup>st</sup> September 2003**

which will be followed by a meeting of the Board in Committee.

Yours faithfully,



**J.E.S. SMITH**  
**CHIEF EXECUTIVE/CLERK**

**AGENDA**

*The order of business at every meeting of the authority shall be in accordance with that laid down in Standing Order No 4 unless varied by the Chairman at his discretion or by a resolution duly moved and seconded and passed on a motion which shall be moved and put without discussion.*

1. To approve as a correct record and sign the Minutes of the:-
  - a) Ordinary meeting held on 28th July 2003 *(Minutes - APPENDIX 2)*

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2. To dispose of business (if any) remaining or arising from the above said meeting
  - 2.1 Waste Management *(Report circulated)*
  - 2.2 Pennington Hall Project *(Surveyor to report progress)*
  - 2.3 Waste Collection Service *(WOMU questionnaire circulated)*
  - 2.4 Refuse Collection and Disposal Costs – Rural Ward *(Memorandum circulated)*
  - 2.5 Refuse Collection and Disposal Costs – Exempt Properties *(Clerk to report)*
  - 2.6 Onchan District Act 1986 – Rural Ward Rate – Order *(Clerk to report)*
  - 2.7 Structure of Local Authorities – DOLGE Presentation – Change of Date
  - 2.8 Energy from Waste Plant – Site Visit Confirmation
  - 2.9 Energy from Waste Plant – Licence – Public Consultation *(Letter circulated)*
  - 2.10 Any other business arising

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3. To dispose of business (if any) remaining or arising from meetings held prior to the last ordinary meeting..

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4. Chairman's Announcements

**IN PUBLIC**

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**ODC MEETING 1<sup>st</sup> September 2003**

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**IN PUBLIC**

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5. Questions asked under the provisions of Standing Order No 7(2).
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6. To receive and consider reports, minutes and recommendations of committees. The chairman of the respective committees to report.
- 6.1 Works and Cleansing Committee
  - 6.2 Leisure and Amenities Committee
  - 6.3 Policy and Finance Committee
  - 6.4 Rural Committee

*The above Committees had not met during the month of August, in accordance with the policy of the Board and so there are no minutes for consideration.*

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**Note:**

Standing Order No 7(1) provides that "A member of the Authority may ask the chairman of a committee any question upon an item of the minutes, report or recommendations of a committee when that item is under consideration by the Authority."

Other questions may be asked, after due notice in writing under the provisions of Standing Order No 7(2).

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7. To consider letters, petitions, memorials and other communications.
- 7.1 Planning decisions/communications from the D.L.G.E. Planning Committee  
(Schedule - APPENDIX 10)
  - 7.2 Richmond Hill Consultative Committee (*Minutes of meeting held 26<sup>th</sup> June 2003*)  
(*circulated*)
  - 7.3 A. Everitt re: Isle of Man Arts Development Strategy (*circulated*)
  - 7.4 R. Gimbert re: Proposal to set up a Recycling Committee (*circulated*)
  - 7.5 T. Baker re: Heritage Homes site at Groudle View (*circulated*)
  - 7.6 Any other communication.
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8. To consider any report from the Clerk or the Surveyor.
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9. To consider Motions in the order in which notice has been received. (*ref Standing Order No 5*)

*IN PUBLIC*

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom at Hawthorn Villa, Main Road, Onchan, on Monday 28<sup>th</sup> July 2003 at 7.00 p.m.

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

**In Attendance** Mr J.E.S. Smith (Chief Executive/Clerk)  
 Mr M.J. Williams (Deputy Clerk)

At the commencement of proceedings, the Chairman asked Members to stand in a moment's silent tribute to mark the passing of Sir Charles Kerruish, former President of Tynwald, who had died in the previous week.

**C03/07/01/01**  
**MINUTES**

The minutes of the public section of the ordinary meeting held on 23<sup>rd</sup> June 2003, copies of which having previously been circulated, were considered, agreed as a correct record of proceedings and signed by the Chairman.

**C03/07/01/02**  
**BUSINESS ARISING**

**1. C03/06/01/02(6) - New Isle of Man Hospital**

The Chief Executive/Clerk had circulated with the agenda copies of a memorandum received from the Deputy Clerk dated 10<sup>th</sup> July 2003 with regard to circular number 26 from the Road Transport Licensing Committee.

The Chairman suggested that the Deputy Clerk should continue to keep in contact with the Secretary to the Road Transport Licensing Committee, and to continue to reiterate the Commissioners' concerns with regard to the level of the bus service from Onchan to the new Isle of Man Hospital. Mr Watterson reminded Members that any specific complaints should be addressed to Isle of Man Transport, who provide the service, since the Licensing Committee did not in themselves dictate the level of that service.

**2. C03/06/01/02(2) – Alberta Drive**

In answer to enquiry from Mr Quirk, the Chief Executive/Clerk confirmed that he was unsure as to the latest position with regard to this matter. Mr Quirk confirmed that Mr and Mrs Kneen continued to have problems in the area. Mr Crellin suggested that the matter be referred either to the District Surveyor, who was presently on sick leave, or to the Building Control Officer, currently on annual leave, as soon as either returned to the office, for their attention.

*IN PUBLIC***3. C03/06/01/06(1) – Central Heating Boilers, Phase 1**

Mr Quirk enquired as to the latest position with regard to the central heating boilers at Phase 1, and the complaint submitted by Mr and Mrs Burrows. The Deputy Clerk confirmed that he had, that day, spoken to the Environmental Health Inspector who had been in consultation with Mr and Mrs Burrows and indeed the Commissioners' Housing Maintenance Manager. Having visited Springfield Court, and receiving various details from the Housing Maintenance Manager in relation to the central heating boilers, the Environmental Health Inspector had provided diary record sheets to Mr and Mrs Burrows for completion and submission to the Environmental Health Inspector for further investigation. The Environmental Health Inspector, therefore, regarded the situation as dormant, pending the receipt of further information from the complainant.

Mr Quirk referred to comments which he had received from Mr and Mrs Burrows and suggested that a letter be sent to advise Mr and Mrs Burrows of the latest position. *Agreed.*

**4. C03/06/01/06(2) – Uniform Criteria – Allocation of Points**

Mr Black asked for clarification as to the alteration which had been made to the Uniform Criteria. The Deputy Clerk confirmed that the original criteria had stated that an applicant would receive 1 point for every three months that they had been included upon the housing waiting list of a housing authority, up to a maximum of 10 points. The amendment, determined by the Department of Local Government and the Environment and endorsed by the Council of Ministers, was that the maximum number of points be removed to allow applicants to accrue pointing beyond 10 points for "days on list". Mr Black confirmed that it was this amendment with which he disagreed.

**5. C03/06/01/02(6) – New Isle of Man Hospital**

Mrs Kelly returned to the question of the new Isle of Man Hospital and confirmed that she had submitted a Petition for Redress of Grievance to the Tynwald Court at St Johns that year, in relation to the bus service from Onchan to the Isle of Man Hospital. The Petition had been accepted.

**6. C03/06/01/08(1) – Main Road Toilets**

In answer to enquiry from Mr Astill, the Chief Executive/Clerk confirmed that, weather permitting, it was anticipated that the works to the outside of the toilets would be completed on Wednesday 30<sup>th</sup> July 2003.

**7. C03/06/01/14(1) – Ballacreech Corner**

In answer to enquiry from Mrs Kelly, the Chief Executive/Clerk advised that he did not believe that there had been a meeting of the Eastern Sector Liaison Committee since the previous meeting of the Board.

**C03/07/01/03****BUSINESS ARISING FROM PREVIOUS MEETINGS****1. Anti-Social Behaviour Orders**

The Chief Executive/Clerk had circulated with the agenda a copy of a letter received dated 22<sup>nd</sup> July 2003, from Mr J.R. Houghton, MHK, with regard to Anti-Social Behaviour Orders.

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The Chief Executive/Clerk advised that he was not aware of any incident which had taken place within the district, in the past, which would have led to the Authority taking action to obtain an Anti-Social Behaviour Order. The Chief Executive/Clerk was aware, however, of an occasion where an Exclusion Order had been granted against an individual in relation to Onchan Park.

Mr Crellin suggested that recent instances at Onchan Park may well be appropriate for consideration to be given for the grant of an Anti-Social Behaviour Order.

Referring to notes received at the recent presentation given by the Isle of Man Constabulary in relation to Anti-Social Behaviour Orders, the Chief Executive/Clerk stated that the process for obtaining an Anti-Social Behaviour Order would be progressed by the Attorney General's Office or by Advocates instructed by Local Authorities but not by the Police. Mr Crellin felt that the question of responsibility for progressing Anti-Social Behaviour Orders should be clarified, since the letter from Mr Houghton appeared to indicate that it would be the Constabulary who would take the lead with regard to pursuing legal action against an offender. Mr Quirk questioned whether it was the responsibility of a Local Authority to seek an Anti-Social Behaviour Order in relation to instance which were taken place in the private sector. He understood, however, that the responsibilities of the Commissioners in relation to their own public sector housing units. Mr Black commented that he had interpreted the comments of Mr Houghton as meaning that the Isle of Man Constabulary should fund applications for Anti-Social Behaviour Orders.

The Chief Executive/Clerk referred once again to the notes prepared at the presentation confirming that an application would usually be instigated by a Local Authority but only after consultation with the Chief Constable. An application could be made by the Chief Constable but he would be required to undertake similar consultation with the other relevant Authorities. Furthermore, there was a requirement for appropriate evidence to be collated to support any application for an Anti-Social Behaviour Order.

Mr Crellin enquired whether the provisions in relation to Anti-Social Behaviour Orders were in force. The Chief Executive/Clerk confirmed this to be the case.

The Chief Executive/Clerk referred to the detail of the presentation, and to comments made by the Police that on the day prior to the presentation, the Constabulary had been called on 7 different times to the same property, involving approximately 10 people on each occasion. The comment had been made that any Anti-Social Behaviour Order applications in relation to those incidents would require 10 individual applications to be prepared, evidenced, submitted and progressed. He added that the initial costs of taking out an Anti-Social Behaviour Order in the United Kingdom had been in the order of £4,500 each. Finally, the Chief Executive/Clerk referred to the suggestion which had been made by another Authority for the preparation of a Precedent Bible, which would act as guidance notes for the Authority to follow in relation to such applications.

The Deputy Clerk commented upon the action available to the public sector landlord where a tenant was in breach of their Memorandum of Agreement, pointing out advice received that any action taken should be appropriate to the gravity of the offence committed. Repossession was not appropriate in all cases.

Mr Quirk commented that it was important that the Byelaws be brought up to date in order that these too might be used to control anti-social behaviour.

The Chief Executive/Clerk confirmed examples of anti-social behaviour as arson, verbal abuse, assaults, graffiti, intimidation, burglary, criminal damage, threatening and abusive behaviour, excessive noise - especially at night, drug dealing, littering and drunken behaviour.

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Mr Crellin acknowledged the other option available to the Authorities in relation to an acceptable behaviour contract between an offender and the Police.

Mr Watterson referred to the letter from Mr Houghton, stating that the letter confirmed that it was Mr Houghton's belief that the Police should be the lead Authority. He did not consider Anti-Social Behaviour Orders to be appropriate in all cases suggesting that all other avenues should be explored first. It was his view, on the whole, incidents within Onchan were of a relatively minor nature and did not warrant an Anti-Social Behaviour Order.

Mr Crellin referred to the comment of the Chief Executive/Clerk relating to an Exclusion Order for an individual in respect of Onchan Park, and pointed out that such exclusion was part of a bail condition.

**C03/07/01/04****CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:-

**1. Reverend N. Wells**

The Chairman had noted the announcement earlier in the day that the Reverend Wells, Vicar of St Peter's Parish Church in Onchan had resigned and was to take up work in a parish in Liverpool. The Chairman expressed good wishes to the Reverend Wells and his family in their new venture and looked forward to welcoming the new Vicar of St Peter's to the district in due course.

**C03/07/01/05****QUESTIONS**

The following question had been submitted by Commissioner Parkin, to the Chairman of the Works and Cleansing Committee, under the provisions of Standing Order No 7:-

1. *What arrangements have Onchan District Commissioners made to eliminate the problems of fly-tipping within the District following the introduction of waste charges imposed on the Authority by the Waste Operations Management Unit/Department of Local Government and the Environment?*
2. *Are the Waste Operations Management Unit/Department of Local Government and the Environment aware that we already have fly-tipping taking place within the District (photograph to follow)?*
3. *What arrangements have been made to remove such tipping once it has taken place?*
4. *Who will pay the costs of collection/disposal of such material that has been tipped?*

The Chairman of the Works and Cleansing Committee, Commissioner Watterson, responded as follows:-

1. The Onchan District Commissioners cannot eliminate fly tipping – it usually took place where the offender could not be seen or after dark. If it was possible to identify the address or find any other clue as to where the material originated from, the Commissioners would prosecute.
2. The Onchan District Commissioners had not, to date, notified the Waste Operations Management Unit of specific incidents but the Commissioners did keep a register of all incidents of fly tipping within the district.

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3. The Onchan District Commissioners arranged for all such rubbish to be removed.
4. If unable to trace the offending party, the Onchan District Commissioners met the costs of removal and disposal of the material within the district.

The photographs referred to in the question were circulated. The Chairman suggested that a copy of the question, answer and photographs be submitted to the Department of Local Government and the Environment.

**C03/07/01/06****HOUSING COMMITTEE MINUTES**

The minutes of the public section of the Housing Committee meeting held on Monday 30<sup>th</sup> June 2003, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

**1. H03/06/01/06(1) – Storage**

The Deputy Clerk advised that a survey of the needs of the residents at Heywood Court had been undertaken, and of the 32 units, 5 had indicated that they would like to take advantage of additional storage facilities. 2 of those 5 had indicated that they would require 2 of the proposed cages at a cost of £130 each. The Deputy Clerk reminded Members that the project would be self financing and sought approval to proceed. Mr Quirk commented that residents must be advised that the cages could not be used for the storage of any flammable items and on this condition it was **RESOLVED** that arrangements be put in place to have the additional storage cages, previously considered by the Housing Committee, constructed and made available to the 5 residents who had indicated their interest therein, at the anticipated cost of £130 per unit.

Mr Parkin advised that he had recently visited Heywood Court and had been approached by two workmen who had sought clarification that the building was in fact Heywood Court. The Chief Executive/Clerk confirmed that a sign was to be erected to identify the premises.

**C03/07/01/07****RECEIVING OF MINUTES**

It was **RESOLVED** that the minutes of the public section of the Housing Committee meeting held on 30<sup>th</sup> June 2003, be and are hereby received. There were no resolutions contained therein requiring the consent of the Board.

**C03/07/01/08****WORKS AND CLEANSING COMMITTEE MINUTES**

The minutes of the public section of the Works and Cleansing Committee meeting held on Tuesday 8<sup>th</sup> July 2003, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

*IN PUBLIC***1. WC03/07/03(c) – CIWM Exhibition**

Mr Watterson referred to the successful visit taken place by the Chief Executive/Clerk and the Building Control Officer to the CIWM Exhibition in June 2003. The visit had been used to good effect. Mr Watterson also referred to progress made by the Commissioners recently appointed Waste Operations Development Officer, Mr Craig, who appeared to be settling in to the role very well indeed.

**2. WC03/07/05(e) – Home Compost Bins**

In answer to enquiry from Mr Quirk, Mr Watterson advised that arrangements had been made for those Members of the public wishing to purchase home compost bins to collect them but that the Commissioners would arrange delivery in exceptional circumstances.

The Chairman advised that the calibration of the bin weighing equipment on the lifting gear of one of the Commissioners' vehicles had been completed by the Weights and Measures Department and certified for operation. Mr Black clarified that the bin weighing equipment was currently only being used in relation to commercial waste collection service.

Mr Quirk enquired as to the standards which were set in relation to the bin weighing equipment, suggesting that the standards in the Isle of Man may have been higher than were required in the United Kingdom. The Chief Executive/Clerk understood that in the United Kingdom, the standards had been relaxed because of difficulty achieving the stipulated acceptable tolerance in the bin weighing system. In the Isle of Man, however, the greater European Standard was being achieved.

Mr Quirk enquired whether the Department of Local Government and the Environment had been made aware of the extreme difficulties which had been encountered in achieving the situation where the Authority would be able to weigh commercial refuse collection. The Chief Executive/Clerk confirmed that this had been conveyed to the Department in correspondence with their Chief Executive, when a request for some leeway had been made for a further three month period before which charges would be implemented. The request had been declined but the Department had indicated that they would help the Authorities, in other ways, if they could. Charges were being made, therefore, of Waste Collection Authorities for the disposal of waste, with effect from the 1<sup>st</sup> July 2003. Mr Quirk referred to a visit to Ireland which had been organised by the Department of Local Government and the Environment, to witness a bin weighing operation. In answer to enquiry, the Chief Executive/Clerk confirmed that the trip had been instigated by the Department and the Department's officers present were satisfied that the system seen in operation there, and now being purchased and fitted by the Onchan District Commissioners, was in fact their preferred option.

Mr Crellin enquired whether the numbers of commercial collections had been affected by the implementation of charges. The Chief Executive/Clerk confirmed that only one or two of the commercial organisations for which the Commissioners had provided previous collection services had indicated that they would now make their own arrangements. He added that the Onchan District Commissioners would be applying to the Department of Local Government and the Environment for reimbursement of the costs of the setting up of the bin weighing equipment. He reminded Members that the first invoices for waste disposal would be issued to commercial organisations at the end of the first quarter and so this might be the time when commercial organisations might consider alternative disposal routes. He was aware that one large furniture store, who received a significant amount of cardboard packaging with their goods, were trying to arrange for such cardboard to be recycled. He added that Robinsons were trying to arrange an alternative route for the disposal of their waste, through composting.

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Mr Watterson suggested that the imposition of waste disposal charges did provide new opportunities for recycling and referred to a recent advert which he had seen in the Isle of Man Newspapers for a firm who were prepared to collect glass.

The Chief Executive/Clerk acknowledged that there appeared to have been an increase in the use of the recycling bins at the Commissioners' Offices particularly in relation to glass recycling.

Mr Parkin sought clarification that the tolerances in relation to the bin weighing equipment had been acceptable to the Weights and Measures Department when the refuse collection vehicle was on a slope. The Chief Executive/Clerk confirmed that the vehicle had been subject to significant testing on the flat, on a slope and on an uneven surface, with bins which were empty, medium filled and full. The tests had been made in each scenario in relation to whether one bin lifter was in operation and both bin lifters in operation.

In answer to enquiry from Mr Parkin, the Deputy Clerk confirmed that the Authority's printer cartridges were recycled through Big Fish on Main Road, Onchan.

**3. WC03/07/12(a)(iv) – Extra Recycling**

In answer to enquiry from Mrs Kelly, the Chief Executive/Clerk confirmed that he was not aware of a response from the Department of Transport with regard to additional recycling bins in Hague Crescent.

**4. WC03/07/03(d)(ii) – Furman Road**

Mr Norton was pleased to report resurfacing of the pavements on Furman Road.

**5. WC03/07/3(d)(i) – Marion Road**

In answer to enquiry from Mr Norton, the Chief Executive/Clerk confirmed that he was not aware of a response from the Department of Transport with regard to the adoption of roads at Marion Court.

**6. WC03/07/17(c) – New Secondary School**

In answer to enquiry from Mr Norton, the Chief Executive/Clerk confirmed that the District Surveyor had had a further meeting with a representative of the Design Team in respect of the proposed new Secondary School within Onchan and that there had been some revisions to plans in relation thereto. He confirmed that the Design Team hoped to make a presentation to the Commissioners in due course.

The Deputy Clerk confirmed that the District Surveyor had, earlier in the day, advised him that the developers were hoping to give a presentation in Onchan Library in September and to leave the exhibition for the general public to see. They would also be distributing a newsletter to local residents in conjunction with the Ballachurry Residents Association.

**7. WC03/07/05(h) – Disposal of Tyres**

Mr Black enquired whether tyres could be disposed of at the Civic Amenity Site. Mr Watterson confirmed that the Joint Civic Amenity Site Management Committee were in consultation with the Waste Operations Management Unit at the Department of Local Government and the Environment in this regard. He stated that the situation with regard to the disposal of tyres could and should be more user friendly. If a tyre was disposed of by a retailer after replacement, the car driver did not have any difficulty but if an individual wished to dispose of a tyre, there were

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problems in relation thereto. He added that he was aware that Companies would call and collect old tyres from individuals, for a cost.

Mr Quirk enquired whether tyres disposed of by way of fly tipping on private property would be collected by Onchan District Commissioners, and who would be responsible for covering those costs. The Chief Executive/Clerk advised that the Commissioners would always try to ensure collection of any disposed material in order to avoid further disposal of waste materials in that area. It was possible, depending on circumstances, that notices could be served upon those who disposed of the tyre and/or other materials. The decision would depend upon the amount of material and the circumstances surrounding the individual case.

**8. WC03/07/12(a)(iii) – Victoria Avenue**

Mr Black concurred with the decision of the Works and Cleansing Committee in relation to the suggested disc parking area in Victoria Avenue. It was his view that the decision to oppose the introduction of disc parking at Victoria Avenue was sound.

**9. WC03/07/14(b) – Policing – Onchan District**

In answer to enquiry from Mr Crellin, the Chief Executive/Clerk confirmed that the periodic meeting with the Police referred to at the Works and Cleansing Committee had not yet taken place. He also confirmed that there had been one or two individual instances within the district since the Works and Cleansing Committee meeting had taken place and discussions with the Police had taken place in relation to those specific incidents.

Mr Crellin urged the Commissioners to continue to raise the question of policing within the Onchan District. He pointed out that individual officers were frequently replaced within the district and he considered that eventually, the establishment of officers dedicated to the Onchan District would reduce. The Chief Executive/Clerk commented that the receptionist from Onchan Police Station had recently been transferred to Douglas. He was not aware whether this was a temporary or permanent arrangement.

Mr Killey made reference to the fact that the Traffic Police had recently been taken out of the Douglas Police Station at Fort Street since, in the event of an incident, the delay in response to that incident while travelling through the Town Centre was too long. The Traffic Police were now based at Willaston Police Station. The Chairman added that during a recent meeting with the Onchan Police, a question had been raised with regard to why the Onchan Police Station was not regularly manned. The response from Police Officers had been that the new Douglas Station was not regularly manned either.

Mr Crellin believed that the service to the Onchan District from the Police was on the decline. Mr Quirk commented that he had met the new police constable replacing P.C. Wright.

The Chairman summarised by saying that Commissioners continued to have serious concerns with regard to the numbers of Policemen within the Onchan District.

*IN PUBLIC***C03/07/01/09****RECEIVING OF MINUTES**

It was **RESOLVED** that the minutes of the public section of the Works and Cleansing Committee meeting held on 8<sup>th</sup> July 2003, be and are hereby received. There were no resolutions contained therein requiring the consent of the Board

**C03/07/01/10****LEISURE AND AMENITIES COMMITTEE MINUTES**

The minutes of the public section of the Leisure and Amenities Committee meeting held on Monday 14<sup>th</sup> July 2003, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

**1. LA/03/7/4(b) – Port Jack Glen**

In answer to enquiry from Mr Norton, the Chief Executive/Clerk confirmed that he was not in a position to update the Board with regard to the idea of lighting along the path.

**2. LA/03/7/10 – Outstanding Matters – Pennington Hall**

In answer to enquiry from Mr Norton, the Deputy Clerk confirmed that a meeting was held attended by the District Surveyor and the Architect, Tad Barrua, on 15<sup>th</sup> July 2003, in accord with the information provided to the Works and Cleansing Committee on the capital projects summary sheet. The Architect was now preparing a draft scheme from information provided to him by the District Surveyor and a further meeting would be held shortly to finalise the submission to the Department of Local Government and the Environment for approval to proceed. The Chief Executive/Clerk confirmed that the proposals would be presented to the Commissioners before progressing.

**3. LA/03/7/13(c) – Park Equipment**

Mrs Kelly enquired as to whether prices were being sought for the pieces of equipment which she had selected at the Leisure and Amenities Committee meeting. Officers were unable to update Mrs Kelly in that regard.

**4. LA/03/7/9(c) – A Noble Occasion**

In answer to enquiry from Mr Watterson, and reference to a memorandum prepared for the Board by the Administrative Officer, the Chief Executive/Clerk confirmed that the suggestion made by the Amenities Officer was one possibility, but that there may be others for consideration.

Mr Astill commented upon the success of the occasion, adding that the event had taken place in very fine weather. He recorded the thanks of the Commissioners to the Administrative Officer and his secretary for the work which she had undertaken in this regard.

Mr Astill took the opportunity to advise Members that new fencing at the Stadium had been erected and the wooden fence had been painted. He added that he had recently received compliments from a visitor to the Park over the cleanliness of the facility. The Chairman commented that the Onchan Park had been very successful in the current year when the weather had been good. Mr Astill had received further comment from visitors that they had been unaware as to the location of Onchan Park prior to visiting and Mr Astill wondered whether additional advertisement was required. It was generally felt, however, that the whereabouts of

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Onchan Park was well sign posted. Mr Astill added that during his recent visits to the Park, he had noted that all of the tennis courts had been in operation at those times.

**5. LA/03/7/3(b)(i) – Trailer**

The Chief Executive/Clerk reported receipt of two quotations for a trailer in the amounts of £1,400 plus V.A.T. and deliver at cost, and £1,350 plus V.A.T. and approximately £110 carriage.

The Chief Executive/Clerk also confirmed that financial provision had been made within the current year estimates for the purchase of unspecified equipment in the amount of £5,000. In answer to enquiry from Mr Watterson he confirmed that the prices were in respect of the same specification of trailer. It was subsequently **RESOLVED** to accept the lowest quotation received for the provision of a trailer in the amount of £1,360 plus V.A.T. and approximately £110 carriage.

**6. LA03/7/8(a)(i) – Heating Pipes**

Mr Black expressed disappointment that the joiners had not yet completed the boxing in of central heating pipes at the Youth and Community Centre. The Chief Executive/Clerk confirmed that it was the intent to have all of the work completed prior to a need for the central heating to be activated once again within the centre.

**7. LA03/7/8(a)(ii) – Fascia Boards**

Mr Black commented that the cost of replacing the fascia boards, etc, at the Youth and Community Centre had been included within the provisional estimates for the Onchan District Commissioners in respect of 2003/04 financial year, but had subsequently been deleted therefrom.

**C03/07/01/11****RECEIVING OF MINUTES**

It was **RESOLVED** that the minutes of the public section of the Leisure and Amenities Committee meeting held on 14<sup>th</sup> July 2003, 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. ***that finance be found for the purchase of the replacement trailer for the Parks Staff.***

**C03/07/01/12****POLICY AND FINANCE COMMITTEE MINUTES**

The minutes of the public section of the Policy and Finance Committee meeting held on Monday 21<sup>st</sup> July 2003, copies of which having previously been circulated, were considered. The following matter was arising therefrom:-

**1. PF03/07/04(4) – Revenue Account Payments**

In answer to enquiry from the Chairman, it was noted that the payment for which the description read "Fire Station Refurbishment" referred to the Commissioners' property at Elm Tree House, leased from the Commissioners for the Isle of Man Fire Service.

*IN PUBLIC***C03/07/01/13****RECEIVING OF MINUTES**

It was **RESOLVED** that the minutes of the public section of the Policy and Finance Committee meeting held on 21<sup>st</sup> July 2003, 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.*

**C03/07/01/14****RURAL COMMITTEE MINUTES**

The minutes of the public section of the Rural Committee meeting held on Wednesday 16<sup>th</sup> July 2003, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

1. **R03/7/2(d) – Rural Roads**

Mr Watterson pointed out that the condition of the public rural roads were causing concern to the Committee. He acknowledged that lorries were now moving in to the countryside as it became more difficult for them to be held within any built up areas and the roads did have a heavier usage. He also acknowledged that the Department of Transport were doing their best but the service being received in Onchan was not as good as the Committee had been used to.

2. **R/03/7/2(e) – Scollag Road**

Mr Quirk enquired whether it would be appropriate to have a traffic counter fitted to monitor traffic movements on the Scollag Road, particularly now that the new Nobles Isle of Man Hospital had been opened. Mr Watterson advised that there were several traffic counter boxes presently placed around the new Hospital and agreed that it may be appropriate, in the near future to have a fresh traffic count to compare against the figures taken some two years previously which recorded some 1,800 or so traffic movements.

3. **R/03/7/3(c) – Post Codes**

In answer to enquiry from the Chairman, Mr Watterson advised that some of the more recently developed units in Tromode, which were within the Onchan Rural Ward, had a postal address for Douglas. The matter was being addressed and it was understood that it would be clarified in the near future.

4. **R/03/7/2(a) – Street Lighting Hillberry Corner**

Mr Black enquired whether Members of the Board had any views in relation to the installation of solar/wind powered lighting, or on the reliability of the batteries in association therewith. Mr Crellin explained that the Rural Committee were not opposed to trying this new technology but did not believe that the suggested position was the correct place to do so. Mr Watterson added that the District Surveyor had been asked to supply further information in relation to the suggestion to the Rural Committee at its next meeting. It was not considered appropriate to trial this new technology on a street light which had ready access to a normal power supply as the lamp was to be sited directly above a new cable.

Mr Parkin commented that solar/wind powered lighting was not regarded as being sufficient in the United Kingdom. Particularly in winter months, the technology relied on batteries which were

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expensive to replace. The Chief Executive/Clerk confirmed that he had, some two years previously, attended a presentation on LCDs, which were now technologically advanced to the stage of providing power to street lighting standard. That form of lighting required little energy. Mr Black considered that the suggestion of the Chief Executive/Clerk might be a more feasible option to investigate.

C03/07/01/15

**RECEIVING OF MINUTES**

It was **RESOLVED** that the minutes of the public section of the Rural Committee meeting held on 16<sup>th</sup> July 2003, 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. ***PA02/2326 – To recommend to the Board that a review of the decision not be sought; and***
2. ***PA03/0135 – To support the Planning Committee in their refusal of the application.***

C03/07/01/16

**LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS**

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

The following planning communications were considered:-

<b>PA Number</b>	<b>Description</b>	<b>Comment</b>
03/0276	Approval in principle for a three storey extension, 1a Royal Terrace, Onchan.	ODC Recommendation – Refusal Initial Planning Decision – Refusal Request for review reported.

2. **Tynwald – Questions/Answers**

The Chief Executive/Clerk had circulated with the agenda copies of the answers recorded in relation to questions numbered 27, 28 and 29 on the Tynwald Question Paper for July 2003.

In relation to the answer given by the Minister for Local Government and the Environment in relation to the first question, regarding Local Government Reform, Mr Quirk referred to the comment that the Department had organised two seminars for Local Authorities on the document “Securing a Future for Local Government” issued in October 1997. Mr Quirk commented that he did not believe that these were seminars, but rather an opportunity for a lecture by the Department. He added that a Seminar usually had two way communication. Mr Quirk was disappointed that the Department were revising the issue when other matters such as planning needed to be addressed more urgently.

In relation to the second question, which dealt with policy changes and consultation in relation to waste collection services, Mr Norton asked why the Tynwald Question did not appear to have taken account of the views of the Onchan District Commissioners. It stated that two Local Authorities favoured an all Island collection service, 8 favoured four area collection services, 12 wanted to stay as they were and 2 did not respond. The Onchan District Commissioners’ views submitted to the Department were that there should be five refuse collection Authorities for the Island and this did not appear to be reflected in the answer to the question. The Chief

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Executive/Clerk confirmed that the Commissioners' views had been submitted but did not appear to be reflected in the answer given to Tynwald.

On the suggestion of Mr Parkin, it was **RESOLVED** to write the Honourable Member for Rushen, Mr Gawne, who had asked the question of the Minister of Local Government and the Environment in relation to waste collection services, pointing out that the answer given to him by the Minister had not included the views of Onchan District Commissioners therein. Furthermore, that a copy of the letter be issued to the Department of Local Government and the Environment and to the Press.

In relation to the third question regarding waste disposal charges, Mr Norton commented that he believed that the answer given by the Minister was bland, not referring to some of the costs which the Onchan District Commissioners knew to be included such as the cost of animal waste by-product disposal and loan charges. Mr Quirk reminded Members that the Onchan District Commissioners had yet to decide whether to exercise their legal right to arbitration in respect of the disposal charges.

### **3. Structure of Local Authorities on the Island**

The Chief Executive/Clerk had circulated with the agenda copies of a letter received from the Department of Local Government and the Environment dated 15<sup>th</sup> July 2003, in relation to the role of Local Authorities on the Island. It advised that the Department of Local Government and the Environment had carefully considered how Local Authorities could best meet the challenges ahead and that it was with that in mind that the Minister invited all elected Members of the Onchan District Commissioners to a presentation on the matter. This would be held on Wednesday 17<sup>th</sup> September 2003 at Ballakermeen High School. The letter went on to state that the Department would like to see all Local Authority Members attend the presentation as it was vitally important to discuss the way forward for local democracy.

The Chief Executive/Clerk referred to receipt of an email that day from the Local Government Management Unit at the Department, referring to the letter previously issued, stating that the Minister was most anxious that all elected Members attended the presentation. It sought confirmation that the content of the letter had been brought to the attention of all elected members in the Authority.

Reference was made to the fact that the date of the presentation appeared to clash with the annual general meeting of the Onchan Youth Club and it was agreed that the Youth Club should be notified that Commissioners would not be able to attend their AGM on that date.

Mr Quirk commented that the Onchan District Commissioners had never been frightened to move forward as an Authority. He was not aware that the Authority had ever been criticised over any of the major issues and he believed that the Authority did deliver services to its rate payers in a cost effective manner. He referred to the fact that the Onchan District Commissioners were one of the only fully functioning Local Authorities on the Island providing building services, which only two other Authorities provided, and having fought successfully, within the last two years, to take on further responsibilities in relation to pavement sweeping. The Authority was a go-ahead Authority and he did not believe that any concerns relating to the delivery of services in a cost effective manner fitted with the Onchan District Commissioners. Mr Parkin went on to add that suggestions for improvements to the services provided by Local Authorities, made by the Onchan District Commissioners to the Department had not been heeded.

Mr Norton and another member indicated that they may not be able to attend the meeting on 17<sup>th</sup> September but noted that the email had referred to a presentation on the previous evening, 16<sup>th</sup> September. On the assumption that two seminars were being held for Local Authority

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representatives, Mr Norton suggested that enquiries be made as to whether two Onchan District Commissioners' representatives could attend on 16<sup>th</sup> September to have the benefit of hearing the presentation.

Mr Quirk asked whether an agenda for the meeting could be issued, in order that the issues could be further considered by the Authority. The Chief Executive/Clerk reminded Members that the Onchan District Commissioners had, at the time, supported the first recommendations made in the "Time for Change" document, that there be established six Authorities within the Isle of Man. Mr Quirk enquired whether it was appropriate to reconsider this position, in the light of changed circumstances but the Chairman suggested that a further discussion await the detail of the presentation before further discussion.

**4. Friends of Chernobyl's Children**

The Chief Executive/Clerk had circulated with the agenda a copy of a letter received from the Local Co-Ordinator from the Friends of Chernobyl's Children (Isle of Man) thanking the Commissioners for their generous help in the provision of facilities for the children from Belarus to use in Onchan Park. The letter went on to say that the children had loved the Park, particularly the boats, and the play area and they had had lots of fun there during their visit on 16<sup>th</sup> July 2003. *Noted with pleasure.*

**5. Onchan Methodist Church – Flower Festival**

The Chief Executive/Clerk had circulated with the agenda a letter received dated 17<sup>th</sup> July 2003 from the General Secretary of the Onchan Methodist Church thanking the Commissioners for participating in the flower festival. The Chairman recorded thanks to the Park Staff for their assistance in this regard.

**6. Energy from Waste Plant – Waste Disposal Licence**

The Chief Executive/Clerk reported receipt of a letter dated 25<sup>th</sup> July 2003 from the Department of Local Government and the Environment, referring to the consultation period for the Energy from Waste Plant draft Waste Disposal Licence. It confirmed that the period would run for a 21 day period, commencement date to be advised, but probably from early August. It detailed locations where the consultation documents would be available and included both the Isle of Man Government Website and the Onchan District Commissioners' Library. The letter went on to state that all written submissions regarding the documents should be sent to the Director of Environment, Safety and Health, before the closing date. Arrangements would be made for the documents to be delivered by hand to each of the locations at which the documents would be available and a separate copy of the application and draft licence would be issued to the Onchan District Commissioners for information and comment.

Mr Watterson asked whether arrangements had yet been made for the Onchan District Commissioners to visit the Energy from Waste Plant as the date which had been previously suggested was at too short notice. The date was to be arranged but the Chief Executive/Clerk confirmed that no further information had been received to date in this regard. To be investigated.

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**CLERK'S REPORT****1. Elm Tree – Hawthorn Villa**

The Chief Executive/Clerk confirmed that advice had been received from the Department of Agriculture, Fisheries and Forestry that the elm tree outside the entrance to Hawthorn Villa, Main Road in Onchan would have to be felled. The tree had become rotten at the base. The comments of one of the Foresters recorded on the documentation received stated that he had inspected the tree on more than one occasion. The basal cavity made it potentially unsafe and as it was a roadside location, the tree was therefore prominent. It was the recommendation of the Department representatives that the tree be removed.

Mr Quirk asked that the tree be replaced. Mrs Kelly understood that the tree had to be replaced by the two replacement trees. Mr Parkin enquired whether it would be possible to replace the tree with a more mature specimen than a sapling. On the suggestion of the Chairman it was agreed that a Forester from the Department would be asked to advise on the replacement of the tree.

**C03/07/01/18**  
**DISTRICT SURVEYOR'S REPORT**

None.

**C03/0301/19**  
**MOTIONS**

None.

*There being no further business the meeting terminated at 8.50 p.m..*