

IN PUBLIC

7th May 2004

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. That the resolutions of the various Committees, marked with an asterisk (*), are subject to the approval of the Authority.

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

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

*IN PUBLIC***ONCHAN DISTRICT COMMISSIONERS***Hawthorn Villa,
Main Road, Onchan.*

IN PUBLIC

7th May 2004

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, 10th May 2004

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:-
 - 1.1 Ordinary meeting held on 5th April 2004 (Minutes - APPENDIX 2)
 - 1.2 Annual meeting held on 4th May 2004 (Minutes - APPENDIX 2A)

-
2. To dispose of business (if any) remaining or arising from the above said meeting
 - 2.1 C04/03/01/02(1) Waste Collection Services Advisory Group (Clerk to report)

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- 2.2 C04/01/03/09(10) Hawthorn Villa Project (revised programme circulated)
- 2.3 C04/04/01/13(5) Local Government Structure (proposed meeting with neighbouring authorities)
- 2.4 C04/04/01/39(1) Rural Ward Differential Rate (letter from P. Karran, MHK circulated)
- 2.5 Any other business arising.

- 3. To dispose of business (if any) remaining or arising from meetings held prior to the last ordinary meeting.
 - 3.1 C03/07/01/11(1) Proposed Skateboard Park (Memorandum circulated)
 - 3.2 Any other business arising

ODC MEETING 10th May 2004**IN PUBLIC**

- 4. Chairman's Announcements

- 5. Questions - As may be asked by members under the provisions of Standing Order No 7(2) after due notice in writing.

- 6. To receive and consider reports, minutes and recommendations of committees. The chairman of the respective committees to report.
 - 6.1 Housing Committee
- Meeting held 13th April 2004 *(Minutes –*
APPENDIX 3)
 - 6.2 Works and Cleansing Committee
- Meeting held 19th April 2004 *(Minutes –*
APPENDIX 4)
 - 6.3 Leisure and Amenities Committee
- Meeting held 26th April 2004 *(Minutes –*
APPENDIX 5)
 - 6.4 Policy and Finance Committee
- Meeting held 5th May 2004 *(Minutes –*
APPENDIX 6)
 - 6.5 Rural Committee

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- Meeting held 28th April 2004
APPENDIX 7)

(Minutes –

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).

- 8 To consider letters, petitions, memorials and other communications.
 8.1 Planning decisions/communications from the D.L.G.E. Planning Committee

(Schedule -

APPENDIX 8)

- 8.2 Isle of Man Municipal Association re: Annual General Meeting (circulated)
 8.3 Isle of Man Municipal Association re: Future Meetings (circulated)
 8.4 President of Tynwald re Manx National Week (circulated)
 8.5 D.L.G.E. re: Local Authority Induction Course (circulated)
 8.6 Any Other Communication

9. To consider any report from the Clerk, Surveyor or other Officer of the Authority

10. To consider Motions in the order in which notice has been received. (*ref Standing Order No 5)*

None.

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Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, at Hawthorn Villa, Main Road, Onchan, on Monday 5th April 2004 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
Mr M.J. Kennaugh
Mrs E.J.C. Kelly
Mr D.J. Quirk
Mr J.K. Watterson

Apologies: Mr. A.T.W. Norton
Mr. H.L.G. Parkin

In Attendance: Mr M.J. Williams (Deputy Clerk)
Mr E.K. Convery (District Surveyor)

C04/04/01/01
MINUTES

The minutes of the public section of the ordinary meeting held on 1st March 2004, copies of which having previously been circulated, were considered, agreed as a correct record of proceedings and signed by the Chairman.

C04/04/01/02
BUSINESS ARISING

1. C04/01/03/02 (1) WASTE COLLECTION SERVICES ADVISORY GROUP

The Deputy Clerk confirmed that the views of the Board in relation to the regionalisation of waste collection services had been conveyed to the Department of Local Government and the Environment in a letter dated 12th March 2004. The letter stated that whilst Onchan District Commissioners did support the regionalisation of the waste collection service to establish five collection authorities – namely North, South, East and West with Douglas remaining as an Authority in it's own right – it clearly stated that the Onchan District Commissioners did not support the regionalisation by way of a Joint Board initiative.

The Deputy Clerk confirmed that a further meeting of the Waste Collection Services Advisory Group Members was held on Friday 26th March 2004, a meeting which he had attended. Further, that discussions in relation to the report which had been required by the Minister were on going and when further information became available, the Deputy Clerk undertook to ensure that Members were advised accordingly.

The Deputy Clerk went on to confirm that the Minister had originally suggested that the report of the Committee should be with her by 1st April 2004, although he understood that an extension to that time had been granted. He was not aware as to whether the views of the Department on the Waste Collection Service issue had changed following the approval of a Motion at the sitting of Tynwald in March 2004. It was noted that it was the view of the Onchan District Commissioners that the review required by Tynwald on Local Government Structure should not be pre-empted by any changes to the Waste Collection Service at present. The Waste Collection Service review should be deferred until the views of Tynwald in relation to Local Government structure had been determined.

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The Deputy Clerk confirmed that he had received an email from Braddan Parish Commissioners which had confirmed that they too supported the regionalisation of Waste Collection Services, but that their view in relation to the method of achieving that regionalisation concurred with that of the Onchan District Commissioners, in opposition to the Joint Board scenario.

2. C04/01/03/02(2) Local Elections

The Deputy Clerk stated that after numerous enquiries, the Commissioners had now obtained a copy of the Local Authority Voters list for Onchan in electronic format. He went on to state that the process of obtaining the Voters List had been drawn out and rather complicated and so, in order to try to avoid this difficulty in the future, the Deputy Clerk indicated that he would be writing to the Department of Local Government and the Environment to see whether the Department would be prepared to establish a protocol through which such requests might be more smoothly dealt with in future.

The Chairman reported receipt of a letter from Commissioner Parkin, in which he congratulated the Chairman on being returned un-opposed to the Board of Onchan District Commissioners. He asked that the Chairman convey his congratulation to the other Members of the Board for also being returned to the Board for the next four years, and to extend such congratulations to the two newly elected Members, Mr. Brian Stowell and Mrs. Wendy Megson. Mr. Parkin hoped that the Board would continue to go forward and continue to represent the best interests of the electorate of the District of Onchan. Mr. Parkin expressed pride and honour at being a Member of the Board of Onchan District Commissioners and hoped that Mr. Stowell and Mrs. Megson would feel likewise.

Mr. Parkin went on to state that following his decision not to put his name forward for re-election, he had been overwhelmed by the amount of letters, phone calls and conversations that he had had from members of the public to support his stance and thanking him for his services as a Commissioner for thirteen years. He added that it was with some regret that he found himself unable to continue as a Member of the Board and the letters, calls and conversations had all made him realise that he was a respected Member of the Board. Mr. Parkin confirmed that his goal had always been to represent the wishes of the people of the whole of the District of Onchan and he was gratified to have received so many endorsements of his stance. Mr. Parkin therefore extended his grateful thanks to the electorate of Onchan for the opportunity to have represented them and for all the kind messages of support that he had received since he had announced his decision. Mr. Parkin went on to wish the Chairman and the Board best wishes for the future.

C04/04/01/03

BUSINESS ARISING FROM PREVIOUS MEETINGS

1. Litter Act 1972 – Designated Officers.

The Deputy Clerk had circulated with the Agenda a letter received from the Department of Local Government and the Environment dated 19th March 2004. The Deputy Clerk confirmed that he had responded to the Department to advise them of the decision of the Board taken in October 2003, to appoint the Commissioners' Bylaw Enforcement Officer and his associates, under the provisions of sections 5 (C) of the Litter Act 1972, as designated Officers of the Authority.

2. Proposed New Secondary School - Bemahague

The Deputy Clerk had circulated with the Agenda a copy of the Media release from the Department of Education dated 30th March 2004, which confirmed that the Department had

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rescheduled the proposed construction of a new secondary school at Bemahague, Onchan, in the light of revised population projections for the Island. It stated that the project was originally due for completion in 2007, but that the Department had brought it forward to 2006 a few years ago because of the continued rise in population. However, projections for the Island's secondary school age group indicated that the requirement for additional capacity was no longer as urgent as had been anticipated and the Department was now aiming for a completion date in 2008.

The document went on to say that the £1.4 million design stage already approved would be completed so that the blue print for the development was in place. After that, the capital funding of the construction would be subject to Tynwald approval in the usual manner. The Department would, however, be investigating the feasibility of phasing the development by providing the sports field facilities first and then the school buildings after that.

The Education Minister had stated that the re-scheduling of the new Onchan secondary school project was sensible in the circumstances where the latest indications were that the numbers of pupils in secondary schools would begin to decrease slightly from 2006 onwards. He confirmed that this came as something of a relief but sought to reassure everyone interested in the scheme that the Department was committed to the project and would continue to evaluate the demographic and educational need. The slowing of the rise in pupil numbers which was now projected meant that the scheme could be developed with less urgency and in a measured way which would allow a phased approach to the creation to facilities on the Bemahague site.

The Chairman expressed disappointment that the project had been put back. Mr. Black considered that the delay may well be linked to the loss of certain taxation money following the abolition of Corporation Tax. Mr. Watterson expressed dismay at the delay in the project which had been in full flow. Although not thoroughly disappointed, he considered that there had been a lack of planning. Furthermore, he drew attention to the fact that people within the Bemahague estate had been very concerned with the project. He was pleased to note, however, that the Department was considering the early provision of the sports facilities and the Chairman suggested that a letter be issued to the Department acknowledging the intent of such early provision.

The District Surveyor pointed out that the Planning application was still proceeding. Mr. Watterson clarified, however, that it would still be possible for the Department to submit a new proposal.

C04/04/01/04

CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:-

1. Onchan District Commissioners General Election

The Chairman confirmed that there had not been the necessity for a poll in either of the Wards in Onchan. He congratulated the returning Members of the Board and wished Mr. Stowell and Mrs. Megson well for the future, pointing out that their first meeting would be on 4th May 2004.

The Chairman went on to express the appreciation of the Board to Mr. Parkin, who was retiring as a Commissioner, for his service with the Board over the past thirteen years. He also thanked Mrs. Kelly, who had served with the Board for two years.

2. Onchan District Commissioners – Annual Meeting

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The Chairman confirmed that the Annual Meeting of Onchan District Commissioners would take place on Tuesday 4th May 2004.

3. Onchan Park – Easter Opening

The Chairman reminded rate-payers that the Onchan Park would be open over the Easter period and drew attention to the intent of the Commissioners to hold an event within the park on 10th July 2004.

C04/04/01/05
QUESTIONS

The following questions had been submitted under the provisions of Standing Order No 7:-

1. *Commissioner D.J. Quirk to ask the Chairman of the Onchan District Commissioners:-***Ref: Debts Due to the Local Authority**

- (i) What is the Policy on recovery on Local Authority debts?*
- (ii) What is the total amount of unpaid refuse charge sin the Rural area?*
- (iii) From what date do these debts apply?*

The Chairman responded to the questions as follows:-

- (a)** The Chief Finance Officer of the Authority attempted to secure early payment of any debts owing to the Authority, and was in regular contact with any debtors both in written form, and where necessary, in verbal contact. Where debtors did not respond and satisfy any outstanding matters in a reasonable time scale, a judgement had to be made about the timing of any formal legal action to pursue that debt.
- (b)** The paper circulated to members for the meeting of the Policy and Finance Committee held on 29th March 2004 contained a statement of the total amount of unpaid refuse charges in relation to the Rural Ward. The figure confirmed in those papers was £850.50.
- (c)** The Chairman confirmed that the invoices were raised in October 2003.

2. *Commissioner D.J. Quirk to ask the Chairman of the Onchan District Commissioners:-***Ref: New Onchan school Planning**

- (i) What date was the planning applications for the new Onchan school?*
- (ii) Have the Planning Committee given a decision on this application?*
- (iii) What is the maximum number of days to pass before a decision has to be made by the Planning Committee?*

The Chairman responded the questions as follows:-

- (a)** 10th October 2003.
- (b)** No
- (c)** The application was considered under the relevant paragraphs contained in the Isle of Man Planning Scheme (development plan) Order 1982 (incorporating amendments up till 1st April 1988). Paragraph 5 – initial decision – stated, inter alia:-

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"The Planning Committee shall make an initial decision on every application for planning approval within eight weeks of:-

- (1) the date on which the application is received, or
- (2) where the Department has directed under paragraph 3(1) that further particulars or other matters be furnished, the date on which the applicant complies with the direction.
- (3) where the Department has directed under paragraph 3(1) that further particulars or other matters be furnished and the applicant fails to comply with the direction within such time (not being less than 21 days) as may be specified therein, the application shall be deemed to have been withdrawn.
- (4) If the Planning Committee fails to comply with sub paragraph (1), the applicant may, at any time after the expiration of the said period of eight weeks, give written notice to the Department requiring the Committee to determine the application within fourteen days of the date of service of the notice, and if the Planning Committee fails to do so the application shall be deemed to have been refused on the expiration of the said period of fourteen days.

3. Commissioner D.J.Quirk to ask the Chairman of the Onchan District Commissioners:-

Ref: Ballachrink Farm Planning

- (i) *What date was the last Planning application farm to Ballachrink Farm, Birch Hill, Onchan?*
- (ii) *Have the Planning Committee given any views on this application?*
- (iii) *What is the maximum number of days to pass before a decision has to be made by the Planning Committee?*

The Chairman responded to the questions as follows:-

- (a) The current application was submitted on 11th December 2003.
- (b) No.
- (c) The application is considered under the relevant paragraphs contained in the Isle of Man Planning Scheme (Development Plan) order 1982 (incorporating amendments up to 1st April 1988). Paragraph 5 – initial decision – stated, inter alia:-

"The Planning Committee shall make an initial decision on every application for planning approval within eight weeks of:-

- (1) the date on which the application is received, or
- (2) where the Department has directed under paragraph 3(1) that further particulars or other matters be furnished, the date on which the applicant complies with the direction.
- (3) Where the Department has directed under paragraph 3(1) that further particulars or other matters be furnished and the applicant fails to comply with the direction within such time (not being less than 21 days) as may be specified therein, the application shall be deemed to have been withdrawn.
- (4) If the Planning Committee fails to comply with sub paragraph (1) the applicant may, at any time after the expiration of the said period of eight weeks, give written notice to the Department requiring the Committee to determine the application within fourteen days of the date of service of the notice, and if the Planning Committee fails to do so the application shall be deemed to have been refused on the expiration of the said period of fourteen days.

*IN PUBLIC***C04/04/01/06****HOUSING COMMITTEE MINUTES**

The minutes of the public section of the Housing Committee meeting held on Monday 8th March 2004, copies of which having previously been circulated, were considered. There were no matters arising therefrom:-

C04/04/01/07**RECEIVING OF MINUTES.**

It was **RESOLVED** that the minutes of the Public section of the Housing Committee Meeting held on 8th March 2004, be and are hereby received. It was further **RESOLVED** that the resolutions contained therein requiring consent of the Board be approved as follows:-

1. *the Rent Arrears Eviction Policy reported be adopted as follows:-*

(1) Stage 1 – Letter – Advice leaflet/telephone contact

(i) *Letter to be sent advising of arrears and requesting rent account be brought up to date tenants to be notified after missing one payment or two successive payments in the case of those tenants who pay weekly or fortnightly, appropriate, and after missing just one payment where the tenant has a prior agreement pays rent at a greater level than fortnightly.*

(ii) *For those known to be in receipt of benefits, the Officer's to approach the tenant and Social Security to attempt to set up direct payments. Where the tenant was in arrears, or had a history of arrears, the Officer's to apply to the social security division for direct payment.*

(iii) *Officer's to include with the letter an explanatory leaflet which identified areas of support and contacts including:-*

(a) *an invitation to attend the Housing office for confidential discussions;*

(b) *an option to pay off arrears in instalments in addition to rent;*

(c) *contact and telephone number of debt counsellor at the office of Fair Trading;*

(d) *provide a contact and telephone number of the family support section at social services;*

(e) *provide a contact and telephone number of Income Support section at social security*

(iv) *The letter should be followed up with telephone contact where possible.*

2. Stage 2 – Visit/Referral For Advice

After seven days, Officer's to attempt telephone contact. If there was no response from the letter or from attempts to contact the tenant by telephone, the Officer would seek to visit the tenant if the tenant was known to be vulnerable.

Officers would also contact the Social Services Duty Social Worker to discuss the possible implications of rent arrears actions and consequences of possible eviction.

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If appropriate, the Deputy Clerk would consider what action or support could be given through the Department of Health and Social Security or other support agencies to resolve the arrear problem.

3. Stage 3 –Final Notice/Advise Department Of Possible Action

- (i) *After a further seven days, a final notice to be sent to the tenant(s) – by Recorded Delivery where there had been no response – advising that the Authority intended issuing a Notice to Quit which set out the implications of such action. The letter would request full payment, with the alternative offer to enter into an agreement for payment by instalments in addition to the weekly rent.*
- (ii) *At the same time the Deputy Clerk would submit information to the Department of Local Government and the Environment to satisfy that Department that the Commissioners have followed agreed procedures on the standard proforma document stating dates and times of letters, visits and telephone contacts etc. This action is not to seek Departmental approval to proceed with possession action, but to confirm independently that the Tynwald procedures have been followed.*
- (iii) *That if the procedures have not been followed, that the Deputy Clerk would be required to repeat the process.*
- (iv) *After a further period of seven days, unless notified to the contrary, the Deputy Clerk would proceed with the issue of Notice to Quit.*

4. Stage 4 – Legal Action

- (i) *After a further seven days legal action for repossession to be sought.*
- (ii) *The court would consider whether the Authority had acted reasonably and would still have the option to suspend a possession order subject to an agreement being maintained by the tenant.*

2. *that if a tenant did not comply with an agreed repayment programme, that the next stage of the Policy/Procedure be implemented, subject to the requirement of Board approval for repossession proceedings to be obtained.*

3. *that the annual service agreement in respect of the warden call system be renewed, at a cost of £2, 143.33 for the year commencing 1st May 2004.*

H04/04/01/08

WORKS AND CLEANING COMMITTEE MINUTES

The minutes of the public section of the Works and Cleansing Committee meeting held on Monday 15th March 2004, copies which having previously been circulated, were considered. The following matters were arising therefrom:-

1. WC/04/3/6(a)(ii) Manhole Cover Refurbishment

Mr. Watterson drew attention to the completion to part one of the manhole refurbishment project within two and a half days. The rest of the works were due to be undertaken as scheduled. He commented that the first phase had progressed extremely well.

Mrs. Kelly enquired as to whether there was any intent to adjust the timing of the lights at the bottom of Avondale Road and at the top of Royal Avenue, to take account of the fact that the Main Road would be closed. She referred to difficulties which had been experienced at peak

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times during part one of the project. Mr. Watterson advised that preferred diversions were signposted but there were other options for road users. The District Surveyor added that there had been no complaint lodged within the office with regard to the traffic lights and that the sequence of lighting at the Manx Arms and top of Royal Avenue was quite complex reprogramming to be undertaken for a short duration of works.

2. WC/04/4/4(b) Waste Collection Services – Marown

The District Surveyor confirmed that the first collection of refuse from properties in the Marown Parish had been undertaken on 1st April 2004 and the Officers had been delighted with the way in which the project had proceeded. Marown had provided their rate-payers with new 240 litre capacity wheeled bins, all of which were chipped for bin identification. The report obtained from the bin weighing equipment and software contained only 10 errors from 700 bin lifts.

The Chairman asked that the congratulation of the Board be conveyed to the refuse service staff. The District Surveyor confirmed that a review of the arrangements for the Marown Parish would be undertaken when 3 weeks experience had been obtained.

3. WC/04/3/4(a)(vii) Abandoned Vehicles

Mr. Black drew attention to the offer from Manx Metals that no charge would be made for vehicles bought to their premises for scrapping. Mr. Watterson clarified that there was still a responsibility for and a cost to bear in moving a vehicle to the Manx Metals facility.

Mr. Quirk referred to the vehicle in the Man Arms car park pointing out that the vehicle was still there. Mr. Killey also expressed concern over the litter being left in the Avondale Car Park. The District Surveyor confirmed that the litter would be removed. Mr. Quirk enquired whether a notice had been left on the apparently abandoned vehicle and the District Surveyor confirmed that the vehicle had been reported.

4. WC/04/3/5(a)(i) Repairs

Mr. Black expressed disappointment with regard to the difficulties over keys. The District Surveyor confirmed that the problem had been resolved.

i. WC/04/03/7(c) Deferred Matters

Mr. Black made reference to PA04/368 – Extension to 35 Whitebridge Road – and expressed the view that he did not consider the proposals to be as severe as portrayed in the Minutes. Mr. Watterson pointed out that the concerns of the Works and Cleaning Committee were not in relation to the proposed garage or indeed the parking of vehicles but related to the first floor storey elevation and the concern was in relation to the mass of the proposal. Mr. Quirk pointed out that the Works and Cleansing Committee had all agreed to visit the proposed site. The District Surveyor advised that if any of the Commissioners had a particular interest, they could attend the Commissioners Office and he would assist with the interpretation of the plans if such was required. Mr. Black commented, however, that he had had no input to the decision of the Works and Cleansing Committee in this case.

C04/04/01/09

RECEIVING OF MINUTES

It was **RESOLVED** that the Minutes of the Public section of the Works and Cleansing Committee meeting held on 15th March 2004, be and are hereby received. There were no resolutions contained therein requiring the consent of the Board.

*IN PUBLIC***C04/04/01/10****LEISURE AND AMENITIES COMMITTEE MINUTES**

The Minutes of the Public section of the Leisure and Amenities Committee meeting held on Monday 22nd March 2004, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

1. LA/04/3/3(b)(iv) Window Damage

In answer to enquiry from Mr. Crellin, the Deputy Clerk confirmed that the money expected from the young lad who had broken the window in the Café had been received.

Mr. Kennaugh made reference to the fact that youths were gathering there during the previous Saturday evening. Mr. Quirk suggested that the Community Beat Officer be invited to meet with the Commissioners to discuss plans for the policing of the Park during the summer months. It was agreed that a letter be issued inviting the Community Beat Officer to attend the Leisure and Amenities Committee to discuss these issues. All of the Commissioners would be invited to attend.

2. LA/04/3/3(d) Pennington Hall

Mr. Kennaugh enquired as to progress in relation to the refurbishment of Pennington Hall, commenting on the apparent delays in the project. The District Surveyor confirmed that he had produced two schemes to date for the Commissioners for the redevelopment of Pennington Hall, neither of which had been acceptable.

Mr. Crellin enquired as to how long it would be before the Pennington Hall project could be progressed. The District Surveyor responded that it depended on precisely what the Commissioners required. Mr. Quirk suggested that the matter be discussed at the end of the private meeting of the Board later that evening.

3. Village Green - Commemorative Stone

Mr. Black reported that the commemorative stone sited at the Village Green appeared to be spalling.

4. LA/04/3/4(4) Seat At Lazy Corner

Mr. Crellin enquired whether there had been any further correspondence received in relation to the seat at Lazy Corner. It was confirmed that a further letter had been received but that a response still had to be issued.

5. LA/04/3/12(b) Wetlands

Mr. Kennaugh made noted the decision to refer the circumstances discussed at the Leisure and Amenities Committee back to the Board. The District Surveyor confirmed that during a project to address an unmade path in the area, he had suggested that the unmade path now being discussed be incorporated. The Chief Executive/Clerk had confirmed, however, that the Commissioners were not empowered to undertake work of that type in that respect of property

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that was not in the ownership of the Authority. It was agreed that the matter be discussed with the land owner.

6. LA/04/3/12(c) Play Equipment

Mrs. Kelly asked whether any arrangement had been made to view the play equipment at the Ard Whallin Outdoor Pursuits Centre. The Chairman indicated that this was not the case but suggested if Mrs. Kelly wished to view the equipment, she should contact the Administrative Officer whom he was sure would make the necessary arrangements.

C04/04/01/11**RECEIVING OF MINUTES**

It was **RESOLVED** that the Minutes of the public section of the Leisure and Amenities Committee meeting held on 22nd March 2004, be and are hereby received. There were no resolutions contained therein requiring the consent of the Board.

C04/04/01/12**POLICY AND FINANCE COMMITTEE MINUTES**

The Minutes of the Public section of the Policy and Finance Committee meeting held on Monday 29th March 2004, copies having which been previously circulated, were considered and noted. There were no matters arising therefrom.

C04/04/01/13**RECEIVING OF MINUTES**

It was **RESOLVED** that the Minutes of the public section of the Policy and Finance Committee meeting held on 29th March 2004, be and are hereby received. It was further resolved that the resolution contained therein requiring 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.***

C04/04/01/14**RURAL COMMITTEE MINUTES**

The Minutes of the public section of the Rural Committee Meeting held on Wednesday 24th March 2004, copies of which having previously been circulated, were considered. Matters arising:-

1. R/04/3/7(b) Conrhenny Plantation

Mr. Watterson explained the circumstances in relation to the proposals of the Department of Agriculture Fisheries and Forestry regarding the Conrhenny Plantation, and the fact that a portion of the proposals related to the Onchan District.

2. R/04/3/7(d) Scramble Course

Mr. Watterson confirmed that he had been speaking to one of the members of the Peveril Motorcycle Club who had advised that it was intended that works to the scramble course would be completed shortly, and it was hoped that the first event to be held at the facility would take place in TT week.

3. R/04/3/7(e) Election

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Mr. Watterson referred to the retirement from the Rural Committee of Mr. John Bulley who had served as a member of that Committee for 11 years. Mr. Watterson commented that his input to the considerations of the Committee had been much valued. The Chairman asked that a letter be issued to Mr. Bulley to record the appreciation of the Onchan District Commissioners for his work as a Member of the Rural Committee. The Chairman went on to express a welcome to the Rural Committee of Mr. Alan Skillicorn, who had been elected at the recent General Election.

4. R/04/3/7(b) Conrhenny Plantation

Mr. Black was concerned that the wisdom of establishing a pool in the Conrhenny Plantation.

C04/04/01/15**RECEIVING OF MINUTES**

It was **RESOLVED** that the Minutes of the public section of the Rural Committee meeting held on 24th March 2004, be and are hereby received. There were no resolutions contained therein requiring the consent of the Board.

C04/04/01/16**LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS****1. Planning Decisions/Communication From The Department Of Local Government And The Environment Planning Committee**

The following planning communications were considered:-

PA Number	Description	Comment
03/0468	Refurbishments and extensions, Ballacottier Farmhouse, Slegaby and Ballacottier, Clype	ODC Recommendation - Approval Initial Planning Decision - Refusal Review Decision to Report – Approval
03/0469	Erection of 2 storey dwelling with garage to replace existing cottage, Glenside Cottage, Clype	ODC Recommendation - Approval Initial Planning Decision - Refusal Review Decision to Report - Approval
03/0470	Refurbishment and extensions to create a dwelling, Tuck Mill, Slegaby and Ballacottier, Clype	ODC Recommendation - Approval Initial Planning Decision - Refusal Review Decision to Report - Approval
03/0471	Erection of terrace of 4 3 storey dwellings with detached garages to replace The Large Barn, Slegaby and Ballacottier. Clype	ODC Recommendation - Approval Initial Planning Decision - Refusal Review Decision to Report - Approval
03/0525	Refurbishment and extension to cottage to create single dwelling, The Beggars House Slegaby and Ballacottier, Clype	ODC Recommendation - Approval Initial Planning Decision - Refusal Review Decision to Report - Refusal
03/0526	Erection of dwelling to replace existing farmhouse, Slegaby Farmhouse, Slegaby and Ballacottier, Cliffs	ODC Recommendation - Refusal Initial Planning Decision - Refusal Review Decision to Report - Refusal
03/1174	Upgrading of existing farm track, access lane between Slegaby Lane and Little Mill Road	ODC Recommendation - Observation Initial Planning Decision - Refusal Review Decision to Report - Approval
03/1450	Approval in principle for conversion of existing stable block into 15 residential	ODC Recommendation - Refusal Initial Planning Decision - Refusal

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	units with parking and upgrading of farm track, Lower Sulby Farm, Scollagh Road	Review Decision to Report - Refusal
03/1556	Upgrading of existing farm track as an alternative access to Ballacashin Farm, fields 534327 and 534328, Ballacashin, Abbeylands	ODC Recommendation - Refusal Initial Planning Decision - Approval Review Decision to Report - Approval Discussion ensued with regard to reference to Rural Committee. RESOLVED to submit appeal against decision by 4 votes to 2 (Mr. Killey abstained; Mrs. Kelly absent for vote)
03/1465	Additional use of holiday cottage to permanent accommodation, 59 Governors Road	ODC Recommendation - Refusal Initial Planning Decision - Approval Review Decision to Report – approval. ODC to appeal
03/1604	Vehicle hard standing, 13 Third Avenue	ODC Recommendation - Refusal Initial Planning Decision - Approval Review Decision to Report – Approval. ODC to appeal
04/02242	Instillation of galvanised steel railings with mesh on flat roof of garage (retrospective) to front of 34 Derwent Drive	ODC Recommendation - Refusal Initial Planning Decision - Approval Review of Decision sought

2. Isle of Man Local Authority Elections 2004

The Deputy Clerk had circulated with the agenda the correspondence received on 26th March 2004 from 3 Legs Limited which was providing an information web site for the Isle of Man Local Authority Elections in 2004. The letter requested the provision of certain information. The Deputy Clerk confirmed that he had provided 3 Legs Limited with a copy of the Notice of Results. Mr. Quirk queried why the letter had not been circulated previously. The Deputy Clerk confirmed that the letter had only been received on 26th March 2004, but that he had taken the view that as the letter was provided to the Clerk to the Authority and referred to the official elements of the Election, there had been no need to circulate the document sooner.

3. HMIC Baseline Assessment of Isle of Man Constabulary

The Deputy Clerk had circulated with the Agenda a copy of a letter received dated 24th March 2004 which confirmed that a baseline assessment of the Isle of Man Constabulary was underway, and invited the Onchan District Commissioners to submit views. On the suggestion of Mr. Watterson, it was **RESOLVED** that views should be submitted and the Chairman instructed the Deputy Clerk to write in similar terms to those submissions which had been made previously.

4. Richmond Hill Consultative Committee

The Minutes of the meeting of the Richmond Hill Consultative Committee held on 4th December 2003 had been circulated for information and noted. It was further noted that the process of hot commissioning of the Energy From Waste Plant had commenced.

5. Local Government Structure

The Deputy Clerk had circulated that evening to Members a copy of a letter received that day from the Local Government Unit Manager at the Department of Local Government and the Environment with regard to the recent discussions in Tynwald following the Motion submitted by

IN PUBLIC

Mr. P. Gawne, MHK, regarding supervision of local authorities. The letter primarily dealt with the wording of the Motion and the amendments which were made at the Tynwald Court to that Motion before the amended Motion was approved. The motion stated:-

“That Tynwald requests the Department of Local Government and the Environment to report with recommendations to the October 2004 sitting of Tynwald on:-

- a) The effectiveness and efficiency of the present local government structure and whether, in the public interest, local government should be re-structured to ensure it provides a more meaningful and cost effective service to local communities; and*
- b) reports on the supervisory powers of the Department in respect of any powers vested in the department to supervise and oversee local authorities and, if inadequate, suggest any changes that would give adequate powers.”*

The final paragraph of the letter stated that as a consequence of the amendment, the Department would, in the future, be requesting information, reports and returns from local authorities under section 4(3) of the Local Government Act 1985 in order that the Department may submit a report to Tynwald as instructed. The Deputy Clerk confirmed that Officers would endeavour to provide all necessary information to the Department as required.

Comment was made that the ratepayers of the Onchan District appeared to be satisfied with the performance of the Onchan District Commissioners.

It was also note that the Commissioners had suggested that meetings should be arranged with neighbouring authorities to discuss their thoughts on the structure of local authorities.

6. House Purchase Assistance Scheme

The Deputy Clerk confirmed that he had received representation from two Members of Tynwald who had been approached following the receipt of correspondence from the Minister for Local Government and the Environment regarding the House Purchase Assistance Scheme and in particular first time buyers housing within the District. An approach had been made personally to the Deputy Clerk by Mr. A.J. Earnshaw, MHK, and in writing from Mr. P. Karran, MHK, both referring to copies of letters which had been received by constituents from the Minister. Mr. Karran had forwarded a copy of the letter which the constituent had received, and the letter was read in full without reference to the recipient. It stated that the Department was presently building, or about to start building, 160 units for sale to people on the first time buyers register. The Department had been disappointed that two major schemes had been delayed by about a year because the Water Authority felt that they could not provide a water supply to those properties. The letter enclosed a copy of a Newsletter which was sent to all registered first time buyers in the previous year. In the letter, the Minister confirmed that the administration was committed to the provision of first time buyer homes and had an excellent financial package to help towards home ownership. It went on to say that when the recipient registered, the recipient was asked of an area of the Island as a first preference and stated that if the recipient had put Onchan as the first preference, the recipient may well have been told, as a local authority in that area had not supported the need for fist time buyer units, that the recipient would have a long wait. The Minister confirmed, however, that plans for other areas were progressing.

The Chairman confirmed that the comments expressed by the Minister were incorrect. The Onchan District Commissioners had opposed the development of units at the Ballachrink Farm estate but had always supported the provision of first time buyer housing units. Indeed, it was argued that there were at least 3 parcels of land which had been identified within the District

IN PUBLIC

suitable for development which had been suggested to the Department. The Commissioners continued to support the provision of first time buyer units within the Onchan District.

7. Proposed Removal And Disposal Of Vehicle Regulations 2004

The Deputy Clerk had circulated with the agenda copies of a consultative document which had been received with regard to proposed Removal And Disposal Of Vehicle Regulations 2004. It was confirmed that the Onchan District Commissioners were supportive of the regulations and that the Department should be advised accordingly.

C04/04/01/17

CLERKS REPORT

None

C04/04/01/18

DISTRICT SURVEYORS REPORT

None

C04/04/01/19

MOTIONS

None

There being no further business the meeting terminated at 8.45 p.m.

IN PUBLIC

Minutes of the **ANNUAL MEETING** of the Onchan District Commissioners held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Tuesday, 4th May 2004 at 7.00 pm.

Present: Mr G.K. Astill
Mr S.T. Black
Mr D. Crellin
Mr M.J. Kennaugh
Mr E.D.R Killey
Mrs W.E. Megson
Mr A.W.T. Norton
Mr D.J. Quirk
Mr B. Stowell
Mr J.K. Watterson

In Attendance: Mr J.E.S. Smith (Chief Executive/Clerk)
Mr M.J. Williams (Deputy Clerk)
Mr E.K. Convery (District Surveyor)
Mr A.S. Booth (Chief Financial Officer)

Mr. Killey took the chair for the commencement of the meeting.

C04/05/01/01**DECLARATION OF ACCEPTANCE OF OFFICE**

The Members elected to the Board at the recent uncontested general election, were invited to sign their Declaration of Acceptance of Office.

C04/05/01/02**APPOINTMENT OF CHAIRMAN 2004/05**

Mr Killey sought nominations for the election of Chairman of the Onchan District Commissioners for the year 2004/2005.

On the proposal of Mr. Astill, seconded by Mr. Quirk it was unanimously **RESOLVED** that Mr M.J. Kennaugh be elected Chairman of the Onchan District Commissioners for the forthcoming year commencing on 1st May 2004.

Mr. Killey thanked all of those people who had assisted both he and his wife during his year as Chairman of the Board. He stated that it had been a very enjoyable year. He particularly thanked the senior staff of the Authority, the Chairman of Committees of the Authority and indeed all Members of those Committees for their work over the year. He referred to a number of events that had taken place including the opening of Heywood Court, the debate over the equalization of the Rural Ward rate with the Urban Ward rate and the ongoing issues relating to the provision of a skateboard park facility.

Mr. Killey went on to thank the retiring Commissioners, Ms. E.J.C. Kelly and Mr. H.L.G. Parkin for all of their work during their term of office. He extended the same gratitude to Mr. J.M. Bulley, retiring Rural Committee member.

Finally, Mr. Killey welcomed Mrs. W.E. Megson and Mr. B. Stowell to their first meeting of the Authority, and to Mr. A./ Skillicorn as the newly elected Member of the Rural Committee.

The Chain of Office of the Chairman was presented to Mr Kennaugh by Mr Killey.

The Chain of the Chairman's Lady was presented to Mrs Kennaugh by Mrs Killey.

IN PUBLIC

Mr. Kennaugh thanked Members for his election to the position of Chairman, a role which he would be very proud to fulfill. He indicated that he looked forward to his year in office and undertook to represent the Board to the best of his ability.

Mr. Kennaugh recognized that it was going to be a busy year, one in which the Department of Local Government and the Environment was again looking at Local Government Reform. He stated, however, that he had no fears in that direction as the Onchan Commissioners had always been a strong forward looking Authority, carrying out all of the functions of a local authority and jealously guarding those functions against centralization.

He went on to refer to the expansion of the refuse collection area explaining that the Onchan Authority was now collecting in Marown in addition to Braddan and its own District. Mr. Kennaugh added that the year would also see the extension of the Commissioners office and car park, together with the replacement of the old garage in School Road.

Finally, Mr. Kennaugh publicly thanked Mr. Killey for all of the work that he had undertaken as Chairman of the Commissioners, recognizing also the role that Mrs. Killey had played as Chairman's Lady.

C04/05/01/03

APPOINTMENT OF VICE-CHAIRMAN 2004/05

The Chairman invited nominations for the position of Vice-Chairman to the Board. On the proposal of Mr Black, seconded by Mr Norton, it was unanimously **RESOLVED** that Mr G.K. Astill be elected as Vice-Chairman of the Onchan District Commissioners for the year commencing on 1st May 2004.

C04/05/01/04

ELECTION OF CHAIRMEN AND MEMBERS OF COMMITTEES

On the proposal of Mr Quirk, seconded by Mr Astill, it was unanimously **RESOLVED** that the Chairmen and membership of the various Committees of the Authority be established in accordance with the recommendations of the Selection Committee. *A copy of the adopted membership of the Committees is attached at Appendix One to the Minutes.*

There being no further business the meeting closed at 7.15 p.m.

IN PUBLIC

Minutes of a meeting of the **HOUSING COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Tuesday, 13th April, 2004, commencing at 7.00 p.m.

Present:	Mr M.J. Kennaugh	(Chairman)
	Mr D. Crellin	
	Mr E D R Killey, J.P.	
Apologies:	Mr S.T. Black	
	Mrs E. J. C Kelly	
In attendance:	Mr M.J. Williams	(Deputy Clerk)
	Mr A.B. Sutherland	(Housing Maintenance Manager)
	Mrs S. Dougherty	(Administrative Assistant/Housing Officer)

H04/04/01/01
MINUTES

The minutes of the meeting of the Committee held on Monday, 8th March 2004, copies of which having previously been circulated, were considered, agreed as a correct record of proceedings and signed by the Chairman.

H04/04/01/02
MATTERS ARISING FROM THE MINUTES

The following matters were arising from the minutes, items which had not been referred to elsewhere on the agenda:-

1. Deputy Clerk's Report

The Deputy Clerk had prepared a report dated 8th April 2004, which was circulated with the Agenda. Arising therefrom:-

a) H04/04/01/10 (a) Proposed bus shelter – Ballachrink Drive

In his report, the Deputy Clerk advised the Committee of the latest situation in this regard, confirming that the Works and Cleansing Committee had asked the District Surveyor to access an appropriate position in Ballachrink Drive for the siting of a bus shelter.

b) H04/04/01/09 (1) – House Purchase Policy

In his report, the Deputy Clerk confirmed that a letter had been issued to the Department of Local Government and the Environment dated 30th March 2004, enquiring as to the current policy of the Department with regard to the purchase of existing properties for Public Sector housing units. A response was awaited.

2. Rent Arrears/Eviction Policy

The Deputy Clerk had circulated with the Agenda a copy of a letter received for the Director of Estates and Housing at the Department of Local Government and the Environment, advising of the latest position following the Tynwald suggestion of the establishment of a Housing Eviction Consultative Body. The proposal had not proceeded but a standard method for addressing arrears of rent and repossession had been adopted.

IN PUBLIC

Mr. Killey commented that whilst he noted the report and the outcome of the deliberations, rent arrears should not be condoned.

3. Proposed meeting with Mrs. A. Craine, M.H.K.

The Deputy Clerk had circulated with the Agenda a copy of a draft Agenda in respect of the proposed meeting with Mrs A. Craine, M.H.K., Member of the Department of Local Government and the Environment with specific responsibility for housing matters. The content of the Agenda was approved.

H04/04/01/03

BUSINESS ARISING FROM PREVIOUS MEETINGS

1. Common Tenancy Agreement

The Deputy Clerk had re circulated, at the request of Mr. Crellin, copies of an initial draft of a common tenancy agreement and explanatory leaflet for tenants, which had been drafted by the Department of Local Government and the Environment. He had also sought email clarification of the latest position with regard to the common tenancy agreement proposals and the Director of Estates and Housing had responded confirming that the idea was to introduce the new agreement with a tenants handbook explaining the policy backing up the agreement. It was noted that one Authority had already issued the draft common tenancy agreement to its' tenants, and the Director of Estates and Housing suggested that this could be utilized to inform the procedure which would be adopted in future. He went on to confirm that as far as the tenancy agreement was concerned, the latest draft would form the final version. He would, however, need to issue it formally to all Authorities so that all Authorities utilised that version and would be doing so in the near future, under a covering letter.

The Deputy Clerk had responded, drawing attention, once again, to the fact that the draft Tenancy Agreement would change the point at which rent would become due and payable within the Onchan District from the end of a rent week to the commencement of that week.

Mr Crellin enquired whether the Deputy Clerk envisaged any problems with the issue of a new Tenancy Agreement. The Deputy Clerk confirmed that he did envisage some practical issues arising, but as the issue of the Tenancy Agreement was a requirement of the Department of Local Government and the Environment, the project would have to proceed. Any difficulties would have to be addressed as and when they arose. He commented further that the issue of new Tenancy Agreements would be a very time consuming exercise for the Department.

H04/04/01/04

HOUSING AND OTHER ESTATES BUSINESS

1. Maintenance Report

The Deputy Clerk had circulated with the agenda a copy of a report compiled by the Housing Maintenance Manager dated 7th April 2004. *Noted.*

*IN PUBLIC***2. Deputy Clerk's Report**

The Deputy Clerk had circulated with the agenda a copy of a report which he had compiled dated 8th April 2004.

The following items were confirmed within that report:-

(a) Occupancy Survey

In his report, the Deputy Clerk confirmed that as indicated at the previous meeting, a more detailed study of the occupancy of Onchan District Commissioners' housing stock was underway. Regrettably, the study had not yet been completed, although it had been progressed. The Deputy Clerk hoped to report further on this matter to the next meeting of the Committee.

(b) Abandoned Vehicle – Rear Barrule Drive

In his report, the Deputy Clerk confirmed that Commissioner Quirk had advised of a vehicle, apparently abandoned, in the area to the rear of Barrule Drive. The matter was being actioned.

(c) Garden Maintenance – Byelaw Enforcement

In his report, the Deputy Clerk confirmed that as agreed by the Housing Committee and the Board for 2003, he had written to the Byelaw Enforcement Officer for the current year to enquire whether he would be prepared to report any difficulties with gardens on the Commissioners' Housing Estates and, if necessary, to issue an additional notification of the requirement to maintain such gardens. A response was awaited.

3. 72 Ballachrink Drive – Tree

It was confirmed that the tree to the front of 70 Ballachrink Drive had been removed and replaced with a more appropriate variety of tree, that being a Japanese Cherry. *Noted.*

H04/04/01/05**SPRINGFIELD COURT MATTERS****1. Maintenance Report**

Nothing to report.

2. Deputy Clerk's Report

The Deputy Clerk had circulated with the agenda a copy of the report which he had compiled dated 8th April 2004. Arising therefrom:-

(a) Feeding of Birds

The Deputy Clerk had confirmed reports of the feeding of seagulls by certain tenants at Springfield Court. The Deputy Clerk had enquired of the Wardens as to whether there had been any complaints made to them in relation to the feeding of the seagulls.

IN PUBLIC

The Committee were concerned over the health implications of the feeding of seagulls and noted that this action was against the Commissioners' policies. It was **RESOLVED:-**

That a memorandum be issued to residents at Springfield Court pointing out that the feeding of gulls and other larger birds at Springfield Court was prohibited.

3. Lifts – Risk Assessments

The Housing Maintenance Manager confirmed that many of the items referred to in the risk assessment document provided to the Commissioners by their maintenance contractor, Otis, had already been addressed. Not all had been actioned, and these matters were under further investigation. *Noted.*

H04/04/01/06

HEYWOOD COURT MATTERS

1. Maintenance Report

The Deputy Clerk had circulated with the agenda a copy of the maintenance report compiled by the Housing Maintenance Manager dated 7th April 2004. *Noted.*

2. Deputy Clerk's Report

The Deputy Clerk had circulated with the agenda a copy of the report which he had compiled dated 8th April 2004. Arising therefrom:-

(a) Monument/Entrance Stone

In his report, the Deputy Clerk confirmed that as agreed by the Committee, the question of a monument or entrance stone proposed to be erected by the Isle of Man Joint Ex-Service Association had been referred back to that organisation for more detail. Members would be kept informed of progress.

H04/04/01/07

GARAGE MATTERS

None.

H04/04/01/08

PLANNED HOUSING MAINTENANCE

The following matters were confirmed in relation to planned housing maintenance:-

1. Planned Housing Maintenance Survey Update

Report awaited.

*IN PUBLIC***2. Upgrade of Electrical Wiring Ashley Park (60 units)**

In his report, the Housing Maintenance Manager confirmed that the contractor had now completed the project. He had also confirmed that E&S Consultants were preparing a completion certificate, OM manuals, drawings and test certificate. *Noted.*

3. Upgrade of Electrical Wiring – Nursery Avenue, The Park and School Road (Schemes 1-5 – 90 units)

In his report, the Housing Maintenance Manager confirmed that a periodic inspection report in respect of scheme 1, Nursery Avenue, had now been completed and the results were being analysed. *Noted.*

4. Upgrade of Electrical Wiring – Barrule Drive (Schemes 6 and 7 – 42 units)

Nothing to report.

5. Replacement of fascias, etc – Ashley Park (Scheme 13 - 60 units)

In his report, the Housing Maintenance Manager confirmed that contractors were due to start works on the scheme in week commencing 19th April 2004. *Noted.*

6. Replacement of Fascias etc – Hackett/Meadow Close/Nursery Avenue (Schemes 11, 11a and 12 – 36 units)

In his report, the Housing Maintenance Manager confirmed that the contractor was due to start works on this contract in week commencing 3rd May 2004. *Noted.*

7. Roof Refurbishments – Park Bungalows (Scheme 3 - 10 units)

In his report, the Housing Maintenance Manager confirmed that the project was approximately 80% complete. *Noted.*

9. Proposed Render Works – School Road (30 units)

The Deputy Clerk confirmed that the Department of Local Government and the Environment had suggested that specialist advice be obtained on the possibilities with regard to render refurbishment to the School Road properties, and that the Quantity Surveyor responsible within the Department had approved the appointment of Richard Green Associates for this purpose. The Company had specific experience of a type of render which had been utilised elsewhere and the fee proposal from the consultant had been submitted to the Department of Local Government and the Environment for approval.

10. Paths/Walls – Park Houses (Scheme 4 - 12 units)

A petition to the Department of Local Government and the Environment, seeking the grant of borrowing powers in respect of the project to replace garden walls at the Park Houses had still to be submitted.

*IN PUBLIC***H04/04/01/08****HEALTH AND SAFETY BUSINESS**

None.

H04/04/01/09**OFFICERS REPORT****1. Housing Allocations**

The Administrative Assistant provided detail of progress in relation to the allocation of properties as determined by the Board. There were presently eight properties unoccupied, for which tenants had been selected in respect of four. Keys had not yet been received in respect of the remaining properties but were expected shortly.

H04/04/01/10**ANY OTHER CORRESPONDENCE/COMMUNICATIONS****1. Public Sector Housing**

The Deputy Clerk had circulated with the agenda a copy of a letter received from Mr P. Karran, MHK, dated 22nd March 2004, which referred initially to the circumstances of a particular housing applicant. However, in the penultimate paragraph, Mr Karran sought the opportunity, if it was possible, to come in and speak to the new Housing Committee to discuss ways of increasing the number of properties within the housing stock, in order to reduce the waiting time, even allowing for the higher criteria that the Department of Local Government and the Environment had brought in.

Members of the existing Housing Committee were not opposed to the principle of meeting with Mr Karran to discuss his views, but it was agreed that the matter should be held over for further consideration by the new Housing Committee at its first meeting.

2. Quarterly Housing Return

The Deputy Clerk confirmed that the quarterly housing return on statistics relating to the housing waiting list and empty property issues, required by the Department of Local Government and the Environment, was in preparation. This was ahead of the formal request of the Department for the submission of the data. The results would be circulated to the Committee in due course.

3. Housing Applications – Doctor’s Letters

The Deputy Clerk advised of a further instance where the Onchan District Commissioners had received a letter of support for a housing applicant, in relation to medical circumstances, but such report had been accompanied by an invoice to the Authority for the preparation of that report. The Deputy Clerk confirmed that the report and invoice had been returned to the Doctor by the Administrative Assistant pointing out that the Commissioners had no funding for such matters, and that the provision of any medical information for consideration in relation to housing applications was a matter for the applicant. *Noted.*

*IN PUBLIC***H04/04/01/11**
FINANCIAL REPORTS

The Chief Finance Officer had prepared statements of the income and expenditure relating to rate-borne housing issues, the expenditure of both the housing maintenance allowance and of the sheltered housing maintenance allowance for the period to 31st March 2004. The reports, which had been circulated that evening, were noted.

H04/04/01/12
MATTERS REFERRED BY THE BOARD/OTHER COMMITTEES

None.

H04/04/01/13
ANY OTHER BUSINESS**1. Date of Next Meeting**

It was noted that the next meeting of the Housing Committee would take place on Monday 17th May 2004, commencing at 7.00 p.m.

2. Commissioners' Surgery

It was noted that the next Commissioners' Surgery was to take place on Thursday, 13th May 2004, commencing at 6.30 p.m. It was further noted, however, that attendees to the Commissioners' Surgery could not be confirmed until the membership of the Housing Committee had been established for the next municipal year. Notification to the Commissioners required to attend, therefore, would be issued as soon as possible after the annual meeting of the Authority.

3. Gas Conversion Project

Mr Crellin made reference to the gas conversion project which had taken place within the district, advising that he understood that there had been a significant number of complaints made to the Commissioners' Office in this regard. Mr Crellin expressed surprise that he had not been made aware of the number of such complaints.

The Housing Maintenance Manager confirmed that the Commissioners had received a number of complaints, in the initial stages of the conversion project, from the Commissioners' own housing stock, but that such complaints had been dealt with quickly. Some complaints had been dealt with by the contractor who had carried out the works, but some had also been carried out by the Commissioners' own contractor as part of the maintenance arrangements. Furthermore, the Commissioners programme for the servicing of the central heating boilers for which the Commissioners were responsible had largely taken place after the conversion project.

The Housing Maintenance Manager confirmed, however, that any complaints relating to appliances which were not the responsibility of the Commissioners such as gas fires, gas cookers and so forth had been referred to the Office of Fair Trading, in accord with the instruction of the Board.

In summary, therefore, the Housing Maintenance Manager confirmed that there had been a number of complaints, but that these had been expected by the Officers. Mr Crellin expressed disappointment that he had not been aware of the number of complaints received.

4. Vote of Thanks

IN PUBLIC

The Chairman expressed his gratitude to the Members and Officers of the Housing Committee for their work during the year, and the Members and Officers reciprocated.

There being no further business, the meeting closed at 9.40 p.m.

IN PUBLIC

Minutes of a meeting of the **WORKS & CLEANSING COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Monday 19th April 2004 at 7.00pm.

Present: Mr J.K. Watterson (in the chair), Messrs D. Crellin, E.D.R. Killey JP, A.T.W. Norton (from 7.02pm) and D.J. Quirk

In attendance: E.K. Convery (Surveyor) and Peter Kelly (Administration)

WC/04/4/1
MINUTES

Minutes of the meeting held on 15th March 2004, copies of which having previously been circulated, were taken as read, confirmed and signed.

WC/04/4/2
MATTERS ARISING

There were no matters arising in public.

WC/04/4/3
MATTERS ARISING FROM PREVIOUS MEETINGS**Onchan Secondary School**

The Surveyor reported receipt of a letter from Dalrymple Associates regarding the layout of the school and its grounds. Detailed attention was being given at the moment to the layout of the sports fields and it transpired that there was insufficient room to provide the tennis courts and adjoining football pitch without creating a considerable change in level between the Heywood Court complex and the sports field. This would therefore necessitate an expensive retaining wall whereas an alternative was to cut back an embankment at 45 degrees but this in turn would encroach upon land owned by the commissioners and used as an amenity area adjoining the elderly persons complex. Long consideration was given to the alternatives and a detailed explanation by the Surveyor as to how these could be achieved. The Chairman commented that the commissioners should not lose sight of the fact that if the amenity at Heywood Court was reduced would this be more than compensated by the benefit of the amenity provided by the sports facilities. Finally it was agreed that the Surveyor should contact Dalrymple Associates to jointly investigate the alternatives then report back to the commissioners.

WC/04/4/4
WASTE MANAGEMENT AND OTHER CLEANSING BUSINESS**a) Officer's Report**

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

i) Bin Weighing

The Surveyor advised that further adjustments to the onboard weighing equipment and also to the software for the computer had resulted in a great improvement in the figures being obtained. Recently a 180 lift only failed on 10 counts. This was partially attributed to the type of bin in question which were now being changed. Noted.

*IN PUBLIC*ii) Staffing

The Surveyor confirmed that there were now 10 members of staff and 2 had been training as relief operators on the pavement sweeper. Mr Crellin enquired as to the reliability of the machine which the Surveyor confirmed was now back on the road. He further commented, however, that this was a first generation machine of its type and was obviously primarily suitable for shopping precincts and other paved areas as opposed to coping with footpaths that had been tarmacadamed using Poortown Quarry chippings. Contact had been made with DoT regarding the potential of a replacement vehicle.

iii) Energy from Waste Plant

Mr Quirk commented that he didn't think the commissioners had been charged for the loads taken to the plant to date. The Surveyor responded that it was too early to receive an account but he could confirm the printer from the weighbridge at the incinerator was not working and that instead the figures were being e-mailed through to the office. Noted.

b) Waste Collections Service - Marown

In answer to question, the Surveyor reported that after minor teething problems everything seemed in order now with the collection that was undertaken on behalf of Marown Parish Commissioners. Noted.

c) Civic Amenity Site

The Surveyor advised that he didn't think there was anything further to report regarding the proposed Middle River site as nothing had happened since the meeting of the Board.

The Chairman made reference to the fact that there was now a facility for the collection of cardboard at the Snugborough site. Mr Quirk enquired whether this information had been circulated to the traders in the area to which the Surveyor advised that he did not know. Mr Quirk then added that sufficient leaflets had been given to the commissioners that they could be distributed. The Chairman advised the other members present that there was a skip at the Civic Amenity Site for the recycling of cardboard for businesses and the public in general. It was there on a three month trial and in fact there were now two skips in position as it was proving popular.

d) Waste Collections Services Advisory Group

Mr Quirk commented, as a member of that group, that there were two sets of minutes which had been issued but had not been circulated to the Board of Commissioners. The Surveyor advised that they had not passed his way. The Surveyor read letter as received from the Director of Corporate Services, DOLGE, in response to the Deputy Clerk's letter of 5th April reiterating the commissioners opposition to the regionalisation of waste collection services by way of setting up joint boards. The commissioners' views had been passed to the Minister for consideration when the paper is received from the Advisory Group.

WC/04/4/5STREET LIGHTING/STREET FURNITUREa) Officer's Report

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

*IN PUBLIC***i) Port Jack Railings**

The Surveyor advised that he had hoped to have had tenders in for the painting. One price had been received but it was of such a magnitude that it was now necessary to obtain competitive tenders.

ii) Kaighens Lane

Mr Crellin commented that there were now four lamps erected at the top of Kaighens Lane. Noted.

iii) Elm Drive

The Chairman enquired whether the light in Elm Drive had now been replaced. The Surveyor informed the meeting that the MEA were still awaited in order to carry out this job as it involved jointing.

iv) Solar Photocells

Mr Quirk suggested that the committee should sanction the fitting of photocells at approximately £14 each and when maintenance was carried out. The Surveyor pointed out that an indication from the MEA in respect of additional running costs was still awaited.

v) Ballchurry Avenue

Mr Killey reported that he had been approached by two people suggesting the lighting level in Ballchurry Avenue required improvement. The Surveyor responded all the lights in this area had post top adapters fitted a few years ago and to the best of his knowledge there was no problem with the lighting. The area could, however, be visited during the night time inspection when it takes place.

vi) Road Signs

Mr Killey made reference to missing road signs at Wybourn Drive, Mountview Road and others. Mr Quirk added Church Avenue and Eskdale Road. The Surveyor agreed that there appeared to be several signs which had been taken down, fallen down or stolen. He agreed to carry out an investigation and to rectify the situation as soon as possible.

WC/04/4/6
DRAINAGE FUNCTION

a) Officer's Report

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

i) Groudle and Kerrocoar Pumping Stations

Members noted the defect that had been found in the Kerrocoar Pumping Station and the Surveyor confirmed that this was the responsibility of the contractor as the station had not been adopted as yet. The defect in the station which resulted in a tanker being used to pump out the holding tank had been discovered as a result of an inspection being carried out to see if the installation was suitable for adoption.

*IN PUBLIC*ii) Manhole Cover Refurbishment

In his report the Building Control Officer had indicated the short duration of time during which the Main Road was closed for the works in the three phases set out. The Chairman commented that everybody seemed pleased with the quality of the work and the shortness of time in which the work was undertaken. The Surveyor added that the final day and a half in respect of phase three was not for the manhole replacement but in fact the connection of the new flats at Walton's Yard, Main Road into the system.

Mr Killey commented that he too agreed the job had been carried out quickly and well but the public relations exercise was poor. Mr Crellin said he thought the signs were misleading by saying that Main Road was to be closed between two set dates when in fact it was to be undertaken in phases which meant at least two sections of Main Road were open at any onetime. The Chairman commented that on the whole all went well and he wished to extend the thanks of the committee to the contractors, the consultants and those members of commissioners staff who were involved in the project.

WC/04/4/7**PLANNING MATTERS**a) **Planning Communications**

The Surveyor reported on three applications where the recommendation of the Commissioners and the decision of the Planning Committee differed viz:

PA 04/162 Conversion of part of dwelling to include use for child minding, 44 Whitebridge Road.

The commissioners had recommended refusal but the Planning Committee had approved the application. The Surveyor reported that additional information supplied by the applicant indicated that it was not intended to be a play school but purely for use as a child minding facility and therefore the number of vehicles likely to be entering and leaving the premises was not great. Noted.

PA 04/325 Proposed dormer 34 Eskdale Road

The commissioners had recommended approval but this was subject to any views held by the neighbours and the Planning Committee had refused the application. The Surveyor reported that the neighbours had in fact objected. Agreed that no further action be taken in respect of the ongoing planning application.

PA 04/255 Additional use of existing coffee shop to provide pizza take-away service and additional use of existing coffee shop to provide pizza delivery service, Unit 17, The Village Walk

The commissioners had recommended approval whereas the Planning Committee had approved the delivery service but refused the take-away service on the grounds of the objection raised by the Architectural Liaison Officer of the police. Considerable detail of this was given by the Surveyor which related to dark car parks etc. The commissioners were concerned over the reasons for refusal.

PA 04/327 Skateboard Area, Recreational Ground, School Road.

The Surveyor then referred to **PA 04/327 Skateboard Area, Recreational Ground, School Road.** This application was made by the commissioners and had been approved by the Planning Committee subject to certain conditions which included the fact that permission was not granted for any particular piece of equipment which should be the subject of a separate submission to establish whether planning approval was required. Mr Quirk enquired as to a letter of objection sent in by the young member of the band. The Surveyor reported that it may well have been received but would have been placed with the other copy letters of objection. Mr Quirk then advised that he was aware that letters would be received shortly by the commissioners requesting a meeting with some of the objectors. Noted.

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The Surveyor then gave details of other applications where the decision of the Planning Committee and the recommendation of the commissioners was inline.

- b) **PA 03/1873 Residential Development comprising roads, plots, sewers, Temporary Water Treatment Plant, public open space, landscaping and 135 dwellings with access off, Birch Hill Cresecent for Heritage Homes Limited.**

The Surveyor had previously circulated a copy of the refusal notice in respect of this application. The decision was noted.

- c) **Meetings**

Minutes of the sub committee meetings to consider planning applications held on 10th and 31st March 2004 together with 15th April, copies of which having previously been circulated, were taken as read, confirmed and signed.

WC/04/4/8
CAPITAL AND REVENUE SCHEMES

Officer's Report

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

Hawthorn Villa Project

The Surveyor confirmed that the tender documents had not been issued by the architects on 26th March and it was now understood that these would be circulated by the end of April. Noted.

*IN PUBLIC***WC/04/4/9****HIGHWAY AND TRAFFIC MATTERS****a) Central Traffic Management Liaison Group**

Copies of the minutes of a meeting held on 10th March 2004 had been circulated with the agenda. The Surveyor read his letter as sent to the Director of Highways following the recent meeting of the Board of Commissioners with regard to the disabled space/build out at the top of Kelvin Road. This should be placed on the agenda for the next meeting of the Liaison Group which is due to be held on 12th May 2004. Noted.

b) Onchan School Safety Report

Copies a report prepared by the Road Safety Officer in respect of Onchan Primary School had been circulated prior to the meeting. Members noted with interest that on a priority scale of 1-4 the school was rated low and that the minor points raised were being put in hand.

c) Sunningdale Drive

Mr Norton commented on the number of cars that were parking at the junction of Sunningdale Drive and Falkland Drive well within the white line area of the halt sign. This included driving school vehicles and commercial delivery vans. The Surveyor to raise the matter with the appropriate authorities.

d) Groudle Road

Mr Quirk asked that the question of Groudle Road ponding be placed on the agenda for the next meeting of the Eastern Sector Liaison Group.

WC/04/4/10**FURTHER REPORTS**

There were no further reports from the Clerk or Surveyor.

WC/04/4/11**CORRESPONDENCE/OTHER COMMUNICATIONS****Bemahague Avenue**

Letter reported as received from a resident of Bemahague Avenue enquiring as to what was happening with the garages in the loophole at the top of the avenue. The enquirer pointed out that the garages were in poor condition and he was not aware as to anyone living in that area who owned any of them. Reply reported as sent by the Surveyor advising that the garages were privately owned by McArd Contractors Limited and were let out to various people.

The Surveyor then reminded members that he had reported a brief off the cuff discussion with Mr Keith McArd immediately following the recent planning appeal and suggested that if the committee agreed he could have a further discussion with him regarding the future of the garages. The committee concurred with the suggestion.

WC/04/4/12**OUTSTANDING MATTERS**

IN PUBLIC

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

WC/04/01/17(b) Cut back overhanging trees and sweep path Royal Avenue to St Peter's Churchyard – Delete as work now complete.

WC/04/4/13

MATTERS REFERRED BY BOARD/OTHER COMMITTEES

Nil.

WC/04/4/14

ANY OTHER BUSINESS**a) Time and Date of Next Meeting**

Monday 24th May 2004 at 7pm.

b) Refuse Vehicle

Mr Quirk commented that some of the previous refuse vehicles had a panel attached to the side where advertisements for Onchan Park, Torchlight Procession etc could be attached. He noted that one of the new refuse vehicles had a similar panel and the Surveyor agreed to revue the situation.

c) CCTV

Mr Crellin informed members that he was recently in Colebourns and was made aware of their CCTV system. He suggested that perhaps this could be looked at. The Surveyor reported that he had previously been to view the system with the Amenities Officer but pointed out that it was not particularly good at night. Arrangements were being made however to visit Castletown Commissioners and inspect the system which was operated by them.

d) Last Meeting

The Chairman commented that this was the last meeting for the municipal year of the committee and therefore he extended his thanks to the members for their attendance and indulgence. He further commented that he felt most items had been successfully concluded and he wished to extend his thanks also to the officers.

Meeting terminated at 9.20pm.

IN PUBLIC

Minutes of a meeting of the **LEISURE AND AMENITIES COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Monday 26th April 2004 at 7.15pm.

Present: Mr G.K. Astill (in the chair), Messrs E.D.R. Killey JP, A.T.W. Norton, D.J. Quirk and Mrs E.J.C. Kelly

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

LA/04/4/1
MINUTES

Minutes of the meeting held on 22nd March 2004, copies of which having previously been circulated, was taken as read, confirmed and signed.

LA/04/4/2
MATTERS ARISING

There were no matters arising.

LA/04/4/3
PLAYGROUNDS/PARKS

a) **Playground Log Books**

The Amenities Officer stated that these were ready for signing by the Chairman. There were some items required at the Lakeside Gardens Playground in relation to a fencing rail and a half log on the roof of the amenity shelter. Mr Quirk enquired whether when the inspection was carried out that day there was any broken glass under the equipment in any of the playgrounds. The Amenities Officer responded that there may have been but he hadn't looked in particular. Mr Quirk added that this should be a paramount part of the inspection.

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) **Declaration**

The Amenities Officer reported that all members of parks staff had signed the declaration in respect of the electricity supply at Pennington Hall.

ii) **Park Foreman's Report**

Copies of the report prepared by the recently appointed Parks Foreman had been circulated prior to the meeting and were noted.

c) **Relief Boatman**

The Amenities Officer reported that only four applications had been received in connection with this position. One of the applicants was currently at university and therefore would not be available until later in the season. Of the other three one had been interviewed and found

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unsuitable, second applicant had previously worked for the commissioners but was not regarded as suitable and the third applicant who had taken early retirement and was looking for a summer job was possibly on holiday at the moment as contact was not possible. Thought was given now to re-advertising the job but offering job share in the hopes that those who are prepared to give up their evenings but not their weekends would be prepared with someone to do the reverse.

d) **Pennington Hall**

The Chairman advised that he had spoken with the Surveyor who was looking into alternative sites for a boathouse. He had suggested that possibly at the far end of the stadium near to the stock car carriage. Members queried the merit in this when their own suggestion was to place it on the crazy kart site close to the boating lake so that the boatman mechanic could have a small workshop in this area to carry out emergency repairs during the season. This would also result in a smaller building being necessary at Pennington Hall. Mrs Kelly commented that when she joined the Board two years previous she voted in favour of re-roofing the present building which would have been a much better option in the sense that the work would have been carried out by now. Mr Quirk advised that he had previously suggested that a local firm of steel fabricators be contacted to work on the design and build principle. He was reminded that this was a suggestion and not a formal decision of the committee. He therefore proposed, Mr Norton seconded and it was

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“to approach Wilson and Collins Limited to enquire as to what type of buildings they could provide and at what cost on a design and build contract”.

Mr Killey added that he felt it fair to say that all members of the committee were disappointed about the complete lack of progress in this matter.

e) **Annual Tour of the Park**

Members viewed the list and the Amenities Officer advised in respect of an update viz:-

Erect no smoking sign by oil drums – ***ready to be collected***

Fit new safety tile where springers removed by train feature – ***area tarmacadamed over to make safe for the time being***

Flush pipe bracket required in ladies toilet – ***done***

Repair seating lathes where required in concrete grandstand – ***done***

Fill holes and bad sections on concrete terrace – ***starting next day***

Weed the terraces as required – ***done***

Ivy coming through window of gent’s toilet at terraces block – ***done***

Sign required advising as to use of Radar key on disabled person’s toilet at terraces – ***on order***

Members then commented on the list. Mr Killey expressed concern that the no smoking sign identified as being necessary in September was not yet available as he felt something of that nature could be purchased immediately over the counter in Woolworths. Mr Quirk pointed out that the light was on at night in the disabled person’s toilet to which the Amenities Officer responded that someone must have altered the time clock. Mr Quirk then referred to the newly refurbished gent’s toilets stating that there was verdigris on the pipes. He further added that consideration should be given to electric hand dryers in this location as wrongfully discarded paper towels tended to block the urinal outlet.

With regard to the electric kiddie cars Mr Quirk pointed out that the tops of the barge board had not been painted on the hut and that the metal railings around the track were beginning to blister with rust. There was also a “Merry Christmas” sign on one of the huts. The pay hut had still not been decorated on the rear side where it appears above the hedge of the flat green. Mr Quirk

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continued by commenting that he didn't think the drink prohibition signs were in place and also queried the new barrier which was being left in awkward positions at weekends unlocked. The Amenities Officer replied that there were padlocks to keep the barrier locked but unfortunately the tenants of the café and squash club had keys and they tended to open it at weekends. From Saturday 1st May when the park is open there would be more control over the barrier.

Mr Norton enquired as to when prices were to be obtained for the tiling in the shower rooms. The Amenities Officer responded that a specification was needed first before it could out to tender. Mr Norton then enquired about the crazy golf equipment stating that he thought the equipment was to be replaced with concrete models. The Amenities Officer replied that a provision had been made in the estimates to allow for repairs or renewal on a phased basis over a number of years. Mr Killey commented that there was some very good concrete crazy golf equipment at Southport adjoining the Floral Hall. Details to be sought.

f) **Skateboard Park**

The Administrative Officer reported that he understood this was being dealt with at Board level in view of the objections raised to the application. The Amenities Officer added that he understood that the following day was the last day for seeking Review. Noted.

g) **Hut for Bowling Officials**

Reply read as received from the Onchan Ladies Bowling Club indicating that whilst they appreciated the offer of the commissioners for creating an officials' hut within the long shelter by utilising one of the gables that had recently been removed; they did not feel that this would meet their requirements and in any event was likely to be a target for future vandalism.

h) **Fencing**

Letter read as sent to Canon Alger in respect of the fencing carried out of recent between the park and Lourdes Grotto. Whilst Canon Alger had indicated that he had paid for the fencing to be erected professionally no indication had been received in respect of the cost.

j) **Train Feature**

The Administrative Officer reported that the sub committee appointed to look at the various schemes for a replacement train in the Taverners Playground had selected that as submitted by Lappset. Prior to formally accepting their revised scheme the Administrative Officer had written enquiring whether it would be possible to place a funnel on the train as a train without a funnel was like a cow without horns. The company had replied that not only would they be prepared to incorporate a funnel but they would do so without any additional cost falling upon the commissioners. All other tendering contractors had received a letter advising that they had been unsuccessful on this occasion. Noted.

k) **Easter Takings**

Copies of the takings for the Easter period were circulated at the meeting. These had been prepared by the Chief Cashier and showed that over the sixteen-day period a total of £4,863.62 had been taken. The expenditure on wages for this period amounted to £4,210.95 resulting in a profit of £652 from which must be taken the cost of fuel and other expendables.

The Administrative Officer pointed out that in the previous year when the park was only open for the four days over the Easter holiday the takings were £4,002.98 and obviously the running costs

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for four days was considerably less than for sixteen. Members expressed satisfaction at the outcome of the experiment for longer opening time.

LA/04/4/4
OPEN SPACES

a) **Amenities Officer's Report**

Copies of the Amenities Officer's report had been circulated prior to the meeting and was noted with no further comment in public.

b) **Centenary Park**

The Administrative Officer reported that work had now taken place in spreading the mulch around the base of all new planted trees. Four additional trees had been planted to replace those damaged in The School road Recreation Ground and the pathway linking Highfield Close with Centenary Park had been tarmacadamed. The Amenities Officer reported that the first grass cut of the season was due prior to the end of April. Noted.

c) **The Rec**

The Administrative Officer reported that the renewal of footpaths etc at the Nursery Avenue end of The Rec had now been completed. Only the wiring to the fencing posts remained outstanding. Mr Quirk made reference to the old trailer and boat which appeared to be abandoned in Stoney Road and requested that the Bye-Law Enforcement Officer place a sticker on it to solicit its removal.

d) **Footpaths**

The Administrative Officer reported that the linking footpath between Birch Hill Crescent and the extension to Jubilee Playground had now been complete as had the small area of tarmac within the gate area of the rear entrance to the playground. Noted.

e) **Seat at Lazy Corner**

Letter read as sent to the complainant advising that at the meeting held on 22nd March 2004 the committee confirmed its original decision in respect of the position of the seat at Lazy Corner but it would move it to the kitchen end of his gable away from the lounge.

Letter read as sent to Commissioner Astill by the complainant pointing out that the bench had no significant historical value to the parish of Onchan and that the committee would have the opportunity of explaining to the newspapers why they were behaving in an obstructive manner when they were supposed to have open mind when considering each case. The complainant also asked for a copy of all the minutes relevant to the question of the seat at Lazy Corner. Members noted from past correspondence that the complainant obviously had accessed the minutes because he had quoted them. They further commented that what was asked for originally by the complainant had been acceded with regard to moving the bench forward of the gable and that it was to be strapped down. The complainant had been advised by the commissioners, the environmental health office and the police that any anti social behaviour should be reported to the police but he did not seem inclined so to do. Members referred to passing that area on several occasions and with the exception of lunchtime during sunny weather had not noticed anybody sitting on the seat adjoining the gable when the seat was there. Concern was also expressed that the complainant was writing direct to a commissioner and not

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addressing letters for the commissioners' attention to the Clerk in accordance with the letterhead of the District Commissioners.

f) **Millennium Shelter**

The Amenities Officer reported that since inserting the deeper glazing beads there had been no problem with the Perspex sheeting being removed by youths. Noted.

g) **Visit to Castletown**

The Chairman advised that he had requested the Surveyor to make arrangements for the visit but nothing had happened. Mr Quirk commented that it was important when the commissioners viewed the CCTV system that it should be night time recording.

h) **Rubbish at War Memorial**

The Amenities Officer reported that following the appointment of the Parks Foreman he had rearranged the rotas so that one man was responsible for removing any rubbish at the War Memorial and in the Port Jack Glen Millennium Entrance Shelter first thing each day. Mr Killey commented on any replanting to be done at the War Memorial that it should be borne in mind that there is some colour to the planting at the time of the Armistice Day Service. Members were informed that complaints had been received in respect of persons depositing cigarette ends adjoining the shop. Matter to be referred to the Bye-Law Enforcement Officer for the appropriate action.

j) **Rubbish at Heywood Park**

The Amenities Officer reported that some of the rubbish had been removed but the work was not finished yet. Mr Quirk made reference to an oil drum which was beneath the bushes.

k) **Lakeside Gardens Path Drainage**

The Amenities Officer reported that he had heard nothing further from the Building Control Officer regarding approximate pricing to carry out the work to the paths. Mr Quirk commented that there had been previous discussion on the planting of willow trees either side of the path in an effort to soak up some of the moisture.

m) **Port Jack Glen**

Mr Norton enquired as to whether the sign erected at the bottom entrance to Port Jack Glen in September 2003 had been painted as yet. The Amenities Officer reported this had not been done as there was now only one painter employed by the commissioners. The Amenities Officer was instructed to arrange to have it painted as soon as possible.

LA/04/4/5

PUBLIC CONVENIENCES

a) **Amenities Officer's Report**

Copies of the report had been circulated prior to the meeting and was noted, with no further comment.

b) **Port Jack Toilets**

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The Administrative Officer advised members that the question of either replacing or renovating the present toilets at Port Jack had been considered at the recent meeting of the Works Committee and a recommendation thereon was going to the Board. Noted.

LA/04/4/6**PUBLIC LIBRARY****a) Librarian's Report**

Copies of the Librarian's report had been circulated prior to the meeting and was noted. The Administrative Officer pointed out that during the month of March there was a slight increase on total issues and library subscriptions. There had also been favourable comment in the village in respect of the exhibition currently being staged by the Isle of Man Family History Society.

b) Amenities Officer's Report

Copies of the Amenities Officer's Report in respect of the maintenance at the library had been circulated prior to the meeting and was noted.

c) Mobile Library

The Administrative Officer reported having contacted the Mobile Library at the request of Commissioner Killey to establish if they visit the Rural Ward of Onchan. It transpired that they did not. The only two stops in Onchan were at Springfield Court and Heywood Court. Noted.

LA/04/4/7**YOUTH & COMMUNITY CENTRE****a) Amenities Officer's Report**

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

i) Car Park

Members commented on the great improvement now that the topcoat had been applied to the car park. The Amenities Officer advised that the parking bays were to be repainted by the commissioners' painter. The sleeping policeman was also to be highlighted with paint. Mr Norton enquired whether games pitches were also to be marked on the car park. The Administrative officer reported that this had been discussed previously and following advice had been agreed that the car park should not be marked out for games as this could encourage youths to play in the car park at a time when an event was on in the Youth Centre which in turn would present a problem both to persons arriving by car and those using the area for games.

Mr Quirk enquired as to the set of vehicle tracks on the topside of the car park running across the grass. The Amenities Officer responded that these had been photographed and the Surveyor was going to investigate. Mr Quirk continued by referring to the fact the land is still bogey in this area despite the fact that he had asked the Surveyor to arrange for the drain runs to be jetted.

ii) Toilet Blocks

In answer to question the Amenities Officer advised that the locks on the toilet doors would be changed when the joiner was free but as he was working on housing at the moment he had no

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control over his availability. Mr Quirk suggested that the Amenities Officer inform his fellow officers that the work was required to be carried out in the course of the next two weeks.

iii) Fascias

Mr Quirk commented that as the new financial year had commenced then work should start on preparing the specification or whatever else was necessary to obtain prices for the replacement of the fascias etc.

LA/04/4/8
PROMOTIONS/ADVERTISING/PUBLIC INFORMATION**a) Website**

The Administrative Officer reported statistics received from Web One UK for the period 1st to 31st March 2004. The total hits were 31,304. Page Views had increased to 10,448 and visits also increased to 3,184.

With regard to the website the Administrative Officer reported that the What's Happening section was kept up to date with particular regards to election results, road closures etc. The refuse section had been revamped to incorporate the recent changes in round. There was also a list to indicate what items should be placed in the bin, what items should be recycled and so on. A series of old photographs of the Hillberry area had been scanned and these would come online once the captions had been written. Information on the two new members of the commission had been prepared and was ready to go online on 5th May. An application had been received from Isle of Man Freethinkers requesting that their time and date of meeting place in Morton Hall be included on the web and also that there be link to their website. The Administrative Officer advised that having viewed their website he wrote to express that the matter would have to be considered by the commissioners as their website was of a political or quasi political nature and the commissioners have always kept away from such items for fear of being seen as favouring one particular party or otherwise. Reply received from Muriel Garland, secretary of Isle of Man Freethinkers advising that she fully understood the situation and that it would not therefore be appropriate for their website to be linked.

b) Village Fair etc

The Administrative Officer reported that a circular letter had been sent to all clubs and societies advising as to the intention to hold a village fair in Onchan Park on Saturday 10th July 2004. He also reported that both verbal and written communication had now been received from the family of the late J.A.C.K. Nivison CBE and they were in agreement with the commissioners' wish to rename Onchan Stadium, "Nivison Stadium". The renaming ceremony would take place as part of the village fair on 10th July being part of Manx National Week.

Mr Quirk suggested that perhaps a open air disco could be held in the stadium on the night of 10th July and Mrs Kelly thought live bands would be better than a disco. The Administrative Officer to make enquiries. Mr Norton suggested it would be better to employ an agency to run it rather than the commissioners become involved themselves.

c) 2004 Scooter Rally

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The Administrative Officer reported there had been a lot of correspondence with the organiser of the rally. It transpired to be smaller than anticipated primarily due to the fact that the National Lambretta Rally was being held at the same time elsewhere in the UK. The park staff would be assisting by marking out part of the pitch for some of the obstacles and assistance would be given wherever possible. The Chairman of the Commissioners was required to present the Commissioners' Trophy but the organiser had suggested this take place during the disco on the Saturday evening as opposed to immediately after the gymkhana. Mr Killey advised that he would off the Island and the Chairman of the Leisure and Amenities Committee informed members that he would also probably be off the Island. The Administrative Officer to make the necessary arrangements dependant on the circumstances appertaining at the time.

d) Advertising

The Administrative Officer confirmed that advertising space was taken in the Isle of Man Examiner, Isle of Man Courier and Manx Independent during the run up to Easter. The annual Easter leaflet had been prepared and distributed to hotels and the Department of Tourism. Advertisements had been booked with the Church Leader for the months of May, June and July but the Leader had now indicated that there would be no May edition.

Details were then supplied in relation to a holiday publication to be produced by the Mannin Media Group and placed in all hire car vehicles throughout the Island and into hotel premises. An indication was given as to the cost but after discussion members concurred not to take out advertising in that manner. Mr Killey suggested that placards distributed to the few hotels that remained would be a better option.

e) Tractor

Mr Quirk commented that it may not be a promotions item but there was the question of the renovation of the tractor for which financial provision was to have been made. Mrs Kelly proposed that the Chairman move on to the next item of business.

LA/04/4/9**OUTSTANDING MATTERS**

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

LA/02/7/16(ii) Select Scheme for replacement of Taverners Train (2003-04 budget) – ***delete as now selected***

LA/03/9/3(vii) Fit new stand pipes for greens – ***delete as work now complete***

LA/03/12/3 Fit new tract to flat green hut doors – ***delete as work now complete***

LA/04/1/4b(iii) Staff to sign declaration re electric supply in Pennington Hall – ***delete as declaration now signed.***

LA/04/4/10**MATTERS REFERRED BY BOARD/OTHER COMMITTEES**

Nil.

LA/04/4/11**CORRESPONDENCE**

*IN PUBLIC***a) Douglas Dog Training Club**

Request to use the upper grassed area at Onchan Park on 13th June and 8th August 2004 for dog/obedience shows. The Administrative Officer reported that as this was an repeat request he had approved same under delegated powers. Mr Quirk enquired whether they could change one of the dates to coincide with 10th July. The Administrative Officer reported that their dates were fixed with the Kennel Club of Great Britain.

b) Friends of Chernobyl's Children (Isle of Man)

Letter reported as received from Mr Norman Rivers requesting the use once again of the facilities of Onchan Park during the visit to the Island of children from Belarus during the period 11th July to 8th August 2004. Again as this was a repeat request consent had been given.

c) Onchan School Association

The Administrative Officer reported communication received from the Onchan School Association cancelling their duck race in Port Jack Glen. It transpired that they had contacted the Fire and Rescue Service who advised that it was necessary to have a water rescue team in attendance whilst the duck race took place. As the Fire and Rescue Service could not guarantee having a team available on this occasion the association had decided to cal off the duck race and instead held a Easter egg hunt in the School Road Recreation Ground.

The Administrative Officer pointed out to members that if this was a set format then there could be problems with other clubs and societies wishing to hold a duck race in Port Jack Glen. Mr Quirk advised that he was already having his own risk assessment carried out.

d) Warwick University Band

The Administrative Officer reported communication with the Brass Society of the University of Warwick who wished to perform a brass band concert in Onchan Park mid week somewhere between 27th June and 3rd July 2004. There would be no fee and they did not wish to take a collection. In exchange they would like their members to have the free use of the facilities of the park. Members concurred that this could take place but would prefer the performance to have been at a weekend.

LA/04/4/12**ANY OTHER BUSINESS****a) Date of Next Meeting**

Tuesday 1st June 2004 at 7pm.

b) Last Meeting

The Chairman commented that the meeting was the last one of the current municipal year and he wished to thank Mrs Kelly for having been a very good member of the committee and also extend his best wishes to Mr Norton who was the Chairman Elect. In her reply Mrs Kelly advised that she was uncertain as to whether she was going to miss the commissioners or not.

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Meeting terminated at 10pm.

IN PUBLIC

Minutes of a meeting of the **RURAL COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Wednesday 28th April 2004 at 5.26pm.

Present: Mr J.K. Watterson, (in the Chair), Messrs S.T. Black, J.M. Bulley and B.H. Moore

Apologises: Mr D. Crellin

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

R/04/4/1
MINUTES

Minutes of the meeting held on 24th March 2004, copies of which having previously been circulated, was taken as read, confirmed and signed.

R/04/4/2
MATTERS ARISING

The following matters was arising from the minutes:-

a) Alternative Types of Power for Street Lighting

The Building Control Officer reported that he had received further details in respect of one of the manufacturers but there was nothing further to report to the meeting.

b) Conrhenny Plantation

The Administrative Officer read letter as sent to DAFF advising as to the views of the committee in respect of the proposals for the Conrhenny Plantation. The letter confirmed the overall support for the scheme although only part of it fell within the Onchan boundaries. It was also noted that the letter expressed a wish that the layout of the new plantation was such that footpaths would link in with the Clypse and Conrhenny walks. Noted.

c) Scramble Course

Letter reported as sent to the Peveril Motorcycle Club enquiring as to the timetable for completing the scramble course alongside the Creg-na-Baa Back Road. The Chairman reported that he had spoken to a member of the club who advised that they hoped to hold their first event during TT Week this year. It was only intended however to use the course approximately four times per year. Mr Bulley commented that the site was now very tidy and looked a lot better than it did approximately five weeks previous. Noted.

R/04/4/3
OUTSTANDING MATTERS

Streetlight Hillberry Corner

The Building Control Officer advised that he had left a message for Mr Bridson at the MEA but there had been no come back to give a date in respect of when the work was likely to be commenced. Noted.

*IN PUBLIC***R/04/4/4**
MATTERS FROM PREVIOUS MEETINGS

Nil.

R/04/4/5
MATTERS REFERRED BY BOARD/OTHER COMMITTEES

Nil.

R/04/4/6
PLANNING MATTERS

The Building Control Officer reported on the following planning decisions at Review:-

PA 03/985 Erection of bungalow, field 530927, Ballacreetch Farm, Ballanard Road, Abbeylands for Mr R.M. Shimmin –Refused for the same reasons as at initial decision i.e. the personal circumstances of the applicant had changed since the granted of approval in principle and there was no agricultural justification for this new dwelling which would represent unwarranted development in the countryside.

PA 03/1889 Approval in principle for erection of dwelling and garage, fields 534485 and 534486 adjacent to Abbey Court, Abbeylands for Mrs K. Atkinson – Refused for the same reasons as at initial decision i.e. land not zoned for development but of high landscape and scenic significance. The dwelling would be visible from the highroad and there was no agricultural need in respect of this property through its link with Ballacreetch Farm.

b) Applications for Appeal

The Building Control Officer reported on the following applications for Appeal hearings:-

PA 03/526 Erection of dwelling to replace existing farmhouse, Slegaby Farmhouse, Slegaby, Hillberry for Clypse Farms Limited

PA 03/1556 Upgrading of existing farm track (sic) as an alternative access to Ballacashin Farm for Mr & Mrs G. Owen

PA 03/1889 Approval in principle for erection of dwelling and garage fields 534485 and 534486 adjacent to Abbey Court, Abbeylands for Mr K. Atkinson

R/04/4/7
ANY OTHER BUSINESS**a) Time and Date of next meeting**

W

IN PUBLIC

ednesday 2nd June 2004 at 5.15pm

b) Website

The Administrative Officer reported that he had recently acquired for his personal collection a series of old photographs in the Hillberry area. These had now been scanned and would be placed on the Onchan website in the photo gallery section once the captions had been written. Noted.

c) Shannan Rae Pinic Site

Mr Moore enquired whether the table and benches had been taken in for repair. Neither of the officers were aware of the situation. Mr Moore pointed out that they had certainly been removed by somebody. Matter to be investigated.

d) Mr Bulley

The Chairman stated that he wished to thank Mr Bulley for his involvement with the Rural Committee over the past 11 years. He had certainly put a lot of time and interest into attending the meetings and had greatly contributed towards all matters. Mr Black reiterated the points made by the Chairman and stated that whilst he and Mr Bulley may not necessarily have always agreed on matters they had at least tolerated each other afterwards.

Mr Bulley thanked the Chairman for his remarks and he wished to place on record his thanks also to the other members of the Rural Committee throughout the years, the officers who had serviced the committee and to the current Chairman of the Board for his very kind letter received recently. He wished the committee success in the future which he also extended to Onchan in general.

Mr Bulley was also thanked for providing refreshments at the meeting.

e) Last Meeting

The Chairman then commented that the meeting was the last of the municipal year and following the annual meeting of the commissioners the next Tuesday there could well be new representatives from the Urban Ward on the committee. He wished to express his thanks therefore to Messrs Black and Crellin for their attendance and contribution during the past year. He added that sometimes there were different points of view, as one would expect in any committee, but the main thing was that the members still remained friends afterwards. The Chairman also extended his thanks to the officers who serviced the committee. Mr Bulley asked to be associated with those remarks.

Meeting terminated at 6.01pm.

IN PUBLIC

Minutes of a meeting of the **POLICY AND FINANCE COMMITTEE** held in the Boardroom at Hawthorn Villa, Main Road, Onchan, on Wednesday 5th May 2004, at 5.30 p.m.

Present: Mr G.K. Astill (Chairman)
Mr D. Crellin
Mr M.J. Kennaugh.
Mr A.W.T. Norton
Mr J.K. Watterson

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

PF04/05/01
MINUTES

Minutes of the meeting held on 29th March 2004, copies of which having previously been circulated, were taken as read, confirmed and signed subject to the amendment to the members present it being clarified that Mr. D. Crellin attended the Meeting as the then Vice-Chairman of the Housing Committee in place of Mr. M.J. Kennaugh who was off Island on holiday.

PF04/05/02
BUSINESS ARISING

There were no matters arising from the Minutes of the last meeting other than those dealt with in the Clerks and Finance Officers reports and those matters listed separately on the Agenda paper.

PF04/05/03
BUSINESS ARISING FROM PREVIOUS MEETINGS

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

PF04/05/04
FINANCE OFFICERS REPORT

The Finance Officers 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 27th April 2004 compared with the previous financial year were as follows :-

2004/05 estimated amount collectable including arrears bought forward	£1,340,222.00
2004/05 collected to 27 th April 2004 less refunds	£ 252,912.00 (18.87%)

Comparative figures

2003/04 estimated amount collectable including arrears bought forward	£1,419, 928.00
2003/04 collected to 27 th April 2003 less refunds	£ 258, 318.00 (18.19%)

2. Revenue Account Payments

IN PUBLIC

The list of payments from revenue account during the months of March and April 2004 copies of which having previously been circulated were considered and it was **RESOLVED***

That the said payments from revenue account as detailed on the lists attached to the Minutes be endorsed.

3. Insurances

It was reported that the net premiums for 2004/05 totalled £46,105.00 an increase in premiums of 11.53% over 2003/04 (previous year's increase – was 15.27%) Finance officer advise that the increase was mainly due to the continuing rise in legal costs and liability case awards.

PF04/03/05

CORRESPONDENCE AND OTHER COMMUNICATIONS

1. Local Authority Borrowing Periods

Read letter from the Department of Local Government and the Environment with reference to the review that was being undertaken by the department in conjunction with Treasury of all aspects of Local Authority financing of schemes including interest rates, repayments methods and borrowing periods.

Currently new build schemes are repaid over a borrowing period of 60 years with refurbishment and maintenance projects being repaid over 20 – 30 years. Concern had been expressed by Treasury that the borrowing period for new build schemes should not normally exceed 30 years as analysis suggests that the majority of housing stock needs refurbishment after 30 years and so local authorities need to take out another loan before the first has been repaid. Repayment of loans of over 60 years also significantly increases the amount paid in housing deficits that are met by the tax payer.

Therefore it had been decided that as from 1st April 2004 department policy would be that borrowing periods for new build schemes would be reduced to 30 years from 60 years and refurbishment/maintenance schemes would be funded over a repayment period of no more than 15 years.

Clerk advised that the effect of policy change would be to increase the annual payments to sinking funds thus increasing the cost during the shortened borrowing period although of course the total overall cost would be significantly less than that of the same borrowing over the longer period.

As the borrowings mainly related to housing projects the annual deficiency of which was Government funded it was **RESOLVED***

That the change in the Department's Policy with regard to Local Authority borrowing periods with effect from 1st April 2004 be noted.

PF04/05/6

MATTERS REFERRED BY COMMISSIONERS/OTHER COMMITTEES

None to report in Public.

PF04/05/07

RECOMMENDATIONS WITH POLICY OR FINANCIAL IMPLICATIONS FROM OTHER COMMITTEES

None to report in public

PF04/05/08

IN PUBLIC

OTHER BUSINESS

There was no other business for consideration in Public.

PF04/05/9

It was agreed that the next meeting of the Committee be held at 5.30 pm on Monday 7th June 2004.

There being no further business the meeting terminated at 6.50 pm.