

23rd September 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, stylized flourish at the end.

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

ONCHAN DISTRICT COMMISSIONERS

*Hawthorn Villa,
Main Road, Onchan.*

IN PUBLIC

23rd September 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, 27th September 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 23rd August 2004 *(Minutes - APPENDIX 2)*

2. To dispose of business (if any) remaining or arising from the above said meeting
 - 2.1 C04/08/01/02(1) – Port Jack Stream *(Letter circulated)*
 - 2.2 C04/08/01/05(1) – Onchan Rural Rate *(Report circulated)*
 - 2.3 Any other business arising.

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

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.
 - 5.1 Re: Standing Orders – submitted by Chairman of the Board to the Chairman of the Policy and Finance Committee *(circulated)*

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 1st September 2004 *(Minutes – APPENDIX 3)*
 - 6.2 Works and Cleansing Committee
- Meeting held 6th September 2004 *(Minutes – APPENDIX 4)*
 - 6.3 Leisure and Amenities Committee
- Meeting held 13th September 2004 *(Minutes – APPENDIX 5)*
 - 6.4 Policy and Finance Committee
- Meeting held 16th September 2004 *(Minutes – APPENDIX 6)*
 - 6.5 Rural Committee
- Meeting held 15th September 2004 *(Minutes – APPENDIX 7)*
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Note:

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

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

- 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 DOLGE re: Consultation on the Dogs (Amendment) Bill 2004 *(circulated)*
 - 8.3 Department of Transport re: Annual Events *(circulated)*
 - 8.4 D.A.F.F. re: Tree Preservation Act 1993 – Port Groudle *(circulated)*
 - 8.5 Mrs M. Bendall re: Equalisation of Rates *(Letters circulated)*
 - 8.6 Any Other Communication
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9. To consider any report from the Clerk, Surveyor or other Officer of the Authority
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10. To consider Motions in the order in which notice has been received. *(ref Standing Order No 5)*

Motion 31 – Amendment of Standing Orders on the Making of Contracts

The motion was moved by Mr Crellin and seconded by Mr Astill at the last Ordinary Meeting and under the provisions of Standing Order No 36 has stood adjourned to this meeting.

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, at Hawthorn Villa, Main Road, Onchan, on Monday 23rd August 2004 at 7.00 p.m.

Present:	Mr M.J. Kennaugh, J.P.	(Chairman)
	Mr G.K. Astill	
	Mr S.T. Black	
	Mr D. Crellin	
	Mr E.D.R. Killey	(from 7.05 p.m.)
	Mr A.T.W. Norton	
	Mr D.J. Quirk	
Apologies:	Mrs W.E. Megson	
	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)

C04/08/01/01 **MINUTES**

The minutes of the public section of the ordinary meeting held on 19th July 2004, copies of which having previously been circulated, were considered, agreed as a correct record of proceedings and were signed by the Chairman.

C04/08/01/02 **BUSINESS ARISING**

1. **C04/07/01/02(2) – Port Jack Glen Stream**

It was confirmed that the matter had been considered further at the Department of Transport and it was the intention that the officer concerned would respond to the Commissioners later that week. Disappointment was expressed that there had been no movement in the matter, with reference being made to recent excessive rain. It was, however, confirmed that the meeting to be held with the appropriate representatives at the Department of Transport would be organised as quickly as possible.

2. **C04/07/01/10(5) – Outstanding Matters - Port Jack Glen Lighting Scheme**

A copy of email correspondence received from a former Commissioner had been circulated with the agenda, which expressed disappointment to see that the Commissioners had agreed to floodlight the Glen. The author referred to approaches by a few people who had voiced their concerns. At least one of these persons had wondered whether the Onchan Commissioners would be covered by insurance as there were no safety nets etc.

It was agreed the District Surveyor would liaise with the author of the email correspondence, in an attempt to allay any fears in relation thereto.

3. C04/07/01/08(2) – Street Cleaning

A discussion took place with regard to the provision of copies of the route-plans for the pavement sweeper for the Commissioners on request. It was noted that the plan was available for Members to view at the office of the District Surveyor but that it was difficult to replicate and would be time consuming so to do. An explanation of the programme was given, highlighting that there were nine sections of public footpath which were dealt with on a daily basis and other footpaths were to be addressed on a three week cycle. It was, however, recognised that it was not always possible to achieve attention to all of the pavements within the three weeks which were planned, due to operational difficulties.

Mention was made of the frequency of the use of the road cleaner operated by Department of Transport, particularly on Hillberry Road where recent heavy rainfall had resulted in flash flooding.

Arrangements were made for a viewing of the route-plans of the pavement sweeping programme.

4. C04/07/01/08(4) – Bollard Lighting – Heywood Court

In answer to enquiry, it was confirmed that the Manx Electricity Authority were to prepare a new scheme for alternative lighting to footpaths at Heywood Park, such scheme to be presented to the Works and Cleansing Committee.

5. C04/07/01/10(3) – Skateboard Park

In answer to enquiry, it was confirmed that no news had yet been received with regard to a date for the Appeal Hearing in this matter.

6. Manx Arms Car Park – Abandoned Vehicles

Although not specifically arising out of the minutes, comment was made that there were a number of vehicles abandoned in the Manx Arms Car Park. It was suggested that one vehicle had been abandoned there for six months. It was understood that officers had recently discussed this issue with representatives of Isle of Man Breweries who owned the land in question. An update would be provided to the Works and Cleansing Committee.

C04/08/01/03

BUSINESS ARISING FROM PREVIOUS MEETINGS

None.

C04/08/01/04

CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:-

1. Irish Ladies Bowling Team

The Chairman confirmed that the Onchan District Commissioners had held a reception for the Irish Ladies Bowling Team who had visited the Island recently. The Chairman wished the team well at a forthcoming event to be held at Leamington Spa.

2. Future Events

The Chairman confirmed invitations received in relation to events for the Onchan Horticultural Society and the Royal Air Forces Association.

C04/08/01/05

QUESTIONS

The following questions were asked under the provisions of Standing Order No 7:-

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

Ref: Onchan Rural Rate Legal Advice

- (1) **Have Onchan Commissioners received any letters from their Advocates ref Legal Opinion, Rural Rate?**

The following response was given by the Chairman:-

No. Legal Opinion has not yet been sought. The Chief Executive/Clerk will, when time permits, prepare a report which will be submitted to the Advocate for legal opinion before consideration by the Board.

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

Ref: The Purchase of Keyon's Café

- (1) **What is the current position for the purchase of this property?**

The following answer was provided by the Chairman:-

(a) *The Chief Executive/Clerk was verbally informed last Friday that the Commissioners' Petition in the matter had been approved by the Minister for Local Government and the Environment. Confirmation in writing was received by facsimile this afternoon.*

(b) *The agreement for sale was also received on Friday last for execution by the Commissioners.*

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

Ref: Onchan District Commissioners, Bonds

- (1) **What was the outcome of discussions between Local Authorities and Government for the future of Local Authority Borrowing?**
- (2) **When are the Bonds issued by Onchan District Commissioners going to cease?**
- (3) **How are the Bondholders going to be informed of this change in policy? And**
- (4) **What is the alternative offered by Central Government to Onchan Commissioners?**

The following answer was provided by the Chairman:-

(1) *The discussions with Government and the Isle of Man Bank are ongoing.*

(2) *Onchan District Commissioners will continue to issue Bonds until a formal agreement is entered in to with the Bank if this Authority so approves a change in policy.*

(3) *Bondholders would then be informed in writing when Bonds mature.*

(4) *There is no alternative being offered by Central Government and approval to borrowing petitions is being given on the proviso that the revenue implications included in the applications are subject to further consideration as part of a joint review with Government to ensure borrowing costs are minimised.*

C04/08/01/06
HOUSING COMMITTEE MINUTES

The minutes of the public section of the Housing Committee meeting held on Monday 26th July 2004, copies of which having previously been circulated, were considered. Arising therefrom:-

1. **H04/07/01/04(5) – Manx Gas – Conversion Audit**

It was suggested that the wording of the resolution of the Committee in relation to the use of gas fires should be amended to replace the words “subject to the condition that a proper copex flue liner would be fitted to that fire” with the words “subject to the condition that a gas box, flue liner and terminal would be fitted to that fire”. The amendment to the resolution was agreed.

2. **H04/07/01/09(4) – House Purchase Assistance (Amendment) Scheme 2004**

It was noted that a response was still awaited from the Department as to whether the recent changes in income limits for the House Purchase Assistance Scheme would be reflected in any changes to the qualification criteria for public sector housing.

3. **H04/07/01/04(3) – Nursery Avenue and Lane**

The District Surveyor was asked to confirm details of the ownership of the lane running behind properties in Nursery Avenue and abutting the new development on the site of the former Nursery Hotel.

C04/08/01/07
RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Housing Committee meeting held on 26th July 2004, be and are hereby received. It was further **RESOLVED** that the resolution contained therein requiring the consent of the Board were approved as follows:-

1. ***That an application be made to the Department of Local Government and the Environment to undertake the decorative works at Springfield Court, the application requesting that the funding of such works be met in part from the maintenance allowance, and that permission be sought to underwrite any overspend at the end of the year with the utilisation of funding from the community facilities reserve fund and, if necessary, the sheltered housing reserve fund.***

C04/08/01/08
WORKS AND CLEANSING COMMITTEE MINUTES

No meeting held.

C04/08/01/09
RECEIVING OF MINUTES

None.

C04/09/01/10
LEISURE AND AMENITIES COMMITTEE MINUTES

No meeting held

C04/09/01/11
RECEIVING OF MINUTES

None.

C04/09/01/12
POLICY AND FINANCE COMMITTEE MINUTES

No meeting held.

C04/09/01/13
RECEIVING OF MINUTES

None.

C04/09/01/14
RURAL COMMITTEE MINUTES

No meeting held.

C04/09/01/15
RECEIVING OF MINUTES

None.

C04/08/01/16
LETTERS PETITIONS MEMORIALS AND OTHER COMMUNICATIONS

1. **Planning Decisions/Communications From The Department Of Local Government And The Environment Planning Committee**

The following planning communications were considered:-

P A NUMBER	DESCRIPTION	COMMENT
04/1323	Extension, 35 Whitebridge Road	ODC recommendation - Refusal Initial planning decision - Approval Submission of second plan – Noted.
04/0860	Pedestrian Footbridge, Land rear of Heywood Drive and land adjacent to 1 Hailwood Avenue	ODC recommendation - Observation Initial planning decision - Approval Request for a review of decision received
03/1364	Conversion of garage to storage/living accommodation and replacement of garage door with window, 27 King Edward Park	ODC recommendation - Refusal Planning decision – On Review - Refusal Appeal decision reported – Refusal confirmed
03/1604	Create vehicle hardstanding and access in front garden, 13 Third Avenue	ODC recommendation - Refusal Initial planning decision on review - Approval Appeal decision reported – Approval confirmed.
03/1437	New Secondary School, Bemahague Fields with access of Heywood Drive	ODC recommendation - Observation (traffic management issues) Initial planning decision - Approval Request for a review of decision received
04/1070	Dwelling on land adjacent to 9 Bay View Road	ODC recommendation - Approval Initial planning decision – Approval Request for a review of decision received
04/0819	Dwelling to replace existing, “Langdale”, Majestic Close	ODC recommendation - Refusal Initial planning decision – Refusal Review hearing to take place – 27 th August 2004
03/1873	Residential Development, Land at Ballachrink Farm	ODC recommendation - Refusal Planning decision on review – Refusal Appeal against planning refusal received – ODC to retain advice with regard to Appeal Hearing.
04/1195	Grass Bank Boundary Structure, land adjacent to the Old Toll House, King Edward Road	ODC recommendation - Refusal No planning decision – application withdrawn
04/0998	Siting of Mobile Classroom, Staff Car Park and Vehicular Drop Off Point, Onchan	ODC recommendation - Refusal/Approval Initial planning decision – Approval Request for a review decision received. <i>Mr Killey</i>

	Primary School	<i>declared an interest in the application.</i>
04/1118	Block of five apartments to replace existing dwelling, 113 King Edward Road	ODC recommendation - Refusal Initial planning decision – Refusal Decision noted.

2. Isle of Man Flat Green Bowling Club – Visit of Ireland Team

The letter from the Isle of Man Flat Green Bowling Club dated 16th August 2004 with regard to the reception hosted by the Commissioners for the Island Worldwide Championship Team was circulated and noted with pleasure. The Chairman expressed disappointment that the Bowling Team had experienced some difficulty with regard to their accommodation.

3. Groudle Holiday Village – Naming of Cul-de-Sac

A letter received from Ellis Brown Architects, Interior Designers and Surveyors, making application to name the top cul-de-sac – Plots 1 to 12 – at Groudle Holiday Village as “Scott Close”, had been circulated with the agenda. The letter confirmed that the name had been selected in memory of a former owner of the Groudle Holiday Village, whose family’s Trust still owned the complex.

Approval was given to the request.

4. Department of Education - Youth and Community Committee

A letter received from the Youth and Community Adviser at the Department of Education dated 16th July 2004, consulting with regard to a planned reorganisation of the Youth and Community Committee had been circulated with the agenda.

Mr Killey declared an interest in the matter, as an elected member of the Board of Education.

After a short discussion, it was **RESOLVED** that the document be referred to the Youth and Community Centre Advisory Committee for consideration.

5. Tree Preservation Act 1993

A letter received from the Chief Forestry Officer of the Department of Agriculture, Fisheries and Forestry, dated 21st July 2004, which gave confirmation of notice of entry in the register for land/trees of two parcels of land within the district, had been circulated with the agenda. It was noted that Onchan Park and Port Jack, together with the area of land alongside the Onchan Community Centre and Playing Fields had been registered. The letter summarised that the Act stated that any work regarding pruning, limbing, tree removal, etc, must be the subject of a licence to be produced by the Department.

The registration of the areas was welcomed, but reference was also made to a motion considered by the Board some years previously which sought to protect the area of Government House and the Trees in the surrounding area. *Noted.*

6. Notice of Proposal to remove a building from the Protected Buildings Register

Notice had been received of a proposal to remove a building from the Protected Buildings Register, which had been forwarded to the Authority by the Secretary of the Planning Committee at the Department of Local Government and the Environment. The proposal was to de-register the two chimneys and associated switch room – also known as the old engine room – and sluices at Clucas' Laundry, Carrs Lane, and the notice invited any person, not later than 27th August 2004, to make representation to the Department with regard to the proposal.

After a short debate, on the proposal of Mr Quirk, seconded by Mr Norton, it was **RESOLVED** *that the Onchan District Commissioners supported the retention of the two chimneys and associated switch room – also known as the old engine room - and the sluices at Clucas' Laundry, Carrs Lane, Tromode, on the Protected Buildings Register, and that representation should be made to the Department in this regard.*

7. Temporary Closure of Ballanard Road/Johnny Wattersons Lane Junctions

An email received from the Department of Transport, enclosing a copy of a letter issued to residents at Ballanard Road/Johnny Wattersons Lane, had been circulated with the agenda. The letter informed residents of the proposals with regard to the temporary road closure to expedite junction improvements with the construction of a roundabout. The correspondence was noted.

8. Waste Management Consultation Document

A copy of the Waste Management Consultation Document, together with the email which accompanied it dated 19th July 2004, had been circulated with the agenda. It was noted that any comments in relation thereto had to be submitted to the Department of Local Government and Environment by 1st September 2004.

Members expressed continued support for the establishment of a Waste Management Board, a proposal which had been previously adopted by Tynwald and then later revoked. The establishment of such a Board would allow the environmental protection element to be divorced from the operational responsibilities presently falling upon the Department of Local Government and the Environment. It was suggested that the proposal for the Waste Management Board had been used as one of the supporting arguments for the Energy from Waste Plant during the planning enquiry.

Discussion also took place with regard to another option contained within the Consultation Document, that waste operations be transferred to the Department of Transport. It was recognised that this too had merits as this would also separate the regulatory role – which would remain with the Department of Local Government and the Environment, and the operational function which would be transferred to the Department of Transport.

After discussion, however, and on the proposal of Mr Quirk, seconded by Mr Killey, it was unanimously **RESOLVED** *that a submission be made to the Department of Local Government and the Environment confirming the continued support of the Onchan District Commissioners for the establishment of a new Waste Management Board to be responsible for waste operations.*

C04/08/01/17
CLERKS REPORT

None.

C04/08/01/18
DISTRICT SURVEYORS REPORT

None.

MOTIONS

The following Motion had been submitted by Commissioner D. Crellin, a copy of which had been circulated with the agenda:-

No 31 That the Standing Orders on the Making of Contracts of the Onchan District Commissioners be and are hereby amended as follows:-

The monetary limitations of £1,500 and £6,000 in paragraphs 3 (1) and 3(2) be replaced with the new monetary limitations of £3,000 and £12,000 respectively.

That said Standing Order, so amended, to be:-

“3. Notwithstanding the provisions of Standing Order 2(1):-

- (1) tenders for a contract for the execution of works estimated to cost between £3,000 and £12,000 may be sought from not fewer than three approved* contractors without public notice inviting tenders;***
- (2) a contract for emergency works or a contract estimated to cost less than £3,000 may be sought or negotiated directly with a registered contractor, except that the circumstances of any emergency contract exceeding £3,000 in cost shall be reported to the Authority or the Commissioners In Committee at the next ordinary or extraordinary meeting”.***

The Motion was moved by Mr Crellin and seconded by Mr Astill.

It was noted that under the provisions of Standing Order No 36, any motion to add to, vary or evoke Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Authority. Discussion adjourned.

There being no further business the meeting terminated at 7.55 p.m.

Minutes of a meeting of the **HOUSING COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Wednesday, 1st September 2004 commencing at 7.10 p.m.

Present:	Mr S.T. Black Mr M.J. Kennaugh Mrs W.E. Megson Mr B. Stowell	(In the Chair) (until 8.15 p.m.)
Apologies:	Mr J.K. Watterson	(Chairman)
In attendance:	Mr M.J. Williams Mr A.B. Sutherland Mrs S. Dougherty	(Deputy Clerk) (Housing Maintenance Manager) (Administrative Assistant/Housing Officer)

H04/09/01/01 **MINUTES**

The minutes of the meeting of the Committee held on Monday, 26th July 2004, copies of which having previously been circulated, were considered, agreed as a correct record of proceedings and signed by the Vice-Chairman.

H04/09/01/02 **MATTERS ARISING FROM THE MINUTES**

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

1. **Administrative Report**

None.

2. **H04/06/01/02(b) – Housing Transfer Policy**

It was confirmed that letters had been issued to those housing transfer applicants who had rent arrears to advise that the Commissioners would be prepared to allow the application to continue to be considered providing the applicant undertook to take steps to clear any arrear that was outstanding. Responses to the letter were still being received, and a number had discussed proposals to clear the arrear of rent with the Chief Cashier. The matter was ongoing and a further, more detailed report would be made to the next meeting of the Committee.

3. **H04/06/01/02(c) – Proposed Meeting with Mrs A. Craine MHK**

It was confirmed that Mrs Craine retained the responsibility for housing issues within the Department of Local Government and the Environment and the extraordinary meeting of the Board with Mrs Craine would take place on Tuesday 21st September 2004, commencing at 7.00 p.m..

4. **H04/06/01/03(d) – Common Tenancy Agreement**

It was confirmed that whilst the Department of Local Government and the Environment had yet to issue the Common Tenancy Agreement and explanatory document associated therewith, and to instruct Housing Authorities to implement the Common Agreement, administrative arrangements were put in hand to ensure that the process could begin as soon as the instruction was received.

5. **H04/06/01/02(e) – Public Sector Housing – Conservatories**

A copy of the letter submitted to the Department of Local Government and the Environment with regard to tenants applications for permission to erect conservatories had been circulated with the agenda. *Noted.*

BUSINESS ARISING FROM PREVIOUS MEETINGS

1. Proposed Meeting with Onchan Tynwald Members – Housing

Members were reminded of a suggestion made earlier in the year that a meeting be held between the Onchan District Commissioners and those Members of Tynwald based within the Onchan district with a view to discussing housing provision within the Isle of Man. It was agreed that the proposed meeting should proceed, and that Officers should attempt to arrange same to take place, perhaps in the first week in November 2004.

2. Criteria – Sheltered Housing

It was confirmed that at a recent meeting, Officers were required to establish the position with regard to the criteria which was to be used in respect of public sector sheltered housing, in particular as it related to previous ownership of property and the value thereof. Advice had previously been received from the Department of Local Government and the Environment that property ownership and specifically the net value of the property should be considered in relation to sheltered housing applications and email correspondence to confirm this from the Department had previously been circulated.

Individual Members had argued for some time that it was inappropriate to take property value in to account and at a recent meeting, it was determined to establish the position with regard to some of the other Sheltered Housing Authorities such as Douglas, Port Erin, Peel and so forth. This had been undertaken and it was reported that the Onchan District Commissioners appeared to be the only Sheltered Housing Authority which used the net value of presently owned property as part of the assessment process.

It was confirmed that applicants were currently required to provide the Onchan District Commissioners with a statement of the value of the property, preferably confirmed by a qualified professional such as an Estate Agent, together with a statement of any charges which were applicable in respect of that property. It was further confirmed that no application had been rejected unless and until the Onchan District Commissioners had had the opportunity to view the application to decide whether the net value of the property, when taking the other circumstances of the application in to account were such to indicate that an applicant had other alternatives available to them rather than public sector sheltered housing.

It was further confirmed that the Commissioners had accepted applications where the net value of the property was £280,000 and if information was received with regard to a property valuation which was beyond that figure, the Onchan District Commissioners were asked to carry out a review of that application and make a determination.

The advice from the Department of Local Government and the Environment, received by email, had been clear and that advice had been followed. The Deputy Clerk suggested that it was incumbent upon the Onchan District Commissioners to ensure that an applicant required public sector accommodation whether it was in the general housing sector or the sheltered housing sector and that no other alternative was available to the applicant. He confirmed that the judgement that he had applied in the past, and continued to apply, was whether the value received from the house would be sufficient to allow an applicant to purchase a property very near to the centre of Onchan which would be suitable for their purpose. The judgement had to be subjective. The only other stance that could be taken would be to allow an application to proceed regardless of the value of presently owned property and allow an applicant to eventually benefit from publicly subsidised housing regardless of property valuation.

A lengthy debate ensued in relation to this matter, but after consideration it was **RESOLVED***:-

- (a) *the Onchan District Commissioners no longer required the submission of a property valuation and statement of any outstanding balances in relation to property ownership in respect of an applicant for public sector sheltered housing;***
- (b) *that property valuation be not taken in to account as part of the sheltered housing application process; and***
- (c) *that the Department of Local Government and the Environment be advised that despite email advice previously received, home ownership and property valuation would not be taken in to account as part of the sheltered housing application process.***

H04/09/01/04
HOUSING AND OTHER ESTATES BUSINESS

1. **Maintenance Report**

The report, dated 26th August 2004, had been circulated with the agenda. Arising therefrom:-

(a) **Replacement of Fascias, Etc – Ashley Park (Scheme 13 – 60 units)**

It was confirmed that the contractors had successfully completed all of the works in relation to this contract.

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

It was confirmed that contractors had successfully completed all of the works in relation to this project.

(c) **Replacement of Walls and Fencing – The Park Houses (Scheme 4 – 12 units)**

It was confirmed that contractors were due to commence works on the project on 31st August 2004.

2. **Administrative Report**

None.

Mr Kennaugh left the meeting at 8.15 p.m.

3. **H04/07/01/04(3) - Nursery Avenue and Lane**

It was confirmed that the Onchan District Commissioners owned the whole of the lane which ran behind the Nursery Avenue houses, adjacent to the new development which was taking place on the site of the former Nursery Hotel. It was **RESOLVED:-**

That the Housing Maintenance Manager should liaise with the Contractors developing the site of the former Nursery Hotel and remind them that they must ensure the safety of the lane users and that at the completion of the contract, the Commissioners would expect the reinstatement of the lane to an acceptable standard.

H04/09/01/05
SPRINGFIELD COURT MATTERS

1. **Maintenance Report**

The maintenance report, dated 26th August 2004, had been circulated with the agenda. Arising therefrom:-

(a) **H04/07/01/05(3) – Decoration, Communal Areas (Internal and External)**

It was noted that a specification to undertake external decorative works had been compiled and had been issued to interested contractors as part of a tender process.

2. **Administrative Report**

None.

H04/09/01/06
HEYWOOD COURT MATTERS

1. **Maintenance Report**

None.

2. **Administrative Report**

None.

H04/09/01/07
GARAGE MATTERS

None.

H04/09/01/08
PLANNED HOUSING MAINTENANCE

1. **Planned Housing Maintenance Survey Update**

No progress.

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

It was noted that a lump sum fee proposal had been submitted by E.S. Consulting to include all duties in relation to the proposed wiring contract, had been received that day and would be conveyed to the Department of Local Government and the Environment for consideration and approval.

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

No progress.

4. **Replacement of fascias, etc. - Ashley Park (Scheme 13 - 60 units)**

Completed.

5. **Replacement of fascias, etc. – Hackett Close/Meadow Close/Nursery Avenue (Scheme 11, 11a and 12 – 36 units)**

Completed.

6. **Proposed Render Works – School Road (30 units)**

No progress.

7. **Paths/Walls – The Park Houses (Scheme 4 - 12 units)**

Works to commence 31st August 2004.

H04/09/01/09
HEALTH AND SAFETY BUSINESS

None.

H04/09/01/10
OFFICERS REPORT

1. **Housing Allocations**

A report was made with regard to the current situation in relation to each vacant property. In all but one case, the property had been allocated and was awaiting occupation or the completion of works. *Noted.*

H04/09/01/11
ANY OTHER CORRESPONDENCE/COMMUNICATIONS

None.

H04/09/01/12

FINANCIAL REPORTS

The financial reports in respect of housing maintenance and sheltered housing maintenance for the period to 31st July 2004, together in the none government housing department report for the period to 27th August 2004 had been circulated with the agenda and were noted.

H04/09/01/13

MATTERS REFERRED BY THE BOARD/OTHER COMMITTEES

None.

H04/09/01/14

ANY OTHER BUSINESS

1. **Date of Next Meeting**

It was noted that the next meeting of the Housing Committee would take place on Monday 4th October 2004, commencing at 7.00 p.m.

2. **Commissioners' Surgery**

It was noted that the next Commissioners' Surgery was to take place on Thursday, 30th September 2004, commencing at 6.30 p.m.

There being no further business, the meeting closed at 10.10 p.m.

Minutes of a meeting of the **WORKS & CLEANSING COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Monday 6th September 2004 at 7.02pm.

Present: Mr D. Crellin (in the chair), Messrs S.T. Black, M.J. Kennaugh JP E.D.R. Killey and D.J. Quirk

Apologises: Nil

In attendance: J.E. S. Smith (Clerk), E.K. Convery (Surveyor) and Peter Kelly (Administration)

WC/04/9/1
MINUTES

Minutes of the meeting held on 28th June 2004, copies of which having previously been circulated, was taken as read, confirmed and signed.

WC/04/9/2
MATTERS ARISING

The following matters were arising from the minutes:-

a) **Port Jack Glen Stream**

The Surveyor reported that he had spoken with Mr Derek Toothill, Senior Assistant Drainage Engineer and was awaiting a meeting date. Mr Quirk suggested that an e-mail be sent to Mt Toothill with a copy going to the Director of Highways.

b) **RCV Display Board/Advertising**

The Surveyor reported that the board advertising Onchan Park had finally been received and had been displayed on the side of one of the refuse collection vehicles for the past two weeks. As the park had now closed it was to be removed. Mr Quirk suggested that there should be a winter time advertisement on the side of the vehicle. A brief discussion took place with it finally being agreed that this should relate to recycling.

c) **Public Clock**

The Surveyor reported that the replacement parts had been received for the public clock on the front of the Manx Arms and it was now working on both faces again. Noted.

d) **Belgravia Road**

The Surveyor advised that he had spoken with Cornerstone Architects and they required more information on the statue to be erected in the garden at the junction of Hague Crescent and Imperial Terrace. The Administrative Officer pointed out that the agenda item referred to the point raised by Mr Killey at the previous meeting that now the building was at roof level the hoarding could be brought in to provide a wider carriageway at the bottom of Belgravia Road. The Surveyor advised that this had been put into operation.

e) **Waste Collection Advisory Group**

The Clerk confirmed that the report prepared for the group had been submitted to DOLGE and a response was awaited. Noted.

WC/04/9/3
MATTERS ARISING FROM PREVIOUS MEETINGS

Nil.

WC/04/9/4
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) New Refuse Collection Vehicle

A further report was distributed around the table at the beginning of the meeting. The report had been prepared by the Waste Operations Manager and handed to the Clerk at 5.30pm that evening. The report detailed comparisons between a Mercedes and Dennis Eagle vehicle, covering availability, servicing etc. Mr Quirk enquired whether, if anything ever happened to the service agreement with other local authorities, the vehicle would still be required. The Clerk replied it would be the case under the commissioners own policy of vehicle replacement and in any event, if for instance Braddan did not wish to continue with the present agreement they would have to give twelve months notice from 31st March 2005 in any event. Mr Quirk then suggested that in any future contract with Braddan there should be a clause indicating that bin weighing would be in accordance with Isle of Man standards. The Clerk replied that they have to be calibrated in the Isle of Man in any event. After further discussion it was agreed to accept the recommendation of the Waste Operations Manager and therefore tenders would be sought on the basis of using a Dennis Eagle Elite chassis for a refuse collection vehicle.

ii) Street Cleaning

Members noted that the new pavement sweeper was performing well but access to some of the narrow footpaths was proving difficult. Mr Quirk posed a question regarding the policy of DoT to which the Clerk replied that he was aware that the department were looking at policy at the moment. They had indicated, however, that their role was principally one of road safety and not amenity value.

b) Meeting with Braddan Commissioners

Copies of the minutes of the meeting held with representatives of Braddan Parish Commissioners on 19th August 2004 had been circulated. Notification had since been received from Braddan that they were proceeding to prepare a new service level agreement. The Chairman expressed his thanks to the Administrative Officer for the time and trouble taken in producing the minutes of the meeting.

c) Litter Bins

A copy of the letter received from the Network Operations Manager of DoT dated 16th August 2004 together with a copy of the Litter Amendment Act 2003 had been circulated prior to the meeting. The department gave notice that as of 1st April 2005, in accordance with Section 2 of the Act they would no longer be providing or emptying litter bins in local authority areas. Mr Quirk enquired as to how many bins were currently owned and emptied by DoT in the Onchan district. The Surveyor replied that he had asked for that information in respect of Onchan, Braddan and Marown as being refuse collectors to those other two areas it was possible that Onchan would be requested to empty litter bins there as part of the service provided.

d) Any Other Cleansing Business

Mr Quirk made reference to TT Week and the fact that he understood DoT had requested the commissioners to pick up rubbish which had been deposited on the grass verge in Blackberry Lane outside the Old Boy's football pitch which was being used as a camp site. He enquired whether a bill had been sent to the department for this service. The Surveyor replied that no invoice had been raised; the work was done as quickly as possible and in fact only took twenty minutes to clear. He further added that he understood a meeting was to be held with the campsite organiser to overcome this and other problems. Noted.

WC/04/9/5

STREET LIGHTING/STREET FURNITURE

a) Officer's Report

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

i) Port Jack Railings

The Surveyor reported that the treatment and painting of railings was taking longer than anticipated. Furthermore the weather in August had not been favourable.

ii) Cronk Lane Lighting

The Surveyor reported that the work was due to have commenced in late June but had been delayed for operational reasons by the MEA. He understood that a start was due to be made within the next fortnight.

iii) Kaighens Lane

Mr Quirk commented that the new street lights erected there were partially obscured by overhanging trees and bushes. The Surveyor to investigate and remedy.

iii) Replacement Heads

The Surveyor confirmed that formal financial approval had been received from DOLGE to proceed with the various schemes which included an amount of £434 per column for replacement heads.

iv) Streetlight Timing

Mr Quirk advised that he had been contacted by the parent of a child attending King Williams College and that the collection point by the commissioners' office in the early morning during the winter months was dark. The Surveyor advised that this had already been brought to his attention and he was making arrangements to have the time clock on the next convenient lamp altered to provide light during the dawn hours.

b) Other Street Lighting Matters

i) Painting

Mr Quirk referred to the fact that in the contract for street lighting, the contractors had to carry out painting of the lamp standards and queried whether details had been given to the contractor. The Surveyor replied that the Building Control Officer was in the course of preparing a list at present.

ii) Mount View Road

Mr Quirk advised that the street light outside 3 Mount View Road was lit all day.

c) Port Jack Toilets

The Surveyor reported that both planning and building regulation applications had been submitted in respect of the new toilets. An advertisement had also been placed asking for interested contractors to be placed on the select tender list. Noted.

WC/04/9/6

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

Kerrocoar Drive Pumping Station

The Surveyor elaborated on the report of the Building Control Officer by confirming that prior to adoption the sewers and pumping station have to be compliant with standards of DoT. Heritage Homes were in the process of rectifying certain items in order to reach that standard. Mr Quirk suggested that the Surveyor should ask DoT if they were happy with the storm water arrangements in the Kerrocoar Close development.

b) **Other Drainage Matters**

i) **Hague Crescent**

Mr Quirk enquired as to what was happening at the rear of Summerland following the small landslide at the time of the October 2002 flash flood. The Surveyor replied that he understood bore holes were to be undertaken as part of the ongoing investigation.

ii) **Gully Emptying**

Mr Quirk informed members that the gullies in Avondale Road had now been emptied but those on King Edward Road backing onto the King Edward Bay development were blocked.

iii) **Wrack Road, Onchan Harbour**

Mr Killey commented that during the past weekend a major motorcycle event had been held in Happy Valley and he was of the opinion that the department needed to look at the state of the road descending to the beach.

iv) **Port Jack Railings**

Mr Quirk informed the meeting that during this motorcycle event clamps had been placed on the railings at Port Jack.

WC/04/9/7

PLANNING MATTERS

a) **Planning Communications**

The Surveyor reported on the following application

PA 03/1465 Additional use of holiday cottage to permanent accommodation ancillary to main dwelling, 59 Governors Road.

The commissioners had recommended refusal of this application but the planning committee approved it both at the initial and review stages. An appeal had been sought and was due to take place in October. Submissions having to be made by 17th September 2004. Noted.

b) **Planning Approval**

The Surveyor made reference to a recent extraordinary meeting of the Board where the Chairman of the Works and Cleansing Committee had stated that if a building had been in existence for 9 years then it was deemed to have planning approval. There had been a recent unrelated letter received from DoT regarding a letter of comfort for some unauthorised works and as a result he had spoken with Sarah Corlett, Planning Officer. The position was that within the department if any unauthorised building works have been in existence for 4 or more years without complaint then the Attorney General is not prepared to take out a prosecution. That in itself does not create a situation where planning approval is deemed to have been given and the same applies to letters of comfort which merely indicate that no action will be taken against the subsequent purchaser.

c) **New Applications**

Seven new applications had been received and it was

***RESOLVED**

“to recommend to the Planning Committee of DOLGE that the following be approved”

PA 04/1721 Removal of part of front boundary wall and formation of off street parking for 2 cars, 29 Greeba Drive for Mr V. Knowles.

PA 04/1769 Patio door to replace front window, 123 King Edward Road for Mrs J. Adams

PA 04/1770 Alteration to first floor window on front elevation, 17 Mount View Close for Mr C. Morgan.

PA 04/1773 Dormer window on rear elevation, 107 Royal Avenue for Ms J.L. Baxter.

PA 04/1781 Garden fence to side elevation, 2 Hague Walk for Mr P.J. Wagstaffe.

In respect of PA 04/1781 it was agreed that the owner of No 1 Hague Walk should be notified as to the proposals.

***RESOLVED**

“to recommend to the Planning Committee of DOLGE that the following application be refused”.

PA 04/1793 Replacement casement windows, 36 Royal Avenue for Mr T. Rodgers - Refusal to be without prejudice to the installation of sliding sash windows in this property.

It was further ***RESOLVED**

“to request the Planning Committee of DOLGE to defer a decision on the following:-

PA 04/1767 conversion of existing ground floor workshop to additional office accommodation including installation of front window and security grille over entrance, Alpine Mews, Starthallan Lane for Fosterplus (IOM Ltd). The deferment pending additional information in respect of the type of business to be carried on and other matters, being made available to the commissioners”.

WC/04/9/8

CAPITAL AND REVENUE SCHEMES

Officer's Report

Copies of the report had been circulated prior to the meeting. The Clerk advised that the list circulated in his absence on annual leave was in fact an outdated list. Revised copies were distributed at the meeting. There were no comments thereon.

WC/04/9/9
HIGHWAY AND TRAFFIC MATTERS

a) **Traffic Survey Summary**

Copies of the survey carried outside 54 Nursery Avenue, north of Hague Drive on Summerhill Road, outside Royal Court in Royal Avenue, and on the Scollag Road had been circulated prior to the meeting. Members noted with interest the number of vehicles in both north and south bound direction recorded and the average number per day. The survey also indicated the number during peak periods (8am – 9am and 5pm – 6pm) together with the percentage of vehicles that were speeding and the maximum speeds recorded together with the time zone in which this occurred.

Mr Quirk suggested that a copy of these figures be sent to the Onchan police but members were of the opinion that the police traffic section would receive copies in any event. The Surveyor agreed that at the next traffic management meeting for the eastern sector he would raise the question of speeds recorded on Summerhill Road and Royal Avenue.

b) **Other Traffic Matters**

Mr Quirk suggested that the Surveyor should ask DoT for a road gully emptying programme. The Surveyor replied that to the best of his knowledge they were working their way through the centre of the village at the present time.

c) **Johnny Watterson's Lane Crossroads**

Copies had been circulated of a press release from the Department of Transport advising that the Johnny Watterson's Lane/Ballanard Road crossroads would be closed from Monday 27th September to Friday 17th December 2004 whilst construction work took place on a roundabout together with the necessary road widening and renewal of services. Noted.

WC/04/9/10
FURTHER REPORTS

There were no further reports from the Clerk or Surveyor.

WC/04/9/11
CORRESPONDENCE/OTHER COMMUNICATIONS

a) **Birch Hill Covenants**

Letter reported as received from a resident in Birch Hill expressing concern that the commissioners had advised they would be objecting to his planning application on the grounds that it was in breach of the covenants for the estate. He was further concerned that having called to the Surveyor's Department before making the application no mention was made of the covenants. The writer further enquired therefore as to the procedure for having the covenant lifted. The Surveyor informed the meeting that he had investigated the allegations and could not find any member of staff who had advised the applicant in any way. Agreed that a reply should be sent advising that it was up to the purchasers of properties to check on covenants that may exist prior to engaging architects or making planning applications.

b) **Maintenance of Back Lanes**

Letter as received from Peter Karran MHK advising that he had received complaints regarding the state of back lanes in Onchan, had been circulated prior to the meeting. The letter further enquired whether the commissioners had considered taking over responsibility for the maintenance of the lanes in the district. Mr Quirk commented that some lanes in the district were the responsibility of DoT in respect of hedge cutting etc. After further discussion it was agreed that the driver of the pavement sweeper should produce a list of areas where the vehicle could not gain access. The Surveyor advised that he would speak with the Building Control Officer and the Waste Management Officer to obtain details of a plan of action. Reply to be sent to Mr Karran.

c) **Pavements**

Copy of a letter as sent by George Waft MLC to the Minister of Transport regarding the state of some pavements in Onchan had been circulated prior to the meeting. Mr Quirk commented that there were no copies of the photographs submitted by Mr Waft with the copy letter. Mr Quirk further added that recently the pavement surface had been renewed with tarmac from the top of Kelvin Road through to the Isle of Man Bank and he thought that the DoT employees would have filled in the depressions in the bus lay-by at the same time. The Surveyor responded that the grade of tarmacadam would be different.

WC/04/9/12

OUTSTANDING MATTERS

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

i) W98/7/14(a) Adoption of Roads and Lane – Marion Court

Mr Quirk commented that the resident of Royal Avenue who parks his two BMWs in the space reserved for residents in Marion Court was still doing so. The Surveyor to follow up.

ii) 3.(2) Replacement Bollard Lighting – Heywood Park

Mr Quirk enquired as to the position with regard to the replacement lights. The Surveyor advised that he had arranged a meeting with Mr Alan Bridson of MEA but he was unable to attend. The Building Control Officer attended in his stead but he did not know the outcome.

iii) WC/02/01/14(b) King Edward Road – Happy Valley Railings Reinstatement

Mr Quirk pointed out that the railings on King Edward Road at the junction with Sea Cliff Road which were damaged at the time of the installation of the storm water outlet by Heritage Homes had not yet been fixed. He also pointed out that the litter bin had been thrown in the sea.

WC/04/9/13

MATTERS REFERRED BY BOARD/OTHER COMMITTEES

Nil.

WC/04/9/14

ANY OTHER BUSINESS

a) Time and Date of Next Meeting

Monday 11th October 2004 at 7pm.

b) Marown Refuse

The Chairman advised that he had been contacted by a Marown resident over the fact that the refuse bins were not collected on Bank Holidays. The Clerk confirmed that this had been the policy since the introduction of the wheeled bin service in Onchan. The wheelie bins have a capacity two and a half times the old galvanised dustbins and therefore should be capable of holding two weeks rubbish. It was up to Marown Commissioners to notify their residents of the policy in the same way that Braddan did.

c) Policy and Finance Meeting

The Chairman advised that he would be off the island at the time of the rearranged meeting of the Policy and Finance Committee. The Vice Chairman to attend in his stead.

Meeting terminated at 9.02pm.

Minutes of a meeting of the **LEISURE AND AMENITIES COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Monday 13th September 2004 at 7.01pm.

Present: Mr A.T.W. Norton (in the chair), Messrs M.J. Kennaugh JP, E.D.R. Killey and B.Stowell

Apologises: Nil

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

LA/04/9/1
MINUTES

Minutes of the meeting held on 6th July 2004, copies of which having previously been circulated, was taken as read, confirmed and signed.

LA/04/9/2
MATTERS ARISING

There were no matters arising from the minutes which did not already appear on the agenda.

LA/04/9/3
PLAYGROUNDS/PARKS

a) **Playground Log Books**

The Amenities Officer reported that the logbooks were ready for signature by the Chairman. The only item he wished to draw to the attention of the committee was the safety tiles in the Lakeside Gardens play area. Due to shrinkage of the tiles there were gaps appearing between them which he had originally intended to have filled when the contractors were on site to carry out the safety flooring under the train feature in the Taverners Playground. Unfortunately the contractors moved in and out quicker than he could contact them. The Administrative Officer reminded members that the playground at Lakeside Gardens had been installed by Managrakem and perhaps an approach should be made direct to them in order to carry out the work necessary to fill the gaps as they had laid the tiles in the first place. Agreed.

b) **Amenities Officer's Report**

Copies of the report had been circulated prior to the meeting with the following items being discussed further:-

i) **Fire Precautions Stadium Building**

The Amenities Officer advised that during a recent inspection by the commissioners' electrical contractor certain items were pointed out in respect of the linkage between the various parts of the building and the control panel which was somewhat out of date. A brief written report had been provided by the contractor which had been distributed prior to the meeting. Members noted that there was no provision in the current year's estimates to cover this work but they accepted that it was of importance and therefore it was agreed that the contractor should produce a more detailed report and estimate on the cost of what would be necessary having first consulted with the Fire Officer to confirm that what was proposed was acceptable. Such report and estimate to be made available at the next meeting.

ii) **Electric Meter Cupboard**

The Amenities Officer also reported that as a result of carrying out tests on the fire alarm system it was noted that the electric meter boards set within the entrance foyer to Nivison Stadium was at its capacity. He commented that the recent installation of hand dryers in all the public conveniences could now technically overload the system if all the dryers were on at the same time. He recommended therefore that a three phase board be installed with MCB trips and RCD trips as soon as possible. Again no provision had been made in the estimates for carrying out this work but it was agreed that a full report and quotation be received from the commissioners' electrical contractor and made available at the next meeting.

iii) **Chipper Shredder**

Tenders for the supply of a Green Mec Eco Combi Chipper/Shredder had been sought from four local suppliers and the manufacturer. Five tenders had been received and were opened by the Chairman at the meeting. After the tender amounts were read out members concurred that the lowest tender be accepted and therefore it was

***RESOLVED**

“to accept the tender of Saddler Agricultural Supplies Limited in the sum of £13,595 + VAT for the supply and delivery of 1 nos Green Mec Eco Combi ECM 150 MT 35D Chipper/Shredder in accordance with the specifications supplied”.

It was noted that there was a possible typographical mistake in the quotation as the model had been referred to as 50 MT and not 150 MT. The Amenities Officer was to confirm this prior to the recommendation going to the Policy and Finance Committee and was also to confirm that the arrangements for parts and labour warranty were satisfactory.

iv) Tiling in Changing Rooms

Three firms had been requested to quote for the tiling work in the changing rooms under Nivison Stadium. Two tenders had been received which had been opened on the previous Thursday by the Board Chairman in the presence of the Clerk and the Surveyor. Members concurred that the lowest tender should be accepted and therefore on the proposal of Mr Killey, seconded by Mr Stowell it was

***RESOLVED**

“to accept the tender of N.Cowin Limited in the sum of £5,085 + VAT for tiling work in the changing rooms at Nivison Stadium in accordance with the specification supplied”.

c) Park Foreman’s Report

There was no Park Foreman’s Report as he was currently on sick leave. Noted.

d) Pennington Hall

The Chairman advised that he had held a meeting with the Surveyor in the company of the Chairman of the Works Committee. The Surveyor was now looking at a replacement building both on the existing site and an alternative boat house elsewhere. Mr Stowell expressed concern over the costs that would be involved to provide a large boat store. Whilst accepting that the boats provide the greatest income from the summer season takings if one were to deduct the labour costs then they were hardly a viable commercial proposition which in his mind placed doubt on future large expenditure for their winter storage.

The Chairman then commented that the long term future of the boats needed to be looked at. They were now forty years old and perhaps work should start on looking to their replacements. He referred to a firm which produced boats but they were of the pedalo variety as opposed to motorboats. Members concurred that motorboats were certainly the attraction to Onchan Park. After further discussion it was agreed that the boatman/mechanic should be requested to produce a report for the next meeting on the general state of the boats and some form of prognosis.

e) Annual Tour of the Park

The list from the tour which was carried out on Friday 26th September 2003 had been circulated from which it was noted that the sheeting above the screen wall to the ladies toilet at the side of the stadium building had been painted and concrete bases had been put in opposite the central play equipment but no seats yet provided. All other work on the list still remained outstanding.

After discussion it was agreed that the current year’s annual tour should take place on Tuesday 28th September 2004 at 2pm.

f) Skateboard Park

There was no further news in respect of same as the Appeal was yet to be heard. Noted.

g) Train Feature

The Administrative Officer reported on the new train feature in the Taverners Playground. When the first account was received he contacted the suppliers pointing out the type of safety fencing, for which they had made provision in their estimate, had not been used and as a result they had provided a credit against the cost. Since that time a further account has been received for the safety flooring which was carried out by a

sub contractor. That work was to include the marking out of a train track of which only approximately 2 feet had been undertaken. As the amount in question was over £600 this had again been queried. Reply awaited. Noted.

h) CCTV

A memo had been circulated as prepared by the Surveyor referring to a demonstration to take place in the new joint control room behind the police headquarters, Glencrutchery Road on Wednesday 6th October 2004 at 9.30am. The commissioners were invited to view this facility on the basis of one commissioner and one officer. After discussion it was agreed that Mr Stowell would be the commissioner representative and that he and the Surveyor would report back.

j) Season Takings

Copies of the seasons takings had been circulated prior to the meeting and it was noted that the final figure was 1% down on the previous year which had been considerably higher than the years before that.

In viewing the figures it was noted that they included an anticipated rental charge from the croquet club who now played on a disused bowling green at Nobles Park. Those figures were incorporated in the 1% deficit. The other major contributor was from the bumper boats which had not been put out over the Easter period. In the previous year they had been out for the four day Easter period and took £980. During the current year the park was open for a total of sixteen days over the Easter period to coincide with the school holidays. The Amenities Officer reported that as Easter was early this year the boats were not put out. It was noted however that in 2005 Easter would be earlier still.

The Administrative Officer advised that the Chief Cashier hoped to have details of the passport usage for the next meeting. Mr Stowell expressed concern that there was no apparent growth in the takings at Onchan Park and was concerned that it would stagnate. Mr Killey asked that Mr Stowell come forward with some ideas for its future development.

k) “Wembley Football Arena”

There was no further information via the Surveyor in respect of the cost and the provision of a feature of this nature in the School Road Recreation Ground.

m) Improvement to Lighting

The Amenities Officer reported that the lamp standard noted near the greenkeepers’s hut had now had a head placed on it and the other lighting on the main entrance path had been attended to the best of his knowledge. The bulkheads in the shelter backing onto the greenkeeper’s hut had not been undertaken as yet. Members expressed concern that this should be carried out as the dark nights were approaching.

n) Stadium Pitch for Cup Finals

Reply read as received from the Isle of Man Football Association. Letter advised that the matter had been considered at a Council meeting and was passed to the Fixtures Committee for consideration. Further contact would be received in the near future. Noted.

p) Squash Club Roof

A report had been received from the Housing Maintenance Manager outlining tenders which had been opened the previous Thursday in respect of necessary roofing works to be carried out over the squash courts, changing rooms and link corridor. Four contractors had requested to be placed on the select tender list of which two did not qualify. Tenders from the other two had been opened on the previous Thursday and details of same were indicated on the memorandum.

Mr Stowell enquired as to why fibreglass had not been requested as an option or preference. The Amenities Officer advised that it was not a matter with which he had been dealing and therefore was not in a position to answer. After further discussion it was

RESOLVED

“to defer consideration of the tenders for roofing work at the squash club in Onchan Park until the meeting of the Board so that the Surveyor’s Department can supply details as to why fibreglass roofing had not been requested as an alternative”.

LA/04/9/4

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 the following being discussed further:-

Port Jack Glen

The Chairman commented that the lower entrance to the glen was looking good now the sign had been painted.

b) **War Memorial**

The Amenities Officer reported that a site meeting had been held that afternoon with himself, the Surveyor and Mr Robert Watson from Watson’s Nurseries in attendance. The difficulty still existed in trying to provide colour during November which could not really be undertaken by flowers. Therefore it has been agreed to remove a certain of the existing bushes which had now grown too large and these would be replaced by plants which hopefully would provide some form of autumnal colour at the time of the Armistice Service. The work would be carried out in phases so that the whole area is not denuded in one go.

c) **Centenary Park**

The Administrative Officer reported that the Parks Foreman had of recent planted further buddleia at the far end of the park which were from cuttings taken and donated to the commissioners during 2003. These cuttings had been potted whereas other varieties had been placed straight into the ground in the autumn of 2003. Of the potted variety the Parks Foreman had taken further cuttings which had multiplied the number of plants now on site. Noted.

d) **Millennium Shelter**

The Amenities Officer reported that he understood the Surveyor was chasing the insurance company for a reply to his earlier enquiry.

e) **School Road Recreation Ground**

The Administrative Officer reported that criminal damage had taken place in the playground to the fencing erected recently behind the Nursery Avenue houses as part of the path repair and improvement scheme. He was concerned that this was possibly not the work of children and was arranging an on site meeting with the police in the hopes of progressing the matter further. Noted.

f) **Duck Race 15th August 2004**

None of the members were aware as to whether this took place or not.

g) **Memorial Seat**

Mr Killey advised that there was the possibility that another memorial seat was to be presented via the Royal British Legion – Onchan Branch. This was in memory of one of their members who passed away recently and donations had been received in lieu of flowers. After a brief discussion it was agreed that it could be placed outside the commissioners office alongside the seat to the late Mr Jeff Pollard one time secretary of the Onchan Branch. The person in whose memory it was to be presented did in fact have a connection with Hawthorn Villa having in the past rented a workshop at the rear. Matter left with Mr Killey and the British Legion to consider further.

LA/04/9/5

PUBLIC CONVENIENCES

a) **Amenities Officer's Report**

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

i) **Showcases**

Members noted the cost of showcases which amounted to £1,188 + VAT. These were proposed to be placed in each toilet to indicate the times of cleaning. It was noted however that the toilets were cleaned first thing in the morning and that was it for each day. Members saw little point in the cleaner merely replacing a sheet of paper each day stating the same time of cleaning when nothing happened in the meantime. Mr Stowell also thought that all the showcases would do was to provide something further to be vandalised. He felt there was little point in spending over £1,000 when the toilets were only cleaned once per day and therefore proposed that the scheme be dropped. This was **RESOLVED** so to do.

ii) **Port Jack Toilets**

The Amenities officer confirmed that an application had been made for both planning and building regulation consent and that an advertisement had been placed in the local press for interested contractors to be placed on a select tender list. Noted.

LA/04/9/6
PUBLIC LIBRARY

a) **Librarian's Report**

Copies of the Librarian's report had been circulated prior to the meeting. Members noted that library membership and issues for August were both up and that the "ration card" issued to coincide with the 60th anniversary of the Library had currently produced 76 new members. 53 sessions were logged on the Internet for the month of August.

Members noted the Reading Rollercoaster would close at the end of September and that the decorations in the library for Christmas would be on a Harry Potter – Christmas at Hogwarts theme. Members commented on the Christmas reading which took place the previous year and indicated that they looked forward to a similar event this year.

b) **Amenities Officer Report**

There was no maintenance necessary to be carried out at the library since the previous meeting. Noted.

LA/04/9/7
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) **Glass Replacement**

The Chairman commented that he noted reference had been made to a broken pane being replaced on the 19th July but he was of the opinion that there was another broken pane. The Amenities Officer replied that when panes are cracked he tended to leave them, if they were not broken and presenting a danger, until there were a couple which needed to be replaced and they could be done at the same time to keep down costs from the contractors.

ii) **Disabled Persons Parking**

The Amenities Officer advised that he had mistakenly put both disabled persons car spaces together by the main entrance rather than as instructed which was to place one of them by the ramp which descended to the sports hall. After a brief discussion it was agreed that these should be left as is but the next time that they were repainted one of the spaces should be moved.

b) Fascia Board Replacement

The Amenities Officer advised that an advertisement had been placed that day for interested contractors for carrying out this work.

c) Urinal Flushing

Mr Stowell commented on the flushing of the urinal and the Amenities Officer gave an explanation of the system that had been adopted together with problems that had been experienced in persons turning off stop taps etc.

d) Push Bar

Mr Stowell then referred to the push bars on the panic bolts in the sports hall and how a piece of timber was positioned over the push bars. The Amenities Officer replied that this had been installed as when ball games or other activities took place that it prevented the accidental opening of the fire doors. After discussion it was agreed that a suitable sign be placed alongside the exits indicating that the timber boards needed to be removed before operating the panic bolt.

LA/04/9/8

PROMOTIONS/ADVERTISING/PUBLIC INFORMATION

a) Website

The Administrative Officer advised as to figures received from WebOne UK which showed that for the month of July the total hits on the Onchan Website was 21,201, page views 7,885 and visits 2,776. For August the relevant figures were 22,505, 6,858 and 3,058.

The Administrative Officer advised that enquiries were still being received, although a lot less common now, as a result of people discovering the existence of the Onchan web page and asking questions relevant to past forebears, information on property etc. Noted.

b) Village Fair

The Administrative Officer reported that the fair appeared to go off well although the cold wind prevented people from staying too long. The success of the stalls seemed to vary with those offering refreshments suffering through people not wishing to remain in situ but in fact using the café facilities which were indoors.

From the quasi commercial establishments £100 had been received from the operator of three units, £50 from the Euro Bungy, £40 from the bouncy castle, £30 from the beefburger stall but nothing from the ice cream stall. All this money had been placed in the Onchan Youth Development Fund for use in the future. With regard to the plaque bearing the portrait of Jack Nivison, this had now been placed on an oak surround and the original opening plaque had been placed on an identical surround. Some minor works have been carried out in the entrance foyer to Nivison Stadium including partial repainting and the plaques are being set on the wall with lighting above. This area will be inspected during the tour of the park.

c) Onchan Crest

The Administrative Officer reported that during the summer vacation a request was received from Onchan AFC to use the Onchan crest. The policy was that any bona fide Onchan society could apply to use the crest and be granted same. Approval was granted and a copy e-mailed to them.

d) Visit to Onchan Park

The Administrative Officer reported that one of the groups who visited Onchan Park as a result of the advertisement in the Church Leader was Castle Rushen High School. A party of 141 year 9 pupils visited the park on 13th July. The weather was extremely good and a thank you letter from Kevin Broadbent, Head of Year 9 had been received extending their congratulations to all involved in the running of the park. A copy of that letter had been sent to the staff in the pay hut, the boatman and assistants and to Mrs Wrigley and her staff in the café. Noted.

e) Southern Motorcycle Racing Limited

Further correspondence reported as received from Southern Motorcycle Racing Limited from which it was noted that they were unable to proceed with the event they had contemplated on Thursday 26th August. Noted.

f) **Southern Motorcycle Club Limited**

Letter reported as received advising that they wished to hold a meeting with the committee to discuss the event in 2005. There had been a verbal indication that they would possibly wish to change the event from a Wednesday evening to the afternoon of Mad Sunday. Comments were made that this would inevitably clash with other motorcycle events and would be during the busiest day for the go-kart concessionaire. It would also be the busiest day of the week for the park in general and therefore congested roads with additional parking might be to the disadvantage of the commissioners. Matter to be discussed with the club at the next meeting.

g) **Estates Gardens Competition**

The Administrative Officer advised that the judging points had now been in and aggregated. The cups had been sent for engraving. After a brief discussion it was agreed that the prize presentation should take place on Friday 1st October 2004 at 6pm.

The Administrative Officer reported on the condition of the Commercial Premises cup and reported letter as sent to the Isle of Man Bank in the hopes that they would consider providing a replacement cup. Reply awaited. The Chairman commented on how impressed he was with the standard of gardens this year. Noted.

h) **IOM Street Guide**

The Administrative Officer reminded members of the decision to take an advertisement in the Isle of Man Street Guide which was an A to Z covering the whole Island. A complimentary copy had now been received which was showed to members including the Onchan Park advertisement. The Administrative Officer had written to the publishers however to point out that the Onchan maps were incorrect and not up to date. The reply received was to the effect that the maps had been supplied by DOLGE but they requested further details so that in any reprinting they could be updated. Members were complimentary in their remarks regarding the publication in general. Ten copies had been ordered, one to be held at the Library for reference and the others for resale. These had not been received as yet.

j) **Torchlight Procession**

The Administrative Officer advised that he had placed this matter on the agenda so that the committee could make a policy decision in respect of what was to be used this year in the way of burning torches or lanterns. Both had their disadvantages and their advantages. After discussion it was agreed not purchase anymore stocks of either but to put on offer what was still held and to purchase glowsticks for the children as in the past. Mr Killey proposed that the procession take place again this year and this was seconded by Mr Stowell. Dates were to be checked with the schools as to concerts etc and also letter to be sent to the Onchan Rotary Club to enquire if it would be possible to incorporate Rudolph into the procession. Matter to be further discussed at the next meeting.

LA/04/9/9

OUTSTANDING MATTERS

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

LA/03/9/4(a)(i) War Memorial – Amenities Officer to arrange on site meeting re planting – **delete as meeting now taken place.**

LA/02/7/12(b) New shower installation at Onchan Stadium – obtain tenders and carry out work – **delete as tender now accepted.**

LA/03/7/4(b) Port Jack Glen – lighting scheme – The Surveyor to contact lighting firms. Mr Stowell commented that he felt that this whole project of putting lights in the glen was a recipe for disaster. He had made his views known at a recent meeting of the Board but had been unable to gain support. Noted.

LA/04/9/10

MATTERS REFERRED BY BOARD/OTHER COMMITTEES

Nil.

LA/04/9/11

CORRESPONDENCE

a) Friends of Chernobyl's Children

Letter reported as received from Friends of Chernobyl's Children (Isle of Man) thanking the commissioners for the use of the various facilities in Onchan Park during the visit of the children from Belarus. It was noted that the children particularly liked the motorboats.

b) Teddy Bear's Picnic

Letter reported as received from the Onchan, Middle and Laxey Hospice Care Fund Raising Committee thanking the commissioners for providing Onchan Stadium for the Teddy Bear's Picnic which was held on 27th June 2004. Approximately £2,000 had been raised despite the slightly inclement weather. Noted.

LA/04/9/12

ANY OTHER BUSINESS

a) Date of Next Meeting

Monday 18th October 2004 at 7pm.
Mr Killey presented his apologies in advance.

b) Bowling Greens

Mr Stowell apologised to the committee for the item he was about to raise saying it would probably take longer to discuss than anything else that meeting but he was concerned over events that had taken place of recent. He continued by saying that unfortunately he had been drawn into something unwittingly as a result of a telephone call received from a fellow commissioner at 10.45pm one evening. He then referred to the closing of the bowling greens so that the autumn remedial works could be carried out and how the situation had now arisen whereby the procedure of the green closure being left to the officers to fix a date was now being superseded by the political members wishing to change that date after the formal notification had been given to the clubs. As someone who has been involved in the building trade he knows only too well that when a job has to be done there are various procedures to be put in place so that the work is carried out on a continuous basis. One slight change to the programme can throw everything else out when others have been working to the same timetable.

He well remembered the recent extraordinary meeting of the Board when the matter was raised as one of the clubs had requested that the closing date be put back by two weeks so that additional competitions could be held. At that meeting it was agreed that the matter be referred to the officers involved to take into consideration the request of the club. It now appeared that because the officers did not make the decision that certain commissioners wanted them to make that behind the scenes discussions had been taking place with the clubs and e-mails to and from the office but not with the officers who are directly involved. He likened this very much to the case of the seat at Lazy Corner where the Leisure and Amenities Committee time and time again came to the decision that the seats would not be moved and one of the officers had to write to the complainant advising of this fact on each occasion. Then, at a Board meeting somebody proposed a 180 degree turn in that the seat be removed which the Board accepted leaving the officer who had acted on behalf of the committee high and dry and the public wondering what was going on.

He did not feel that the action of certain commissioners would have in any way enhanced the relationship between the commissioners and the officers if changes of this nature were continued to be made.

Mr Killey expressed his concern over the matter and suggested that perhaps in the future, if the officers can review the situation at the moment, that it be agreed that the work commences each year with the first week in October and therefore bowling would automatically finish on the last day or last Sunday of September every year. Members indicated this was a possibility but there was no seconder to the proposal.

As a separate issue, Mr Killey proposed and Mr Stowell seconded that a letter be sent to the crown green bowling club to see if they would like to take over the maintenance of the green in a similar fashion to that at Castletown and Finch Hill Bowling Clubs. It was so **Resolved** to do so.

Meeting terminated 10.45pm.

Minutes of a meeting of the **POLICY AND FINANCE COMMITTEE** held in the Boardroom at Hawthorn Villa, Main Road, Onchan, on Thursday, 16th September 2004, at 5.30 p.m.

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

Observer: Mr S.T. Black *(in the absence of the Chairman and Vice-Chairman of the Works and Cleansing Committee)*

Apologies: Mr D. Crellin

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

PF04/09/01 **MINUTES**

Minutes of the meeting held on 12th July 2004, copies of which having previously been circulated, were taken as read, confirmed and signed.

PF04/09/02 **BUSINESS ARISING**

1. Local Authority Borrowings

Copies had been circulated of a letter from the Department of Local Government and the Environment advising that it was currently in the process of updating existing records to provide comprehensive details of the current capital borrowings and capital programme commitments of all Local Authorities. Copies had also been circulated of schedules provided to the Department of projects, borrowings and sinking funds together with details of bond maturities for the five year period to March 2009.

Chief Finance Officer advised that the proposal to fund capital projects through bank finance as opposed to bond finance had not moved on since the previous meeting and a draft of any proposed agreement was still awaited.

After discussion, it was **RESOLVED:-**

that the report be noted in the minutes.

PF04/09/03 **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.

PF04/09/04 **FINANCE OFFICER'S REPORT**

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

1. **Rates Collected**

It was noted that the total estimated collectable rates and cash received in the current financial year to 13th September 2004 compared with the previous financial year were as follows:-

2004/05 estimated amount collectable including arrears brought forward £1,340,222.00
2004/05 collected to 13th September 2004 less refunds £1,219,845.00 (91.02%)

Comparative figures

2003/04 estimated amount collectable including arrears brought forward £1,419,928.00
2003/04 collected to 13th September 2003 less refunds £1,289,680.00(90.83%)

2. **Revenue Account Payments**

The list of payments from revenue account during the months of July and August 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 list attached to the minutes be endorsed.

3. **Financial Statements**

Finance Officer advised that he would be circulating financial statements for the six month period to 30th September 2004 at the next meeting of the Committee.

PF04/03/05

CORRESPONDENCE AND OTHER COMMUNICATIONS

None to report in public.

PF04/09/06

MATTERS REFERRED BY COMMISSIONERS/OTHER COMMITTEES

None to report in public.

PF04/09/07

RECOMMENDATIONS WITH POLICY OR FINANCIAL IMPLICATIONS FROM OTHER COMMITTEES

It was **RESOLVED** that the following recommendations from the Leisure and Amenities Committee Meeting held on 13th September 2004, be endorsed:-

1. ***To accept the tender of Sadler Agricultural Supplies Limited in the sum of £13,595 plus VAT for the supply and delivery of 1 Nos Green Mech Eco-Combi ECM 150 MT 35D chipper/shredder subject to confirmation in respect of the model quoted (possible typographical mistake) and arrangements for parts and labour warranty.
(Both items since confirmed as in order by the Amenities Officer)***
2. ***To accept the tender of N. Cowin Limited in the sum of £5,085 plus VAT for tiling work in the changing rooms at Nivison Stadium in accordance with the specification supplied.***
3. ***To defer consideration of the tenders for roofing work at the squash club in Onchan Park until the meeting of the Board so that the Surveyor's Department can supply details of why fibreglass roofing had not been requested as an alternative.***

PF04/09/08

OTHER BUSINESS

There was no other business for consideration in public.

PF04/09/09

DATE OF NEXT MEETING

It was agreed that the next meeting of the Committee be held at 5.30 pm on Monday 25th October 2004.

There being no further business the meeting terminated at 7.00 p.m.

Minutes of a meeting of the **RURAL COMMITTEE** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Wednesday 15th September 2004 at 5.17pm.

Present: Mr J.K. Watterson, (in the Chair), Mrs W.E. Megson and Messrs B.H. Moore, and W.A. Skillicorn

Apologises: Nil

In attendance: Peter Kelly (Administration) & E.K. Convery (District Surveyor)(until 6.25pm)

R/04/9/1
MINUTES

Minutes of the meeting held on 7th July 2004, copies of which having previously been circulated, was taken as read, confirmed and signed.

R/04/9/2
MATTERS ARISING

The following matters were arising from the minutes:-

a) **Planning Legislation**

The Surveyor advised that at a recent extraordinary meeting of the Board the Chairman of the Works Committee stated that if a building had been in existence for nine years it was deemed to have had planning permission even if such permission had never been granted. This had come about during discussion on a rural planning application. Since that time the Surveyor had had a discussion with Sarah Corlett, Planning Officer at DOLGE and she had confirmed that there was no such planning legislation. In the event of work having been carried out without authorisation then, in the event of an advocate's enquiry being made they would, like the commissioners do with building regulation infringement, issue a letter of comfort and advise that no action would be taken against subsequent owners of the property. She confirmed however, that in doing so it did not confer planning approval on those works nor should such unauthorised works be taken as a precedent for future applications merely because they exist. The Attorney General's Department would normally not take action against unauthorised works if they had been in existence for four years without objection. Again this did not grant approval to such unauthorised works either.

b) **Rural Planning Recommendations**

The Chairman advised the meeting that the recommendations from the extraordinary meeting of the Rural Committee held to consider planning applications which had come in during the month of August was originally put before the August meeting of the Board. Unfortunately he was not at that meeting and Mrs Megson, whilst at the Board meeting, had not been at the extraordinary meeting through no fault of her own. The other urban member of the committee, Commissioner Quirk, had not attended the extraordinary planning meeting of the Rural Committee and therefore there was no one present at the Board meeting who could enlighten the members as to the reasons for the recommendations that were made. In addition, Commissioner Quirk objected to those recommendations coming forward as he maintained the extraordinary meeting of the Rural Committee had not been properly convened.

The rural recommendations therefore came before an extraordinary meeting of the Board on 1st September. At that meeting the officers explained that the extraordinary Rural meeting had in fact been properly convened and therefore the recommendations were valid for consideration by the Board. All those recommendations were approved but not without debate and in one case the Board Chairman using his casting vote. Noted.

c) **Johnny Watterson's Crossroads**

The Surveyor advised that a press release had now been issued by the Department of Transport and in addition exterior notices had been erected along certain routes advising as to the closure of the crossroads. The junction therefore of Johnny Watterson's Lane, Watterson Lane and Ballanard Road would be closed from Monday 27th September 2004 to Friday 17th December 2004 by which time the work should be complete. Noted.

d) Hedge Cutting on Rural Roads

The Administrative Officer reported receipt of letter from Mr Colvyn Quaggan Network Operations Manager of DoT advising as to the policy of the department in respect of annual hedge cutting.

At present hedge cutting between the months of April to August is restricted only to certain major routes throughout the Island and in cases of road safety particularly on bends. General hedge cutting therefore takes place between September and March. In addition, there are certain special areas where cutting is even further limited and relates to the specific requirements of those areas in respect of floral, fauna, nesting etc.

A copy of the department's current policy/guideline on hedge and verge cutting had been forwarded together with maps of the sensitive verge areas. It was noted however that there would be a review of the policy at the end of the current hedge cutting season with all the interested parties coming together for that purpose. Noted.

e) Creg-na-Baa Back Road

Letter reported as received from the Department of Transport acknowledging receipt of the letter sent by the commissioners regarding the state of the road. The letter advised that the Maintenance Engineer will inspect the area and contact the commissioners in due course. No contact to date.

f) Pallets at Sir George's Bridge

Letter reported as sent to a resident in the area of Sir George's Bridge drawing attention to the pile of pallets and broken white wood furniture in the field in front of his property and expressing the concern of the commissioners that this could result in fly tipping by others thinking it was safe to do so. Reply read as received from the resident apologising for the situation and fully accepting the commissioners' concern. As a result they had now cut up the timber and placed it neatly behind a hedge pending its burning. At the same time they pointed out work that they would be carrying out on their premises in respect of an earth embankment to prevent flooding to the property. Noted.

g) Clypse Reservoir Car Park

Letter reported as sent to the Isle of Man Water Authority following the recent Beating of the Bounds, enquiring as to proposals for the car park where an old building has recently been demolished. Reply read which indicated that the building was demolished because of its gradual deterioration resulting in it becoming unsafe. Furthermore, finance was not forthcoming in order to turn it into an interpretation centre. There maybe a future planning application for its replacement in one form or another for the storage of ground maintenance equipment.

With respect to the previous planning application for a larger car park adjoining the Clypse Reservoir (in the location of the former site cabins) this application had been withdrawn due to cost and associated problems in gaining planning approval. The authority were however carrying out minor works within the existing car park in order to utilise the whole space. Noted.

h) Beating the Bounds

The Administrative Officer referred to the list of items noted but was unable to advise which of these had been followed up by the Building Control Officer due to the officer being on leave from the end of the previous week. The pecker left on the grass verge by the seat in front of Ballacreetch has gone as indeed has the trailer. The pallet problem at Sir George's Bridge has been attended and a reply received in respect of the car park at Clypse Reservoir. With regard to various road signs either missing or obscured by growth there was no update available. The Chairman made reference to the Welcome to Onchan sign on the Creg-na-Baa Back Road advising that it had either slipped down the pole and behind the hedge or had been stolen. Matter to be investigated.

j) Mobile Phones at Meetings

The Chairman reported that the matter raised at the previous meeting was brought before the Board of Commissioners. The Board didn't see the necessity for the creation of a standing order or the formation of any other rules to govern the use of mobile phones but relied on the chairman of each committee and

goodwill of members present to ensure that phones were turned off or alternatively put on vibration if urgent calls were anticipated. Members concurred with the decision and trusted that a common sense approach would be adopted by all.

k) **Abbeylands Road**

Letter reported as sent to the Department of Transport regarding the complaint over low hanging branches on the Abbeylands Road which were scratching the top of a horse box. Letter acknowledged and followed by a further letter from the Area Maintenance Engineer advising that an order had been issued to the Works Division to carry out "limited tree lopping" on the road. The Chairman reported that to the best of his knowledge this work had not commenced as yet. Noted.

m) **De-registration of Chimneys, Tromode**

The Administrative Officer reminded members that notification had been received that the owners of the chimneys at the former Clucas Laundry, Tromode had requested that they be de-registered. Letter read as sent to DOLGE requesting copies of all submissions made in respect of the registration. Following receipt of same a further letter was sent advising that the commissioners at their Board meeting on 23rd August 2004 had agreed to support the registration and oppose the de-registration. The Administrative Officer reminded members of the confusion that had been caused initially by the registration documents in so much that the plan did not correspond with the wording. This problem appeared to be ongoing in so much that the plan was inaccurate in any event according to one of the objectors. In sending the commissioners views the Administrative Officer suggested to the department that perhaps an on site meeting by all parties be held first, prior to consideration of the submissions, so that all parties were fully aware of the situation in view of the apparent uncertainty. Noted.

R/04/9/3

OUTSTANDING MATTERS

a) **Shannon Rae Site**

The Administrative Officer reported that there had been a recent request for the donation of a seat to be placed outside the commissioners' office. This dedicated seat would replace the existing seat which did not have a dedication plaque upon it. That seat would then be transferred to Shannon Rae site. In answer to question, he confirmed that the bar for holding down the former picnic table was still in position and arrangements would be made to have this removed as soon as possible to prevent accidents. Noted.

b) **Streetlight Hillberry Corner**

The Administrative Officer reported two letters sent to the Manx Electricity Authority reminding them that the commissioners were still awaiting the installation of the street lamp in this location. A telephone call had been received that day from the person involved and he advised that the work was pending the digging of a trench by the DoT. The officer in question had indicated that now that the Grand Prix was over this may well start. In response, the Administrative Officer had pointed out that two Grand Prix and two TT Races had been held since the order was placed. Agreed that pressure be kept up on the MEA to ensure that the work was carried out in the not too distant future and at the price quoted.

R/04/9/4

MATTERS FROM PREVIOUS MEETINGS

Nil.

R/04/9/5

MATTERS REFERRED BY BOARD/OTHER COMMITTEES

Nil.

R/04/9/6

PLANNING MATTERS

The Surveyor reported on the following decisions at the initial planning stage:-

PA 04/926 Approval in principle for the erection of a dwelling, part field 531366, Ballakaighen Farm, Whitebridge, Onchan for Mr Simpson – refused on the grounds that the site is within an area designated as

open space on the Onchan Local Plan and that the personal circumstances of the applicant are not considered sufficient to warrant setting aside the land use which would form a possible unfortunate precedent. Noted.

PA 04/1311 Construction of an outdoor horse schooling arena on part of field 531162, Ballakissack Farm, Little Mill Road, Onchan for Mr R.D. Kissack – approved subject to the schooling arena only being used by those using the existing stables within Ballakissack and not for commercial purposes. Noted.

PA 04/1390 Erection of a sun room to replace existing conservatory, Sunnymead, Bibaloe Beg Road, Onchan for Mr & Mrs Lamb – approved subject to the work commencing within four years of the notice and being in accordance with the drawings received on 7th July 2004. Noted.

The Surveyor then reported on decisions received following recent Appeal Hearings:-

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

Mr Skillicorn declared an interest and took no part in any discussion.

The Appeal was dismissed and the application **refused** on the grounds of being contrary to the Onchan Plan and circular 1/88. The Chairman commented that this was the stance taken by the commissioners who must uphold the Onchan Plan as they were party to it.

PA 03/985 Erection of bungalow field 530927 Ballacreetch Farm, Ballanard Road, Abbeylands for Mr R.M. Shimmin

*Appeal dismissed and application **refused** on the grounds that the reason for approval of the application in principle were no longer applicable following the death of Mrs Shimmin senior and that the proposals were contrary to the Onchan Plan and planning circular 3/88. Noted.*

PA 03/1556 Upgrading of existing farm track as an alternative access to Ballacashin Farmhouse fields 534327 and 534320 Ballacashin, Abbeylands for Mr & Mrs G. Owen

*The Inspector recommended that the Appeal be dismissed and that the application be **approved**. He did however, concur with the commissioners that there was no evidence of the track having previously been in existence and also he commended the commissioners upon their obvious diligence in wishing to ensure that conditions imposed in a planning consent were fully enforced. Noted.*

PA 03/1889 Approval in principle for the erection of dwelling and garage, fields 534485 and 534486, adjacent to Abbeycourt, Abbeylands Road, for Mrs K. Atkinson

*Appeal dismissed and application **refused** on the grounds of being contrary to the Onchan Plan and circular 1/88. Noted.*

R/04/9/7

ANY OTHER BUSINESS

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

Wednesday 20th October 2004 at 5.15pm.

b) **Attendance at Meetings**

Mrs Megson apologised in advance of putting her question as she was the new member to the commission and was not aware of the answer. She then enquired as to what the position was in respect of a member who does not attend a meeting nor sends apologies for the non-attendance. The Chairman commented that he was not aware as to whether there was a procedure but obviously the sending of apologies was a matter of courtesy in any event. He also added that it could be crucial to the meeting if two out of the five members had already sent their apologies then the meeting would only be quorate if the other three turned up. If one of those three did not turn up and had not given apologies in advance then this would only come to light at the meeting which regrettably would have to be postponed at that stage.

The Administrative Officer informed members that under the Local Elections Act 1986 if a member of a local authority failed to attend meeting of the authority during a period of three consecutive months without some reason approved by the authority then they would cease to be a member of the authority. The Administrative Officer was not aware that this applied to committee meetings or not. Mrs Megson further added that she was concerned that there was a member of the Rural Committee who did not appear to show an interest in the committee and queried whether that was acceptable. The other members made reference to the same person who had been noted as leaving the meeting early without giving notice, going

out of the meeting to take mobile phone calls and generally not contributing to the meeting. Mrs Megson added that if that person was not really interested in the committee could anything be done to ensure that someone with an interest took their place. The Administrative Officer replied that usually when the proposals of the selection committee are made known members had the opportunity to advise they do not wish to sit on a particular committee if they have reason for so doing. Within the recent past two commissioners swapped their place on committees shortly in to the municipal year as each felt they were better suited to the other committee.

Meeting terminated at 7.20pm.