

2nd June 2006

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

2nd June 2005

Sir/Madam,

You are hereby summoned to attend an ORDINARY meeting of the Authority to be held in the First Floor Lounge, at Heywood Court, Onchan, to transact the undernoted business at:

7.00 p.m. on Monday 6th June, 2005

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 4th May 2005 *(Minutes - APPENDIX 2)*
 - 1.2 Annual meeting held on 3rd May 2005 *(Minutes – APPENDIX 2A)*

2. To dispose of business (if any) remaining or arising from the above said meeting
 - 2.1 C05/05/02/02(1) – Local Government Reform *(Letter circulated)*
 - 2.2 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. *(Copies 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 9th May 2005 *(Minutes – APPENDIX 3)*
 - 6.2 Works and Cleansing Committee
- Meeting held 16th May 2005 *(Minutes – APPENDIX 4)*
 - 6.3 Leisure and Amenities Committee
- Meeting held 23rd May 2005 *(Minutes – APPENDIX 5)*
 - 6.4 Policy and Finance Committee
- Meeting held 31st May 2005 *(Minutes – APPENDIX 6)*
 - 6.5 Rural Committee
- Meeting held 25th May 2005 *(Minutes – APPENDIX 7)*

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).

7. To consider letters, petitions, memorials and other communications.
- 7.1 Planning decisions/communications from the D.L.G.E. Planning Committee
(Schedule - APPENDIX 8)
 - 7.2 Office of the Clerk of Tynwald – Invitation to Garden Party *(circulated)*
 - 7.3 First Deemster and Clerk of the Rolls re: Commissioner for Oaths *(circulated)*
 - 7.4 Chief Executive/Clerk (Designate) re: ASBO Co-ordinator *(Memorandum circulated)*
 - 7.5 Any Other Communication

-
8. To consider any report from the Clerk, Surveyor or other Officer of the Authority
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9. To consider Motions in the order in which notice has been received. *(ref Standing Order No 5)*

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the First Floor Lounge, Heywood Court, Onchan, on Wednesday 4th May 2005 at 7.00 p.m.

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

In Attendance: Mr J.E.S. Smith (Chief Executive/Clerk)
Mr E.K. Convery (District Surveyor)

C05/05/02/01
MINUTES

The minutes of the public section of the ordinary meeting held on 29th March 2005, copies of which having previously been circulated, were considered, agreed as a correct record of proceedings and signed by the Chairman.

C05/05/02/02
BUSINESS ARISING

1. **C05/03/01/02 (1) – Local Government Reform**

Copies had been circulated of the Authority's letter dated 28th April 2005 to the Minister for Local Government and the Environment setting out the Authority's submission in response to the letter from the Department of Local Government and the Environment dated 10th March 2005. Mr Quirk suggested now that the Commissioners' views were in the public domain that it was an appropriate time to talk with the neighbouring Authorities. Mr Stowell was of the opinion that it was premature to discuss the subject again with the neighbouring Authorities and suggested that any such meeting should be delayed until the Department of Local Government and the Environment has published all submissions and reported back to Tynwald in the matter. Mr Black agreed with this view and after further discussion it was proposed by Mr Norton, seconded by Mr Quirk and **RESOLVED** that copies of the Authority's submission be circulated to all neighbouring Authorities for information.

Copies had also been circulated of a letter dated 26th April 2005 from German Parish Commissioners which set out an open letter to all Members of the House of Keys, the Legislative Council and Chief Minister headed "Local Authorities – Why Change? – A Response". German Parish Commissioners enquired whether Onchan District Commissioners would like to be added to the list of Authorities which were endorsing the letter. After a brief discussion it was agreed that the open letter be noted but not endorsed.

C05/05/02/03

BUSINESS ARISING FROM PREVIOUS MEETINGS

1. DAFF – The Development of Access and Recreation on the Forestry Division Estate – Stage 2: Public Consultation Feedback

Copies had been circulated of a report on the subject prepared for the Department of Agriculture, Fisheries and Forestry by Graeme Watson, Access and Recreation Officer of the Forestry, Amenity and Lands Division of the Department.

The Authority had submitted views on the subject and were supportive of the Department's aims to develop the full potential of forest land for public access and recreation, creating opportunity for greater community involvement in forestry and the National Glens and the provision of information about the availability of recreational opportunities. Comment was made that the project had a long term view and that it might be some time before the aims are achieved for the benefit of future generations.

C05/05/02/04

CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:-

1. Chairmanship

Mr Astill again thanked Members for electing him as Chairman of the Board, an office that he was proud to hold and would endeavour to serve the Authority to the best of his ability.

2. Frances Drake (IOM) Bursary Fund

The Voyage Co-ordinator of the Frances Drake (IOM) Bursary Fund had advised that the Fund had decided to increase the contribution it makes towards the cost of each candidate from £75 to £125. This meant that the amount that each candidate would be asked to contribute had been reduced from £100 to £50. Chairman stated that hopefully this would help some prospective youngsters in making application to join the annual sailing trips.

3. Civic Sunday Service

The Chairman advised that the Civic Sunday Service would be held at St Peter's Church at 3.00 p.m. on Sunday 22nd May 2005.

C05/05/02/05

QUESTIONS

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

Commissioner B. Stowell to the Chairman of the Housing Committee:-

"Ref: Relating to the cost of providing Local Authority Housing

1. *What is the average rent paid by tenants in the Onchan District in respect of Local Authority properties, exclusive of rates?*
2. *Are the monies retained by the Commissioners, from rental income (5% plus 33.33%) sufficient to cover the cost of administration and maintenance of the district's local authority property portfolio?*
3. *Given that Department of Local Government and the Environment subsidise new housing by £100 per house per week, (Public Sector Housing Discussion Document, page 36, 7.1) are any of the rate funds utilised, either directly or indirectly, to further subsidise the District Local Authority housing stock?*
4. *Has occupancy of Local Authority Housing ever been analysed with a view to establish if any individuals are occupying subsidised property whilst enjoying independence, significant financial means to the detriment of the applicants on the waiting lists?*

5. *Do Onchan District Commissioners have any mechanism for varying the rents charged to Local Authority tenants?*
6. *If any person renting a Local Authority property was fortunate enough to win a major financial prize, or their financial circumstances changed dramatically for the better for any reason whatever, would the Authority have any powers to request that they move so that the property could be offered to a more needy family?"*

The Chairman of the Housing Committee answered the questions as follows:-

1. In relation to general housing, the average rent paid by tenants in the Onchan District exclusive of rates is £46.35 per week.

In relation to sheltered housing, the average rent paid per week, exclusive of rates, heating and television licence charges is £36.50 per week.

2. In the first instance, I would refer to the maintenance allowance of 33 $\frac{1}{3}$ %. The maintenance allowance was increased to that figure relatively recently which has allowed a more pro-active approach to routine and responsive maintenance of the public sector housing stock. In that regard, it is considered that the 33 $\frac{1}{3}$ % maintenance allowance is sufficient for those purposes. However, this statement must be qualified with the reminder that the Department of Local Government and the Environment manage a capital expenditure programme for housing refurbishment, without which the maintenance allowance would be insufficient. The cost of borrowings permitted by the Department to undertake housing refurbishment works is funded by the Department of Local Government and the Environment through the housing deficiency system.

Turning to the administration allowance, I would confirm that the Onchan District Commissioners do not believe that the administration allowance is sufficient to cover the cost of administration in the Onchan District. The administration allowance, which covers the officers time, consumables, and legal costs, is significantly understated and this Authority regularly advise the Department of Local Government and the Environment of the need to increase such allowance.

3. I would reiterate the answer to given to part 2 of the question, that the administration allowance is insufficient to cover the administrative cost of the provision of public sector housing in the Onchan District. It follows, therefore, that certain officers within the Commissioners' organisation are spending time on housing related issues for which insufficient funding is received. I should state that the Commissioners believe that the administration allowance should be increased to 7.5%, such percentage being the estimated administrative cost of the housing provision.
4. As a matter of course on an annual basis, the Onchan District Commissioners undertake a survey of persons who are resident in the Commissioners' Housing Stock. This does give an indication as to occupancy levels and can assist the Commissioners in determining whether properties are over or under occupied. The survey, however, makes no reference to assets or income of persons who occupy the Commissioners' housing stock.
5. The formula for the calculation of Local Authority rent has been long established, and is stipulated by the Department of Local Government and the Environment. In essence, account is taken of the size of a property, the situation of that property and the facilities which are available for residents at that property. A formula is prescribed for the conversion of those elements to a numeric value and the total of that numeric value is known as the house points.

On an annual basis, the Department of Local Government and the Environment, after consultation with the Council of Ministers, prescribe a value of a single house point for the financial year in question. This, multiplied by the number of house points, provides the rent element which must be charged for each individual housing unit.

The Onchan District Commissioners, therefore, do not have an independent mechanism for varying the rents charged to Local Authority tenants.

6. As previously stated, the Onchan District Commissioners do not have a mechanism for assessing the assets or income of the occupants of public sector housing in the District. It may be that during the ordinary course of business, the Authority may become aware that the financial circumstances of a tenant may have changed, this cannot be proven beyond doubt.

It should be stated that the Onchan District Commissioners may request any tenant to leave a property but that to enforce same will require the Authority to seek an order from the High Court for possession of the premises in question. The success of such an action could not be guaranteed.

Commissioner B. Stowell to the Chairman of the Policy and Finance Committee:-

"Ref: Relating to the Charges for the Provision of a Civic Amenity Facility:-

1. *What is Onchan's estimated share of the cost of operating the Eastern Civic Amenity Site for the financial year 2005/06?*
2. *What is the rate equivalent of this cost?*
3. *If there was a separate charge per domestic household to recover the Civic Amenity Site costs (under the provisions of section 69 of the Public Health Act 1990) approximately what financial contribution towards such costs from Commercial and non-Domestic ratepayers would be lost as a result of such costs not being included in the District Rate?*
4. *What additional sum would be recovered from Domestic Ratepayers in the Rural Ward if there was a separate charge per household?*
5. *Would domestic ratepayers in the urban ward pay less or more if there was a separate charge per Domestic Household?*
6. *Would such a change of policy incur additional administration costs?"*

The Chairman of Policy and Finance Committee answered as follows:-

1. £80,000
2. 11.8p
3. £9800
4. £760
5. It would depend on the rateable value (RV) of the property- the separate charge would be £18.60 per property. The average property has a RV of £160 which at 11.8p amounts to £18.88 i.e. no difference. However lower valued properties would pay more if there was an across the board charge, e.g. RV £110 - in rates £12.98 - separate charge £18.60 i.e. £5.62 more. The larger, higher value property would pay less e.g. RV £300 - in rates £35.40 - separate charge £18.60 i.e. £16.80 less
6. Yes, the rates software programme would have to be re-written at an estimated cost of several thousand pounds

Commissioner B. Stowell to the Chairman of the Works and Cleansing Committee

"Ref: The Cost of the Ratepayer for the provision of Public Toilets in the District for the year 2005/06

1. *How many Public Toilets facilities do Onchan Commissioners provide in the District and accept financial responsibility for?*
2. *Has the closure of the toilets at Port Jack resulted in any enquiries or complaints from inconvenienced ratepayers?*

3. *What is the estimated total cost of providing public toilets in the District (Including Wilful Damage, Water Rates, Maintenance, Insurance, Sinking Fund Payments and Cleansing)?*
4. *Assuming an average rateable value of £200:00 per household, how much, in real terms, will such an urban householder have to pay within their rates per year?"*
1. Apart from toilets provided with amenities, that is the Stadium, Youth and Community Centre, the Library and the Office – there are three sets of Public Toilets – at The Park, Main Road in the centre of the Village and at Port Jack.
2. No.
3. The estimated total cost for 2005/06 is £54,055.
4. £16.

Commissioner B. Stowell to the Chairman of the Works and Cleansing Committee

"Ref: The Maintenance of Public Lighting:-

1. *Is it the policy of the Commissioners to ensure that all our nominated sub contractors and their employees are registered with the Department Of Trade and Industry?*
2. *Is the maintenance of the public lighting in the District being carried out by duly registered and qualified tradesmen in every instance?*
3. *Do all the public lamps in the District fully comply with the current regulations laid down by the Institute of Electrical Engineers?*
4. *Is there any evidence to indicate that the level of service enjoyed by the Authority or Ratepayers has declined in any way over the last three years?*
5. *Does the Authority keep records of complaints regarding lighting issues that are available for analysis to establish the quality of service enjoyed?"*

The Chairman of Works and Cleansing answered the questions as follows:-

1. Yes - where a category exists for such service.
2. Yes - as far as we are aware.
3. Yes - at the time of installation (lamps are upgraded if required when faults are remedied).
4. No.
5. Yes.

Commissioner B. Stowell to the Chairman of Works and Cleansing Committee

"Ref: The Parking Of Large and or Commercial Vehicles:-

1. *Are there any regulations or By Laws that restrict the parking of large or commercial vehicles in residential areas of the District?*
2. *Are there any regulations or By Laws that restrict the parking of large or unattached trailers in*

residential areas of the District?

3. *Are there any areas of the District that are designated as commercial vehicle parks?*
4. *Have the Commissioners ever considered the possibility of introducing a resident parking scheme where obvious problems are causing a nuisance and degradation of safety?*

Chairman of the Works and Cleansing Committee answered the questions as follows:-

1. (i) The Regulations governing the Restriction of Parking of large or Commercial vehicles in residential areas are contained in Section 2 of the Road Traffic Regulations Act 1985 (as substituted by Section 5 of the Road Traffic (Amendment) Act 1991) and the Road Traffic (Overnight and Weekend Waiting) Regulations 1993 (Statutory Document 481/93) which states:

"This document which came into force on 1st March 1994 restricts inter alia the parking of certain classes of vehicles in residential areas in which a speed limit is in force and states that such vehicles are not permitted to park on Saturday or Sunday and on any other day between 6pm and 7 am the following day."
- (ii) The classes of vehicles restricted include "heavy motor cars" ie heavy goods vehicles exceeding 3,050kg unladen and certain buses, mini buses and passenger vehicles.
- (iii) A motor car which is less than 3,050kg in weight and exceeds both 6 metres in length and 2 metres in height.
2. The foregoing act also restricts in a similar manner the parking of a trailer (which includes a towable drawbar trailer and a semi trailer from an articulated goods' vehicle).
3. No.
4. There is only one section of highroad in Onchan Village to which resident parking has been introduced ie a section of Summerhill Road. Consideration of other areas has been given from time to time by both the Commissioners and the Department of Transport but in no case was it felt to be warranted.

C05/05/02/06
HOUSING COMMITTEE MINUTES

The minutes of the public section of the Housing Committee meeting held on Monday 4th April 2005, copies of which having previously been circulated, were considered. Arising therefrom:-

1. Issue of Housing Application Forms .

Mr Quirk referred to the minute headed "Housing Application/Allocation Criteria" and was concerned to note that persons requesting housing application forms had to make an appointment with the Administrative Assistant/Housing Officer and was of the opinion that forms should be readily available and prospective applicants should not be subject to an interview prior to being supplied with a form. Mr Stowell supported this view and also felt that there should be a facility on the website to download application forms.

The Chairman of the Committee was of the opinion that the interview by appointment proposal was intended to be at the time that application forms are submitted to ensure that the forms have been completed correctly and all necessary information and supporting documents have been provided so as to avoid a delay in the processing of the applications. He undertook to take the matter back to the Committee to enable the Chief Executive/Clerk (Designate) to clarify the position with regard to the issue of the forms.

2. Housing Application/Allocation Criteria

Mr Black continued to express concern that pointing under the heading of "Adequacy of present accommodation" could only attract one award of 10 points to cover any of three headings (Unfit housing, unfit for health/welfare consideration, overcrowding). He considered that there may be occasions where points should be awarded in more than one such category.

The Chairman of the Committee pointed out that the criteria for allocation of properties/pointing system had been drawn up by the Department of Local Government and the Environment and approved by the Council of Ministers and was therefore beyond the Commissioners' control.

3. Housing Application Policy – Debtors

Mr Norton sought clarification that the policy contained in the following recommendation of the Committee would not apply to the children of former debtors who sought housing accommodation with the Authority:-

"Where a tenant of the Onchan District Commissioners surrendered occupancy of a property, in whatever circumstances, and continued to owe the Authority money in relation thereto, any subsequent housing application from any party to the original occupancy must be considered by the Housing Committee for evaluation of the circumstances. Any such application must, therefore, be refused by the Officers at the first stage of consideration, but that the opportunity to seek a review of that application by the Housing Committee be offered. Any decision of the Housing Committee to be referred to the Onchan District Commissioners for endorsement.

The Chairman of the Committee confirmed that it was not the intention to refuse independent applications from children of former tenants who owed the Authority money and such children would not be penalised for their parents debt.

C05/05/02/07
RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Housing Committee meeting held on 4th April 2005, be and are hereby received. It was further **RESOLVED** that the resolution contained therein which required the consent of the Board be approved as follows:-

1. ***Where a tenant of the Onchan District Commissioners surrendered occupancy of a property, in whatever circumstances, and continued to owe the Authority money in relation thereto, any subsequent housing application from any party to the original occupancy must be considered by the Housing Committee for evaluation of the circumstances. Any such application must, therefore, be refused by the Officers at the first stage of consideration, but that the opportunity to seek a review of that application by the Housing Committee be offered. Any decision of the Housing Committee to be referred to the Onchan District Commissioners for endorsement.***

C05/05/02/08
WORKS AND CLEANSING COMMITTEE MINUTES

The minutes of the public section of the Works and Cleansing Committee meeting held on Monday 11th April 2005, copies of which having previously been circulated, were considered. Arising therefrom:-

1. **Groudle Pumping Station**

The Clerk referred to the minute under the above heading and clarified that the payment towards the Groudle Pumping Station at North Bank would not be rate borne as it would be included in the deficiency claim (drainage grant) from the Department of Transport.

2. **Street Cleaning**

Mr Crellin refer to the minute under this heading and enquired as to progress in the matter. District Surveyor advised that the driver of the mini-sweeper had been promoted to the position of Refuse Collection Foreman and the post that he had vacated had been advertised. It was hoped that the position would be filled in the near future.

3. **Hague Crescent Garden – Statue**

In reply to question from Mr Kennaugh, the District Surveyor confirmed that the work was on programme and that the unveiling of the statue was scheduled for Mad Sunday at the start of T.T. Week.

C05/05/02/09
RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Works and Cleansing Committee meeting held on 11th April 2005 be and are hereby received. There were no resolutions contained therein which required the consent of the Board.

C05/05/02/10
LEISURE AND AMENITIES COMMITTEE MINUTES

The minutes of the public section of the Leisure and Amenities Committee meeting held on 18th April 2005, copies of which having previously been circulated, were considered. There were no matters arising therefrom.

C05/05/02/11
RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Leisure and Amenities Committee meeting held on 18th April 2005 be and are hereby received. There were no resolutions contained therein requiring the consent of the Board.

C05/05/02/12
POLICY AND FINANCE COMMITTEE MINUTES

The minutes of the public section of the Policy and Finance Committee meeting held on Monday 25th April 2005, copies of which having previously been circulated, were considered. Arising therefrom:-

1. **Telephone System/Office Furniture**

Mr Quirk expressed concern at the proposed expenditure on a new telephone system for the offices and furnishings for the Boardroom and offices which cost was additional to the refurbishing works being carried out. Surveyor advised that the telephone system was for the entire building and not just the extended and refurbished parts. It would replace the present telephone system which was now over 15 years old. The recommendation from the Committee for the purchase of Boardroom and Office furnishings was for approval in principle, subject to the final proposed scheme together with costings being submitted for approval by the Board.

C05/05/02/13
RECEIVING OF MINUTES

It was **RESOLVED** that the public section of the Policy and Finance Committee meeting held on 25th April 2005, be and are hereby received. It was further **RESOLVED** that the resolutions contained therein requiring the consent of the Board be approved as follows:-

1. ***that the purchase of the new telephone system be approved.***
2. ***that the purchase of the proposed boardroom and offices furnishings be approved in principle subject to the final proposed scheme together with costings being submitted for approval.***
3. ***That the said payments from revenue account as detailed on the list attached to the minutes be endorsed.***

C05/05/02/14
RURAL COMMITTEE MINUTES

The minutes of the public section of the Rural Committee meeting held on Wednesday 20th April 2005, copies of which having previously been circulated, were considered. There were no matters arising therefrom.

C05/05/02/15
RECEIVING OF MINUTES

It was **RESOLVED** that the public section of the Rural Committee meeting held on 20th April 2005, be and are hereby received. There were no resolutions contained therein requiring the consent of the Board.

C05/05/02/16
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
05/0216/B	Enlargement of existing dwelling to provide additional accommodation, 41 Groudle Road.	ODC recommendation - Refusal Initial Planning decision – Refusal Review requested. ODC continue to recommend refusal
04/1564	Erection of fence (retrospective) 37 Bowness Close	ODC recommendation - Refusal Planning decision – Refusal Appeal lodged – date to be notified
04/0860	Pedestrian Footbridge, entrance to Governors Hill, land to rear of Heywood Drive and adjacent to 1 Hailwood Avenue	ODC recommendation - Observation Planning decision - Approval Appeal decision – Approval Answers to questions – to be painted green and DOT to be responsible for maintenance.
03/1437	New Secondary School, Bemahague Fields with access of Heywood Drive	ODC recommendation – Observation Planning decision – Approval Appeal decision – Approval.
04/2448	Operation of Additional PPV from premises 107 King Edward Road	ODC recommendation – Observation Planning decision – refusal Review decision – refusal
04/2387	AIP for dwelling 26 Governors Road	ODC recommendation – Refusal on grounds of insufficient information re: loss of trees Planning decision – Approved in principle (includes condition re: trees).

2. **Beach Cleaning**

Copies had been distributed of an email from the Department of Local Government and the Environment together with the answer given by the Minister to Mr P. Gawne, MHK at the April sitting of Tynwald relating to the responsibility of Local Authorities with regard to beach cleaning.

The Minister advised that there were no legal obstacles preventing a Local Authority from undertaking beach cleaning. If the Local Authority was neither the owner nor the lessee of the beach concerned there is only a notional requirement to seek agreement with the owner of the beach which would be the Department of Transport and possibly a private landowner. The Department believed that it was the responsibility of Local Authorities to take responsibility for beach cleaning and to introduce measures to keep their coast line clear of sea born litter and debris. The Department was currently seeking the views of Local Authorities and the Department of Transport with a view to introducing legislative changes which would make the beach cleaning a statutory function of Local Authorities.

During discussion questions were raised with regard to liability and possible claims from Members of the public who may, for example, sustain injury as a result of litter and debris on the beaches. After discussion it was agreed that letters be sent to the Department of Local Government and the Environment and the Department of Transport seeking clarification with regard to liability, responsibility for major environmental contamination etc and difficulty of access to Port Jack Beach. It was further agreed that the matter be referred to the Works and Cleansing Committee for further consideration.

3. Department of Trade and Industry re: Consultation on a new vocational training strategy

Copies had been circulated of a letter from the Department of Trade and Industry together with copies of the consultative document on a vocational training strategy which aimed to identify and meet priority training needs across all key sectors of the Isle of Man Economy. Comments on the document were requested by Monday 13th June 2005.

Mr Quirk stated that it had been Commissioners' policy to employ an apprentice but that since the last apprentice had qualified, the vacancy had not been filled. Mr Stowell expressed the view that a Local Authority employing an apprentice was a disservice to a young person as the type of work was limited in the public sector to jobbing whereas in the private sector there was the full range of activities in the trade. Mr Quirk disagreed and referred to the training given by the Department of Trade and Industry and the ability of that Department to arrange for greater experience of apprentices by arranging exchanges between the private and public sectors.

4. Department of Transport re: Hillberry Road (Onchan) (Temporary Prohibition of Through Traffic) Order 2005

Copies had been circulated of the Order the effect of which was to prohibit vehicular traffic from proceeding along a section of Hillberry Road, Onchan, whilst plane and overlay work is completed. The Order came in to force at 6.00 a.m. on Tuesday 3rd May 2005 until 6.00 p.m. on Tuesday 10th May 2005 or until the plane and overlay work was completed whichever was the earlier. Mr Quirk commented that the public should have had more notice of the intended closure.

5. Isle of Man Water Authority – Treated Water Mains – Access to Land – Wayleaves Team

Copies had been circulated of a letter from the Water Authority advising that it was currently developing proposals for new treated water pipe lines at various locations down the east of the Island as part of the development of its Strategic Business Plan in order to distribute the water from the new Douglas Water Treatment Works and make it available to the Authority's customers. Water Authority representatives would be calling on land owners in the Onchan area in the near future to outline the proposals and discuss their concerns and requirements.

Surveyor was requested to obtain a map showing the route of the proposed water mains.

C05/05/02/17
CLERKS REPORT

None.

C05/05/02/18
DISTRICT SURVEYORS REPORT

None.

C05/05/02/19
MOTIONS

Motion No 33 submitted by Commissioner Mr D.J. Quirk had been adjourned without discussion at the meeting of the Authority held on 29th March 2005. The motion was as follows:-

1. that Onchan District Commissioners consider the following:-

- (a) that Onchan District Commissioners as the Local Authority for Onchan District consider that all charges and cost for Onchan financial provision for the Civic Amenity Site should be an equal charge to both Urban and Rural ratepayers.
- (b) That a rate reduction is given to all ratepayers in the Onchan area for the costs of operating our part of the Civic Amenity Site at Braddan;
- (c) That a fixed charge/cost be applied to all persons making an application to use the Civic Amenity Site as determined by Onchan District Commissioners from time to time.

Mr Quirk advised that he wished to amend the motion by the deletion of parts (b) and (c) and the introduction of a new part (b) to read as follows:-

- (b) that the Department of Local Government and the Environment be requested to act as an arbitrator or conciliator to achieve the aim of part (a).

Mr Crellin seconded the motion and reserved his remarks.

Mr Stowell stated that the answers he had received to the questions which he had posed earlier in the meeting made it abundantly clear that the proposal would result in all ratepayers, both Rural and Urban paying more than at present.

After a lengthy discussion it was proposed by Mr Kennaugh, seconded by Mr Norton and **RESOLVED** by six votes to four *that the proposal contained in the amended Motion be referred to the Rural Committee for consideration.*

Messrs Black, Crellin, Killey and Quirk voted against.

There being no further business the meeting terminated at approximately 8.38 p.m.

Minutes of the **ANNUAL MEETING** of the Onchan District Commissioners held in the First Floor Lounge, Heywood Court, Onchan, on Tuesday, 3rd May 2005 at 7.00 pm.

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

Apologies: Mr J.K. Watterson

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

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

C05/05/01/01
APPOINTMENT OF CHAIRMAN 2005/06

Mr Killey sought nominations for the election of Chairman of the Onchan District Commissioners for the year 2005/2006.

On the proposal of Mr Crellin, seconded by Mr Black, it was unanimously **RESOLVED** that Mr G.K. Astill be elected Chairman of the Onchan District Commissioners for the forthcoming year commencing on 1st May 2005.

Mr. Kennaugh expressed his gratitude to his wife for her support during his year in office. He thanked the Chief Executive/Clerk, his officers and the Commissioners also for their assistance given to him whilst carrying out the duties of Chairman."

The Chain of Office of the Chairman was presented to the incoming Chairman.

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

The incoming Chairman thanked his colleagues for the honour of appointing him to be Chairman of the Commissioners for the forthcoming year. He expressed the gratitude of all of the Members to Mr. Kennaugh for his work as Chairman during the previous twelve months, and to Mrs. Kennaugh for her support of her husband in that role. Mr. Astill went on to confirm that he would carry out the role of Chairman to the best of his ability. Finally, Mr. Astill echoed the thanks expressed by Mr. Kennaugh to the Chief Executive/Clerk and the Office staff for the organisation of the meeting that evening.

Mr Astill presented commemorative plaque to Mr Kennaugh. Mrs Astill presented Mrs Kennaugh with a bouquet of flowers.

C05/05/01/02
APPOINTMENT OF VICE-CHAIRMAN 2004/05

The Chairman invited nominations for the position of Vice-Chairman to the Board. On the proposal of Mr Quirk, seconded by Mr Killey, it was unanimously **RESOLVED** that Mr D. Crellin be elected as Vice-Chairman of the Onchan District Commissioners for the year commencing on 1st May 2005.

C05/05/01/03
ELECTION OF CHAIRMEN AND MEMBERS OF COMMITTEES

On the proposal of Mr Crellin, seconded by Mr Stowell, it was unanimously **RESOLVED** that the Chairmen and membership of the various Committees of the Authority be established in accordance with the

recommendations of the Selection Committee. A copy of the adopted membership of the Committees is attached
 at Appendix One to the Minutes.

There being no further business the meeting closed at 7.10 p.m.

ONCHAN DISTRICT COMMISSIONERS

2005/06 CHAIRMEN AND MEMBERS OF COMMITTEES AND REPRESENTATIVES SELECTION COMMITTEE'S RECOMMENDATIONS

C = CHAIRMAN **V C= VICE CHAIRMAN** **M = MEMBER**
R = REPRESENTATIVE **(D) = DEPUTY**

Commissioners	Board	Leisure & Amenities	Works & Cleansing	Housing	Policy & Finance (Note 4)	Rural (Note 3)	Joint Civic Amenity Facility (note 1)	Municipal Assoc.	Richmond Hill CC (Efw)	Public Housing Consultative Committee
G.K. ASTILL	C	M*	M*	(M)*	VC					
D. CRELLIN	VC				C			R		
J.K. WATTERSON	M			C	M	C				R (Note 2)
A.T.W. NORTON	M	C			M			D		
D.J. QUIRK	M		C		M		M		D	
S.T. BLACK	M		M	VC			M			D
E.D.R. KILLEY	M	M	VC						(R)	
W.E. MEGSON	M	(M)		M		M				
B. STOWELL	M	VC	(M)							
M.J. KENNAUGH	M			M		M				
TOTAL MEMBERSHIP	10	5	5	5	5	3	2	1	1	1

* Ex-officio non-voting committee/as representative

() Not previously served on

- Notes:**
1. Joint Civic Amenity Committee meets in the afternoon
 2. Chairman of Housing – representative at Public and Sheltered Housing Consultative Committees
 3. Rural Commissioner – Chairman of Rural Committee (Onchan District Act 1986)
 4. Membership of Policy and Finance Committee – Standing Order 29(2)

Minutes of a meeting of the **HOUSING COMMITTEE** held in the First Floor Lounge, Heywood Court, Onchan, on Monday, 9th May 2005, commencing at 7.00 p.m.

Present: Mr J.K. Watterson (Chairman)
Mr S.T. Black
Mr M.J. Kennaugh
Mrs W.E. Megson

Apologies: Mr G.K. Astill

In attendance: Mr M.J. Williams (Chief Executive/Clerk Designate)
Mr A.B. Sutherland (Housing Maintenance Manager)
Mrs S. Dougherty (Administrative Assistant)

WELCOME

The Chairman welcomed the Members to the first meeting of the Housing Committee for the 2005/06 municipal year.

H05/05/01/01 **MINUTES**

The minutes of the meeting of the Committee held on Monday, 4th April 2005, copies of which having previously been circulated, were considered, agreed as a correct record of proceedings and signed by the Chairman.

H05/05/01/02 **MATTERS ARISING FROM THE MINUTES**

1. H05/04/01/11(2) – Housing Application/Allocation Criteria

Chief Executive/Clerk (Designate) confirmed that guidance notes had been received from the Department of Local Government and the Environment, for staff and members to facilitate standardisation of interpretation of the criteria in practice. The Department had confirmed that there was no reason why the guidance notes could not be quoted to clients if there was a query or a dispute but had requested that they not be put on public counters or made generally available.

The Chairman advised that discussion had taken place at the meeting of the Commissioners during the previous week in relation to the policy of not issuing forms on request. A suggestion had also been made that forms could be made available to download off the internet. He clarified that the intent of the Officers was to help applicants through the process and not to hinder. The Chief Executive/Clerk (Designate) also confirmed that an applicant wishing to take an application form without an interview was welcome to do so but any incomplete or unclear applications would be returned to the applicant thus delaying the process. The Administrative Assistant suggested that it was advantageous for her to meet each applicant at least once before acceptance of the application to gain a more complete understanding of the circumstances of the applicant and to properly advise the Members in relation thereto.

Mr Black considered that there was no reason why an applicant could not simply submit an application form to the office and that if there were any problems, the Officers would contact them as before. Mrs Megson suggested that the wording of the forms accompanying the application form, which were intended to assist, were rather formal and whilst she understood that the intent was to assist the process, she suggested that some of the wording could be redrafted. The Administrative Assistant confirmed that the implementation of the new guidelines meant that there was now a need to verify more information in detail. More items were required to be submitted to support the application and often applicants were not clear as to what income to declare and so the discussion would help. This, in itself, had changed recently in that, prior to the guidelines having been issued by the Department, the Onchan District Commissioners did not take into account certain benefits. Child benefit, for instance, now had to be taken into account, whereas under the Commissioners' previous policy, it had not. Child maintenance, both paid and received had to be accounted for in the proper manner. Experience had shown that applicants were confused as to what would be included and what would not. They had made decisions accordingly and enquiries had subsequently shown that income details had been incomplete with some income having been disclosed without

description which should not be taken into account for qualification purposes, and some income not having been included upon the form at all.

Mrs Megson made reference to the notes which had been circulated and suggested, in relation to sheltered housing applications, it should not be necessary for the applicant to submit the application form in person. The Administrative Assistant replied suggesting that it had become apparent that some applicants had not fully understood the purpose of sheltered housing, expecting to be provided with more personal care which might perhaps be more closely associated with residential or nursing accommodation. The personal contact enabled a discussion with the applicant to clarify this at the earliest stage.

Mrs Megson sought clarification of the advice offered on the sheltered housing information sheet that there were very few two bedroom flats. The Chief Executive/Clerk (Designate) confirmed that the Onchan District Commissioners had only six sheltered housing flats with two bedrooms and that these became available for allocation very infrequently indeed.

Mr Black noted that the sheltered housing information sheet stated that the applicant would require to prove income and savings. He argued that this should not be a requirement since neither income nor savings were taken into account, in the allocation process. The Officers understood the point which Mr Black had made, but pointed out that the application form used for sheltered housing was the same as that used for general housing and that it was a requirement of the application form to submit proof of income and savings. Mr Black suggested that the requirement should be dropped.

Mrs Megson referred to the information form issued in respect of general housing applications and asked that a description of the meaning of "pointing" be appended.

H05/05/01/03

BUSINESS ARISING FROM PREVIOUS MEETINGS

None.

H05/05/01/04

HOUSING AND OTHER ESTATES BUSINESS

1. Maintenance Report

The report, dated 6th May 2005, had been circulated with the agenda. Arising therefrom:-

(a) **H05/04/01/04(1)(a) - Storm Damage**

In his report, the Housing Maintenance Manager confirmed that the replacement panel fencing which had been damaged during the heavy storms in January 2005, had been installed. He elaborated thereupon confirming that staining of the panel fencing was to be undertaken in the current week and that the style of fencing, at Heywood Court, had been altered to try to avoid future wind damage.

(b) **Vacant Properties**

In his report, the Housing Maintenance Manager confirmed that there two of four vacant properties had recently been completed and were being allocated. Of the remaining two units, one had just been returned and works were in progress but the other was due for completion on 26th May 2005.

2. The Park Bungalows – Walls

Mr Kennaugh reported a comment which he had received from a resident of the Park Bungalows relating to the condition of the boundary walls to the properties and suggesting that remedial works would be required. The Housing Maintenance Manager to investigate.

H05/05/01/05

SPRINGFIELD COURT MATTERS

1. Maintenance Report

The report, dated 6th May 2005, had been circulated with the agenda. Arising therefrom:-

(a) **H05/04/01/05(a) – Community Lounge - Decoration**

In his report, the Housing Maintenance Manager confirmed that the redecoration of the lounge and conservatory at Springfield Court had been completed to a satisfactory standard.

2. H05/04/01/05(2) – Warden Call System – Annual Maintenance Agreement

It was confirmed that an invoice had been received for the renewal of the Warden Call System at Springfield Court and that payment was being progressed.

3. H05/04/01/05(3) – Visit

Members were reminded that a visit to Springfield Court for the Commissioners had been arranged on Wednesday 25th May 2005 at 2.00 p.m.

Mrs Megson suggested that representatives of Manx Carephone, who monitored the Complex when the Warden was off-site all be invited to attend.

H05/05/01/06

HEYWOOD COURT MATTERS

1. Maintenance Report

The report, dated 6th May 2005, had been circulated with the agenda and was noted.

2. H05/04/01/06(2) – Warden Call System – Maintenance

It was confirmed that arrangements had not progressed much further in seeking a maintenance and service agreement in respect of the Warden Call System at Heywood Court but that the matter would be given priority.

3. H05/04/01/06(3) – Fire Alarm System – Maintenance

It was confirmed that arrangements had not progressed much further in seeking a service and maintenance agreement in relation to the Fire Alarm System at Heywood Court, but that the matter would be given priority.

H05/05/01/07
GARAGE MATTERS

1. H05/04/01/07(1) - Garage Doors

The Housing Maintenance Manager confirmed that a programme of works was in hand in relation to the redecoration of other doors in the area of the rear of properties in Barrule Drive, such works helping to prolong the life of the existing doors and frames.

2. Garages – Gutters and Rainwater Goods

In answer to enquiry, it was acknowledged that some attention was required to gutters and rainwater goods at certain garages.

H05/05/01/08
PLANNED HOUSING MAINTENANCE

The Chief Executive/Clerk (Designate) confirmed that the next meeting to be held with the Department of Local Government and the Environment would take place on Wednesday 25th May 2005, and would be attended by the Housing Maintenance Manager, the Deputy Clerk and himself.

A full report upon the developments would be made to the next meeting of the Committee.

H05/05/01/09
HEALTH AND SAFETY BUSINESS

None.

H05/05/01/10
ENVIRONMENTAL CONTROLS

1. **Disposal of Refuse**

Efforts had been made to establish a more environmentally acceptable method for the disposal of general waste arising as a result of works to the Commissioners' Housing Stock. Previously, all such waste was disposed of in a skip provided under contract but arrangements had now been made to sort the waste material, and to ensure that materials followed the correct disposal route.

Mr Watterson suggested that consideration be given to increasing the amount of reuse of waste arising from housing works, using hardcore created as an example. In answer to enquiry from Mr Watterson, it was confirmed that all paint tins that were disposed of were, in fact, empty.

H05/05/01/11
OFFICERS REPORT

1. **Housing Allocations**

It was confirmed that there had been two properties allocated at the last meeting of the Board, and in respect of one of those allocations, the offer of accommodation had been accepted. In the other case, some difficulty was being experienced in contacting the selected applicant. Whilst a preliminary contact had been made the previous day, the allocated person had not contacted the Commissioners' Offices that day as agreed. Efforts were continuing.

2. **Outstanding Action - Monitoring of Action taken.**

The Chief Executive/Clerk (Designate) confirmed that Commissioner Megson had enquired as to the maintenance of an outstanding matters list, with details of action required to be undertaken. He advised that the outstanding matters list in respect of the Housing Committee had not been kept updated due to pressure of work and advised that a new outstanding matters list would be compiled based upon matters outstanding over the previous two Housing committee meetings. This would be added to and deleted from as matters developed.

3. **Over/Under Occupancy of ODC Housing Stock**

The Chief Executive/Clerk (Designate) reminded Members that, on an annual basis, the Commissioners undertook a survey of the occupancy levels in respect of the housing stock, with a view to identifying those properties which were under utilised and those properties where it may be advantageous for the tenants to have larger accommodation. He asked that Members consider ways in which tenants may be encouraged to transfer to more appropriate accommodation in respect of their needs.

During discussion, it was agreed that Officers should liaise with other Housing Authorities on the Island and indeed off Island if necessary, to establish actions taken by other Authorities in these matters to establish whether any procedures could be adapted for use in the Onchan District.

H05/05/01/12
ANY OTHER CORRESPONDENCE/COMMUNICATIONS

None.

H05/05/01/13
FINANCIAL REPORTS

The Chief Executive/Clerk (Designate) had circulated with the agenda of the forecast of expenditure in respect of housing maintenance and elderly persons complex maintenance such lists having been compiled on 11th April 2005, for the period to 31st March 2005. The lists were subject to minor adjustment and audit.
Noted.

H05/05/01/14
MATTERS REFERRED BY THE BOARD/OTHER COMMITTEES

None.

H05/05/01/15
ANY OTHER BUSINESS

1. Date of Next Meeting

It was noted that the next meeting of the Housing Committee would take place on Monday 13th June 2005, commencing at 7.00 p.m.

2. Commissioners' Surgery

It was noted that the next Commissioners' Surgery was to take place on Thursday, 9th June 2005, commencing at 6.30 p.m.

There being no further business, the meeting closed at 10.55 p.m.

Minutes of a meeting of the **WORKS & CLEANSING COMMITTEE** held in the first floor lounge, Heywood Court, Heywood Park, Onchan, on Monday 16th May 2005 at 7.25pm.

Present: Mr D.J. Quirk (in the chair), Messrs S.T. Black, E.D.R. Killey and B. Stowell

Apologises: Mr G.K. Astill

In attendance: M.J. Williams (Clerk Designate), E.K. Convery (Surveyor) and Peter Kelly (Administration)

WC/05/05/1 **MINUTES**

Minutes of the meeting held on 11th April 2005, copies of which having previously been circulated, was taken as read, confirmed and signed.

WC/05/05/2 **MATTERS ARISING**

The following matters were arising from the minutes

a) Parish Partnership

The Surveyor advised as to his attending a meeting approximately a week before when there were 30 representatives from local authorities present. The meeting was chaired by Captain Andrew Douglas MHK and most of the representatives were from the parish authorities. Mr Bruce Hannay and Miss Dawn Henley from DoT were also present and the basis of the meeting related to the use of hand held speed guns by representatives of the local authorities with such speed gun attached to a large digital sign. If the approaching vehicle was within the speed limit a smiling face would appear. The proposal was that local authorities would borrow the speed gun and sign, trying it out in various locations within their district. The local authorities would have the back up of the police and the purpose was to encourage motorists to slow down. What had been tried in Braddan was not exactly of this method but the whole process was one of trying to promote traffic management within the local authority area.

Mr Quirk enquired as to when and where the commissioners would put this into operation. He made suggestions of Whitebridge Hill and in Royal Avenue. The Surveyor responded that he saw this exercise as identifying problems rather than necessarily using it where it was already known that a problem existed. He further added that somebody needed to be there to witness the speeds and suggested the matter be left until after the appointment of a community warden.

Mr Stowell commented that if the police were holding a speed gun and a motorist went over the limit then they would be stopped and the appropriate action taken. If a member of the commissioners' staff was operating the speed gun they would not be empowered to stop the vehicle or take any further action. Motorists would soon realise that this does not pose a threat and the set up would not in fact act as a deterrent. The Surveyor informed members that he had signed the commissioners in as being a party interested in this project.

b) Environmental Improvements

The Surveyor advised that he thought the proposal was a good idea but he hadn't had the time to implement the scheme at the moment. Mr Stowell made reference to the area around Emma B's being littered with cigarette butts and suggested that perhaps there could be an improvement in that location. The Surveyor made comment on the urbis signs saying that it was getting long in the tooth and that perhaps the time had come to replace it. His department were already ordering new litter bins for use in the district. Mr Stowell queried whether the first area would be from the War Memorial through to the Co-op and referred to the mess which constantly appeared in front of Robinsons by way of the flower buckets being tipped into the roadway. Mention was made of the War Memorial which was in need of re-gilding. After further brief discussion it was agreed that the area around the War Memorial should be attended first.

WC/05/05/3 **MATTERS ARISING FROM PREVIOUS MEETINGS**

Nil.

WC/05/05/4

WASTE MANAGEMENT AND OTHER CLEANSING BUSINESS

a) Officer's Report

Copies of the Waste Management Operations Manager's report had been circulated prior to the meeting and was noted with following points being discussed further:-

i) Abandoned Vehicles

The Chairman commented that it was good to see the list of abandoned vehicles which gave the commissioners a better picture of what was happening. Mr Stowell made reference to the boat and trailer in Nursery Avenue pointing out that there was another one in Marion Road.

ii Vehicles Servicing

Mr Stowell queried the reference to wear on the chassis of a vehicle and pointed out that this surely related to part of the chassis and not the whole of the chassis to which the Surveyor gave confirmation. The Chairman expressed his thanks to the Waste Operations Manager for his report.

b) Civic Amenity Site

The Clerk Designate showed photographs of the Middle River Civic Amenity Site under construction during a recent site visit. Reference was made to an email by DOLGE sent to the Administrator of the Civic Amenity Site, with copies to other parties, advising that arrangements had now been made for the recycling of dry cell batteries. A yellow container would be placed at the Civic Amenity Site for a trial period although no indication was given as to how long this would be in operation. The Chairman commented that the Manx Co-op were also acting as a base for the collecting of spent batteries. Mr Stowell expressed his concern in respect of the Energy from Waste Plant in so much that he felt they were only monitoring what they wanted in respect of eliminating items from the burning process and he was concerned therefore that items which may contain radio activity were not being monitored and therefore could be entering the system.

The Chairman commented that the commissioners had always supported recycling and therefore were pleased to see the dry cell battery scheme progressing.

c) Waste Awareness

The Surveyor advised that the Waste Operations Manager had attended at Onchan School and given two talks on waste awareness. Noted.

WC/05/05/5

STREET LIGHTING/SIGNS/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) Church Road

The Chairman commented that he was glad to see the holes had been dug ready for the new lamp standards.

ii) Hague Crescent

The Surveyor advised that he had spoken of recent with Mr Jim Davidson in respect of the Steve Hislop statue and he showed pictures to members of the clay model of the statue which was being cast during the current week. It would not be erected on site until the Friday/Saturday before Mad Sunday ready for the unveiling. Noted.

iii) **Hawthorn Villa**

The Surveyor informed members that part of the scheme for the office alteration and extension included the tidying up of the entrance. Noted.

b) **Other Lighting Matters**

i)

The Chairman commented that he would like to see a list of complaints received in respect of non or malfunctioning streetlights.

ii)

Mr Black referred to a non-functioning streetlight in Ballachurry which was attended by the contractors but now comes on at 5pm and goes off at 10pm.

iii)

Mr Stowell enquired as to what was the position where lamp heads were surrounded by trees. The Surveyor asked that details of any such locations to be passed on to him so that the necessary steps could be taken.

WC/05/05/6

DRAINAGE FUNCTION

a) **Officer's Report**

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

Kerrocoar Pumping Station

In answer to question, the Surveyor confirmed the statement in his report that this pumping station was now awaiting adoption.

b) **Other Drainage Matters**

The Chairman commented that there were still blocked gullies in The Butt.

WC/05/05/7

PLANNING MATTERS

The Surveyor reported on two matters where the recommendation of the commissioners and the decision of the Planning Committee differed.

PA 05/344 Conversion of rear part of garage to living accommodation 53 Maple Avenue.

The commissioners recommended refusal but the Planning Committee had approved the scheme. On the recommendation of the Surveyor it was **RESOLVED "to request a Review"**.

PA 05/368 Installation of children's play equipment within the grounds of the Archibald Knox, Avondale Road.

The commissioners had made an observation in respect of this application but the Planning Committee had refused it on the grounds of it being detrimental to the open space between the public house and Avondale Road. Noted.

b) **Planning Officer**

Letter circulated as sent to the District Surveyor by Miss Sarah Corlett who had been Planning Officer for the Onchan area for many years. The letter advised that now that the Planning Department has two new/replacement planning officers a certain reshuffle was taking place which would mean she would no longer be dealing with applications in the Onchan area. It was noted that

Miss Corlett was going to deal with the south of the island and that she extended her thanks to the commissioners for their help and support over the years. The matter was briefly discussed and agreed that a letter should be sent to Miss Corlett thanking her for her services.

WC/05/05/8

CAPITAL AND REVENUE SCHEMES

Officer's Report

Copies of the report had been circulated prior to the meeting and it was noted. With regard to the proposed mezzanine floor at the refuse garage, Snugborough the Surveyor advised he was currently looking at sketch plans in order to prepare a proper brief. Noted.

WC/05/05/9

HIGHWAY AND TRAFFIC MATTERS

High Hedges

The Chairman enquired whether the high hedge legislation had now received Royal Assent. None of the officers present were able to advise as to the current situation. The Clerk Designate offered to look into the matter. The Surveyor pointed out that this legislation was designed to relate to neighbour/neighbour situations and was not necessarily going to be to the advantage of the commissioners in any way. Details to be sought.

WC/05/05/10

FURTHER REPORTS FROM CLERK/SURVEYOR

None.

WC/05/05/11

CORRESPONDENCE/OTHER COMMUNICATIONS

Canine Care

The monthly report from Canine Care had been circulated prior to the meeting. Members noted the offer from the Bye-law Officer to contact the tenants of commissioners' properties who failed to keep their gardens tidy as he had done in the previous year. After a brief debate it was agreed that this should be put into operation again.

WC/05/05/12

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:-

EW91/10(4)R Scollag Road – Ponding

Mr Stowell commented that as a result of no work taking place at the worst point of ponding on the Scollag Road the sod hedge was beginning to disappear as a result of the water splashed up onto it.

WC/03/10/08(a) Port Jack Millennium Entrance Shelter

The Chairman commented that now that the warmer weather was upon us he expected to see work to the floor carried out. Mr Killey commented on the state of the windows which had resulted from scratching on the polycarbonate sheeting. The Surveyor offered to speak to the installers to see if there were alternatives.

WC/05/05/13

MATTERS REFERRED BY BOARD/OTHER COMMITTEES

Nil.

WC/05/05/14

ANY OTHER BUSINESS

a) Time and Date of Next Meeting

Monday 20th June 2005 at 7pm.

b) Land at Ridgeway Road

The Chairman commented that DOLGE had now purchased the land on Ridgeway Road from the Catholic Church Authorities. He felt the commissioners should express their interest in the scheme.

c) Kenyon's Café

The Chairman made reference to a broken pane of glass in Kenyon's Café which had occurred over the weekend. Confirmation was given that this was the tenant's responsibility.

d) Minutes/Resolutions

The Chairman commented that Nuisance Abatement should be placed in committee.

e) Committee Servicing

The Chairman commented that he felt there were too many officers for the Works Committee. He added that in future he would anticipate seeing the Clerk Designate as Clerk at the meeting and also the Surveyor would need to be present.

Meeting terminated at 8.40pm..

Minutes of a meeting of the **LEISURE AND AMENITIES COMMITTEE** held in the first floor lounge, Heywood Court, Heywood Park, Onchan on Monday 23rd May 2005 at 6.58pm.

Present: Mr A.T.W. Norton (in the chair), Mrs W. Megson, Messrs G.K. Astill and B. Stowell

Apologises: Mr E.D.R. Killey

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

LA/05/05/1
WELCOME

The Chairman welcomed all members to the first meeting of the committee in the municipal year and gave a special mention to Mrs Megson who was joining the committee for the first time.

LA/05/05/2
MINUTES

Minutes of the meeting held on 18th April 2005, copies of which having previously been circulated, was taken as read, confirmed and signed.

LA/05/05/3
MATTERS ARISING

There were no matters arising which were not already on the agenda.

LA/05/05/4
PLAYGROUNDS/PARKS

a) **Playground Log Books**

The Amenities Officer advised that the logbooks were ready for signing by the Chairman. At Lakeside Gardens a couple of links on the chains and one bolt required replacement. Work had started on filling the gaps between the safety flooring slabs. The Chairman enquired in respect of the turf around one of the springers in Onchan Park of which he had emailed a photograph. The Amenities Officer in reply stated that he was of the opinion the damage caused was by adults using the springer which was moving further forward then would be the case with a child. Remedial work was taking place. Mrs Megson pointed out that there was a broken seat on a piece of equipment in the Ballachurry play area.

b) **Amenities Officer's Report**

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

i) **Main Entrance to Stadium – Roller Shutter**

The Amenities Officer advised that a cover plate was required over the guides in which the track ran. This would be fitted as soon as possible. Noted.

ii) **Crown Green – Trees and Bushes**

Mr Stowell commented that he was not too sure as to the advice given by Mr D. Chalk (DAFF) in respect of the trees and bushes around the bowling green. The Amenities Officer explained that the recommendation was to remove the lower branches of the trees over a period of time which would raise the canopy and thus lighten both the green and the path between the green and the squash courts. By lowering the height of the bushes it would also give visibility down onto the green which would make that walkway more pleasant and equally provide a degree of security when the green was not in use in so much that anybody in that location could be easily seen. Mr Stowell replied that his concern was that the trees in the park had gone through their best stage and he queried whether

it would be appropriate to remove some of the trees and replace them with fresh planting. The Amenities Officer replied that Mr Chalk was not in favour of that course of action. Mr Stowell commented that the trees should be replaced on a rolling programme as otherwise at some point in time they would all reach the end of their live expectancy at the same time. The Chairman commented that to remove trees and replant was defeating the object to raising the canopy when new trees would be growing through exactly the same stage that the others had already been.

Mrs Megson said that prior to coming onto the committee she had passed on a message sometime previously regarding youths playing football on the green and damaging the pvc roof to the shelter. The Amenities Officer advised that the roof to the shelter had been repaired sometime ago and the damage was actually caused during the January storm. Mr Stowell then referred to the reduction in height of the hedge and the comments made by the Amenities Officer in his report that the original post and wire fence set within the hedge would no longer give support. Mr Stowell felt that a hedge of approximately 3 ft 6 inches high would be far preferable to one 2ft – 2ft 6 inches high which was as recommended in the report. He further added that he felt bow top fencing on the squash court side would give good support to the hedge. Mrs Megson did not see lowering the hedge the answer to youths playing football on the green. She queried whether a prohibition sign could be placed on the gates or fence to which the Amenities Officer replied that there was already a sign on the gates prohibiting access thereto when the greens were closed. Mr Stowell suggested that costings should be obtained for the provision of bow top fencing on the sides of the green adjoining footpaths. The Administrative Officer pointed out that in order to install the bow top fencing the roots to the hedging would be affected in places and the suggestion of the fence growing through the bow top fencing seemed to negate its purpose and perhaps bow top fencing alone with specimen planting on the embankments might be a better answer and provide something more pleasing on the eye.

iii) **Play Area - Painting**

Mrs Megson informed members that she had received a number of compliments from parents of children using the play equipment at Onchan Park following the re-painting of certain items.

iv) **Games Equipment**

The Amenities Officer elaborated on his report having inspected the bowls for hire on the flat green and in answer to question confirmed that he had not looked at the bowls for hire for the crown green or any other piece of equipment. Details were not available as to the number of times bowls were hired on the flat green but on the proposal of Mr Stowell, seconded by Mrs Megson it was

***RESOLVED**

“to purchase six sets of bowls for the flat green at £86 per set together with two sets of bowls for the crown green at approximately £20 per set”.

c) **Park Foreman's Report**

Members noted that the Parks Foreman was no longer in the employ of the commission and that a charge hand had been appointed from amongst the present labour force for the summer months.

d) **Annual Tour of the Park**

A list of items noticed during the annual tour held on Wednesday 28th September 2004 had been circulated prior to the meeting. Reference was made to the following items:-

Correct CCTV signs to be erected – delete as this has now been undertaken.

Check out and remove non-functioning speakers – these have now been removed.

Gents toilet – locked and unable to inspect – The Amenities Officer recommend that this be removed as the toilets were in good order.

Area behind concrete grandstand needs fence erecting – The Amenities Officer advised the he was awaiting the contractor to do at the same time as the fence to the children's play area.

e) **Proposed Skateboard Park**

There was no indication from the Surveyor as to progress in this matter. The Chairman had not been to see him and therefore had nothing to report. Mr Stowell commented that if the matter didn't get moving it would be carried over to another year and he would like to see some progress. He further requested that the Surveyor be asked to make progress in this matter. Mrs Megson commented that she personally was very disappointed that no progress had been made.

f) **Wembley Football Arena**

Again the Chairman confirmed that he had not spoken to the Surveyor on this matter. The Amenities Officer was not aware that anything had happened in respect of the planning application. Mrs Megson expressed her dismay at the lack of action.

g) **Improvements to Lighting in Onchan Park**

There was no indication from the Surveyor (who is currently ill) as to any progress in regard to the preparation of a specification or obtaining prices for a comprehensive lighting scheme.

h) **Crazy Golf Equipment**

The Amenities Officer informed members that he had spoken with a representative from Bettacrete and had made arrangements to visit them and hold a discussion after the TT period. Noted.

j) **Memorial Seat**

The Administrative Officer advised as to having written to the Onchan Branch of the Royal British Legion informing that the commissioners were not in favour of a seat being placed at School Road but were still offering the sites at Bay View Road and in front of the commissioners' office. No reply had been received to date.

k) **Christmas Tree Shredding**

The Amenities Officer reported that some more shredding had taken place since the last meeting but a lot remained to be done. Mr Stowell expressed his concern that a new machine had been purchased which was capable of handling a lot more timber than the previous machine. It was portable and therefore designed to be taken to the trees rather than the trees taken to it which appeared to be the principle being applied at the moment. He saw no point in transporting large branches of trees when if the tree was shredded on site then what was being transported was small bulk chippings. His personal thought was that all the timber held at Centenary Park should be piled up and burnt subject to advising the Fire and Rescue Service that this was taking place. He then asked how many man days had been spent on shredding to date to which the Amenities Officer replied that he thought it would be in the region of 12.

m) **Play Safe Computer System**

The Administrative Officer reported having sent a reminder to the Chief Executive of DOLGE attempting to solicit a reply or acknowledgement in respect of the suggestion of the commissioners that the department considers purchasing the software for this playground equipment maintenance scheme. A recent email received indicated that the documentation at DOLGE had gone missing and copies were requested. Mr Stowell commented that unless the scheme was adopted elsewhere such as at DOLGE then the commissioners should drop any thoughts of its purchase as it seemed extremely expensive for the service it would provide.

n) **Ferguson Tractor**

The Amenities Officer advised that he had nothing to report.

o) **Onchan AFC – Dressing Room Decoration**

The Amenities Officer advised that no contact had been made by the club and consequently no redecoration had taken place.

p) **Rewire and Fire Alarm Installation**

The Amenities Officer reported that all work was now complete. An inspection and testing by the Fire Prevention Department was unlikely to occur until after the season.

q) **Season Receipts**

A break down of takings for the season to date had been circulated. It was pointed out that as Easter 2005 fell within the 2004 financial year then the comparative figures for season to date were greatly distorted. Members were concerned therefore as being unable to make a comparison and requested that the Finance Officer add in the Easter 2005 takings for the purpose of providing the comparative better/worse column at the end of the chart. This would not alter the actual takings since the beginning of May but at least the comparison on a percentage basis would give an indication as to how the season was going.

LA/05/05/5

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 matters being discussed further:-

Jubilee Park

Mrs Megson queried as to the future of the play equipment in this area which she felt was somewhat sparse. The Administrative Officer replied that financial provision had been made in the estimates for new equipment in this location which would take the form of a multi function piece of equipment. She queried as to what was to happen to the existing playground equipment to which the reply given indicated that it would be retained on site. Mrs Megson then referred to the fact that the existing equipment needed painting. It was pointed out that the brightly coloured roundabout was just a little over a year old but the Amenities Officer would look towards repainting the other equipment.

b) **Port Jack Glen - Lighting**

The Amenities Officer advised that he was not aware as to any quotations received or requested by the Surveyor for the provision of two solar powered lights. Mr Stowell added that he still had a problem with the proposal and he likened it to a river without a bridge. If a bridge was placed over the river then the owners of the bridge had a responsibility to those passing over it and it would need to be adequate for the purpose. The provision of two solar lights in the whole of the glen was not at all suitable. Mrs Megson agreed with the comments made.

c) **Port Jack Glen - Streambed**

The Amenities Officer informed members that the proposals were out to tender with a return date of 17th June 2005. Mr Stowell commented that he felt the whole scheme was "absolute lunacy" and was a highly over-engineered attempt to find a solution. He felt the commissioners would be expending long thousands of pounds in order to achieve nothing.

d) **Millennium Shelter Flooring**

The Amenities Officer advised that the contractor was waiting for a period of good weather when the evening temperature was reasonably high to ensure a better drying period. In answer to question, he confirmed that the graffiti had been removed.

The Administrative Officer pointed out that reference had been made to the shelter at the recent meeting of the Works and Cleansing Committee although the shelter fell within the remit of the Leisure and Amenities Committee. Concern was expressed over the state of the windows and in particular the scratching on the polycarbonate sheeting. After a general discussion it was agreed that the matter be referred to the Surveyor to come forward with alternative solutions to the problem.

e) **Hague Crescent Garden**

Members were informed that casting of the Steve Hislop statue should have taken place the previous week and at the moment it was anticipated everything was on line for the unveiling of the statue on Mad Sunday. Noted.

f) **Heywood Park – Landscaped Area**

The Amenities Officer advised that he had not yet made contact with the adjoining owners regarding the disruption to the landscaped area caused either by their trees which had been blown over or their contractors removing same.

g) Jubilee Park –Boundary Trees

The Amenities Officer confirmed that the lower branches of the pine trees had been cut back.

h) Centenary Park - Tidy Up

The Amenities Officer had already advised that only a small amount of time had been spent on further shredding.

j) Any Other Matters

Lakeside Gardens

Mr Stowell enquired as to the current situation with regard to the paths through Lakeside Gardens which flooded during heavy rain. The Amenities Officer replied that he understood financial provision had been made for the construction of new paths sitting on top of the present paths and extending sideways to allow for prams to pass. The matter was with the Building Control Officer.

LA/05/05/6

PUBLIC CONVENIENCES

a) Amenities Officer's Report

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

i) Soap Dispenser

The Chairman enquired whether the small bars of soap had been put into use instead of the soap dispenser. The Amenities Officer replied that it had and none of them had been stolen.

ii) Ladies Toilet

Mrs Megson pointed out that the toilet tissue holder was not in place the previous week to which the Amenities Officer replied that a replacement had been positioned.

b) Port Jack Toilets

The Amenities Officer reported that progress was being made and it was anticipated that the roof timbers would be put on that week. Members expressed surprise. Mr Stowell enquired whether there had been any complaints as a result of there not being any toilets in the Port Jack area to which the Amenities Officer replied that there hadn't.

LA/05/05/7

PUBLIC LIBRARY

a) Librarian's Report

Copies of the Librarian's report had been circulated prior to the meeting and was noted with particular regard to an increase in fiction, non-fiction and junior book issues and a slight decrease in audio and video issues. The overall total was still an increase on April of 2004. An example of the new library membership card was shown and when issued the bar code would identify the borrower and provide information in due course in respect of books which they had previously read, books they were waiting for etc.

b) Amenities Officer Report

Copies of the Amenities Officer's report in respect of maintenance at the library had been circulated and it was noted that none had been necessary during the month.

LA/05/05/8

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 matters being discussed further:-

i) **Security Lighting**

Members noted that the light to the disabled persons' ramp leading to the sports hall was due to be fitted that week.

ii) **Paved Areas**

Whilst noting that the Amenities Officer had obtained quotations for replacing certain concrete paving with block pavers concern was expressed over the fact that vehicles were still likely to park on the pavers and perhaps there was a better solution. Several proposals were put forward and finally it was agreed that at some date after TT Week an on site inspection would be carried out by the committee to familiarise themselves completely with the building and to produce a list of items required for its ongoing improvement.

iii) **Roller Blinds**

The Amenities Officer advised that when the new roller blinds were fitted he arranged for the cords to be shortened so that the pre-school playgroup children would not interfere with them.

b) Plans for Proposed Extension

The Amenities Officer advised that he had not been provided with any updated information by the Surveyor. The Chairman had not been to see the Surveyor and so it was agreed that all outstanding matters should be addressed at the next meeting of the Board.

c) Drainage Investigation

In answer to question the Amenities Officer advised that he understood the matter was ongoing with the Building Control Officer.

d) Manchester Challenge

The Administrative Officer informed members that the closing date for applications for places on the Manchester Challenge had passed on the previous Friday. There were no applicants for consideration. The money raised at the Commissioners' Dinner and other functions would be put to one side either for use in connection with next year's Manchester Challenge or for consideration of other approaches for financial support relevant to progressive youth schemes.

LA/05/05/9

PROMOTIONS/ADVERTISING/PUBLIC INFORMATION

a) Website

The Administrative Officer reported on the receipt of the statistics from WebOne UK for the month of April. These showed total hits of 39,402, page views 10,496 and visits 5,047. The accompanying note shows that there were 50% more visitors compared to April 2004. The page view increases shows that the site is increasing in popularity. Noted. The Administrative Officer advised that a day had been spent updating the website following the recent change of committees not only relevant to the commissioners but also of a number of societies.

b) SEA Isle of Man 2005

No further communications had been received in respect of the fair. It was noted that this year's library promotion also related to the sea with references to "Reading Voyage". A general discussion took place with reference to past events particularly the Golden Jubilee of the Park and other events held on the Village Green where local personalities were requested to come and read to the children as part of a general promotion. Members were of the view that this would be beneficial to the library and therefore the librarian was to be asked to make the necessary arrangements.

d) **Trophies for Two Schools**

The Administrative Officer reported having contacted the Head Teacher at Ashley Hill School following notification received by him from the Clerk Designate relevant to suggestion put forward at the meeting of the Board. The Head Teacher advised that it was not her idea but a parent who had suggested the inter-school competition and as a result the Administrative Officer had now written to Onchan School enquiring if they would be interested in having such a competition for which the commissioners would provide a trophy. Reply awaited.

e) **Schools Promotion**

The Administrative Officer advised that following the last meeting of the committee when Mr Killey elaborated on his proposal that all schools should be circulated with particulars of Onchan Park in the hopes that they may arrange school trips there during the summer term, letters had been sent out to all secondary and primary schools. Mr Stowell commented that the idea was that of his wife's and something which he put forward.

LA/05/05/10

OUTSTANDING MATTERS

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

LA/05/04/3(o) Hire Equipment – report by Amenities Officer on condition of bowls – ***delete as now bowls now to be ordered***

LA/05/03/16 Obtain report on lighting of disabled ramp externally – proceed and fit – ***delete as work now progressing***

LA/05/05/11

MATTERS REFERRED BY BOARD/OTHER COMMITTEES

Nil.

LA/05/05/11

CORRESPONDENCE OR OTHER COMMUNICATION

a) **Landscaped Area Heywood Park**

The Administrative Officer advised that a letter had been received from a resident in Heywood Park referring to a particular area of landscaping which had not been attended this year. Reply sent and the Amenities Officer stated he was arranging to programme in the work. He pointed out however that the bedding plants had just arrived and that would be the priority at the moment.

b) **Manx Mencap**

Letter reported as received from Manx Mencap acknowledging the receipt of £64.79 from the wishing well in Onchan Park. Noted.

c) **AXA – Hearts in Action 2005**

The annual letter was received from AXA requesting schemes to be put forward whereby their members of staff could provide volunteers for community projects. The letter listed the previous schemes including the redecoration of the scout hall in Castletown, restoration of coastal footpath at Port St Mary and redecoration of the hospice charity shop in Port Erin. Members put forward a number of ideas but none of which were directly related to the commissioners. AXA to be advised of those ideas in any event least they wish to make a direct approach to the organisations in question.

d) Grant Assistance

Letter reported as received from DOLGE in respect of grant assistance towards local authority provision of playground equipment. The letter indicated the recommendation of the Select Committee of Tynwald whereby such financial support should be 40% subject to the local authorities having in place a proper planned maintenance programme and that the grant should always be paid in full.

The letter went on to explain that the department had considered the recommendations and listed 14 conditions which must apply from which it was noted that financial liability of the local authority was also to be taken into account. Members wondered whether it was a scheme worth considering due to the vast amount of red tape which had been created.

LA/05/05/13

ANY OTHER BUSINESS

a) Date of Next Meeting

Monday 27th June 2005 at 7pm.

b) Park Fence

Mr Astill enquired as to when the fence on the topside of the children's playground was to be reinstated. The Amenities Officer replied that he had referred to that earlier in the meeting when advising as to the hold up in respect of fencing behind the concrete grandstand.

Meeting terminated 10.47pm.

Minutes of a meeting of the **POLICY AND FINANCE COMMITTEE** held in the First Floor Lounge, Heywood Court, Onchan, on Tuesday 31st May 2005, at 5.30 p.m.

Present: Mr D. Crellin (Chairman)
Mr G.K. Astill
Mr D.J. Quirk
Mr J.K. Watterson (from 5.40 p.m.)

Apologies: Mr A.T.W. Norton

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

PF05/05/01 **MINUTES**

Minutes of the meeting held on 25th April 2005, copies of which having previously been circulated, were taken as read, confirmed and signed.

PF05/05/02 **BUSINESS ARISING**

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

PF05/05/03 **BUSINESS ARISING FROM PREVIOUS MEETINGS**

There was no business 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.

PF05/05/04 **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 24th May 2005 compared with the previous financial year were as follows:-

2005/06 estimated amount collectable including arrears brought forward	£1,461,623
2005/06 collected to 24 th May 2005 less refunds	£ 466,310 (31.90%)

Comparative figures

2004/05 estimated amount collectable including arrears brought forward	£1,340,222
2004/05 collected to 24 th May 2004 less refunds	£ 427,120 (31.87%)

2. Revenue Account Payments

The list of payments from revenue account during the month of April 2005 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.

PF04/03/05 **CORRESPONDENCE AND OTHER COMMUNICATIONS**

None to report in public.

PF05/05/06

MATTERS REFERRED BY COMMISSIONERS/OTHER COMMITTEES

None to report in public.

PF05/05/07

RECOMMENDATIONS WITH POLICY OR FINANCIAL IMPLICATIONS FROM OTHER COMMITTEES

It was **RESOLVED** that the following recommendation from the Leisure and Amenities Committee meeting held 23rd May 2005 be endorsed:-

- 1. To purchase six sets of bowls for the flat green at £86 per set together with two sets of bowls for the crown green at approximately £20 per set.***

PF05/05/08

OTHER BUSINESS

None to report in public.

PF05/05/09

DATE OF NEXT MEETING

It was agreed that the next ordinary meeting of the Committee be held at 5.30 pm on Monday 4th July 2005.

PF05/05/10

LAST MEETING

The Chairman referred to the fact that this was the last meeting of the Policy and Finance Committee that Mr J.E.S. Smith, the retiring Chief Executive/Clerk would attend and he wished to place on record the appreciation of the Committee for his long service to the Committee. He concluded by wishing Mr Smith and his wife a long and happy retirement. Members endorsed the remarks and the Chief Finance Officer stated that he wished to take the opportunity to thank Mr Smith for his friendship and reflected how well he and the Chief Executive/Clerk had worked together for the past twelve years.

Mr Smith thanked the Chairman and Members of the Committee and the Chief Finance Officer for their courtesy, kind remarks, good wishes and friendship over the years and stated that he had always enjoyed the work of the Committee having formally been an accountant with the Public Auditors and had also filled the role of Finance Officer during the first five years of his service with the Authority prior to a Finance Officer being appointed.

There being no further business the meeting terminated at 6.55 p.m.

Minutes of a meeting of the **RURAL COMMITTEE** held in first floor lounge, Heywood Court, Heywood Park, Onchan on Wednesday 25th May 2005 at 5.16pm.

Present: Mr J.K. Watterson (in the Chair), Mrs W.E. Megson (from 5.21pm), Messrs M.J. Kennaugh, B.H. Moore and W.A. Skillicorn

In attendance: Peter Kelly (Administration) & B.T. Price (Building Control Officer)(until 6.09pm)

R/05/05/1 **MINUTES**

Minutes of the meeting held on 20th April 2005, copies of which having previously been circulated, was taken as read, confirmed and signed.

R/05/05/2 **MATTERS ARISING**

The following matters were arising from the minutes:-

a) Tromode Green - Pavement Reinstatement

Letter reported as sent to the Department of Transport drawing their attention to the condition of the footpath which had not been reinstated alongside one of the lamp standards. Letter had been acknowledged and reply received which advised that the department was pursuing the matter with the MEA and the developer to have the excavation reinstated. Noted.

b) Clypse Moar Road - Potholes

Letter reported as sent to the Department of Transport which was acknowledged. Reply received which advised that an order had been issued to the works division to fill the potholes. Noted.

c) Creg-na-Baa Back Road – Damaged Parapet Wall

Letter reported as sent to the Department of Transport, which was acknowledged. Reply received indicating that the wall would be inspected and then remedial work ordered as appropriate. Noted.

d) Brandish Corner – Hole in Hedge

Letter reported as sent to DoT which was acknowledged. Reply received advising that the location had been inspected but it was the responsibility of the landowner to pursue the matter. If there was concern in respect of the TT safety the matter would be raised by the TT Safety Committee. Mr Skillicorn commented that he was aware the landowner had been unable to do anything about the situation despite the fact that the identity of the person who crashed into the hedge was known. Agreed this was a matter outside the remit of the commissioners.

e) Ballacreech Corner - Seat

The Administrative Officer reported that investigation had taken place in respect of the orange tape on the seat which had not been placed there by the commissioners' staff. The Housing Maintenance Manager had inspected the seat and was of the opinion the wedges used at the time of its construction were of the wrong type and he had subsequently issued an order for the correct type to be fitted. Noted.

f) Ballacreech Corner - Trailer

Correspondence reported as sent to Sergeant Goldsmith at Onchan Police Station and the reply which indicated that a constable from the Willaston Police Station had spoken with the owner of the large trailer who, after some initial reluctance, had assured that the trailer would be moved in the next day or so. The Administrative Officer reported the trailer had been moved although it was now on one of the roadways on an industrial estate in Braddan. Noted. Members expressed their gratitude for the action taken.

R/05/05/3

OUTSTANDING MATTERS

a) Shannon Rae Site

The Administrative Officer reported that the latest update from the Housing Maintenance Manager was that the hardwood for the seat slats was currently in stock at the Douglas Steam Sawmills but was awaiting machining. Query was made as to whether this could be undertaken by the commissioners' own staff as it would appear the correct equipment was owned by the commissioners. Matter to be pursued.

b) Cost of Providing Services to the Rural Ward

Mr Skillicorn advised members that he had not had the time of recent to discuss the matter further with the Clerk. Noted.

R/05/05/4

MATTERS FROM PREVIOUS MEETINGS

Nil.

R/05/05/5

MATTERS REFERRED BY BOARD/OTHER COMMITTEES

Copies of a memorandum from the Chief Executive to the Administrative Officer dated 16th May 2005 had been circulated prior to the meeting. From this it was noted that a meeting of the Board held on 29th March 2005 included on the agenda a notice of motion from Commissioner Quirk which was in three parts viz:-

1. That Onchan District Commissioners, as the local authority for Onchan District, consider that all charges and costs for Onchan financial provision for the civic amenity site should be an equal charge to both urban and rural ratepayers.
2. That a rate reduction is given to all ratepayers in the Onchan area for the cost of operating our part of the civic amenity site at Braddan.
3. That a fixed charge/cost be applied to all persons making an application to use the civic amenity site as determined by Onchan District Commissioners from time to time.

This matter was included on the agenda for debate at the subsequent meeting of the Board held on 4th May 2005.

At that meeting the mover of the motion, Mr D.J. Quirk withdrew parts (2) (3) and moved an amendment (without prior notice) to substitute a new part (2) viz:-

That the Department of Local Government and the Environment be requested to act as an arbitrator or conciliator to achieve the aim of section (1).

It was further noted that an amendment was proposed by Mr Kennaugh, seconded by Mr Norton and passed 6 voted to 4 "that the proposal contained in the amended motion be referred to the Rural Committee for consideration".

Also circulated prior to the meeting was a copy of the letter from the Clerk to the Commissioners to the Department of Local Government and the Environment dated 17th March 2005 enclosing a copy of the motion, giving the Clerk's views on the matter in so much that a charge for the civic amenity site could not be made under section 65(5) of the Public Health Act but asking as to the departments advice in respect of section 69 thereof. He further sought confirmation of his own opinion that a "special district" under the Local Government Act 1985 could not be created in this regard as the service was not exclusive to that part of the district. Finally the letter enquired whether the department would be prepared to make an order to create a special district to cover the Rural Ward.

Reply from the Higher Executive Officer in the Legislation and Policy Unit had also been distributed. From the reply it was noted that the department would not agree to any proposal to make a section 8 order to create a special district under the Local Government Act 1985.

With regard to section 69 of the Public Health Act 1990 the department was of the view that this was not suitable for the purpose proposed and furthermore the commissioners would be acting unreasonably if they imposed a special charge on those in the Rural Ward. The department was of the opinion that if the commissioners wished to increase the rate paid by those in the Rural Ward then they should be dealt with under the provisions of the Onchan District Act. The letter further advised, however, that the commissioners should really seek their own legal advice in this regard.

Mr Kennuagh stated that he put forward the amendment as he was concerned that the Rural Committee were not being consulted in accordance with the Onchan Act. He had noted the reply given by DOLGE which was quite clear. A long discussion took place in which references were made to calculations by other commissioners as to the cost of implementing the proposals particularly by the purchase and installation of new software at a cost of several thousand pounds and the small amount of money that would result from the charge raised. Furthermore, in the event of such charge not being paid by individuals the cost of following up non-payment would greatly exceed the charge itself. Concern was also expressed that if this line were to be followed then the next salute would be to make an additional charge to cover the cost of running the library, the bowling green and other facilities in the district.

Mr Moore pointed out that with the potential Local Government Reform, in some form or other, then the matter would in reality iron itself out in the not too distant future. Mr Kennuagh commented that to ignore the advice of the Clerk was to undermine his position and responsibility. After further and serious consideration of the matter it was

***RESOLVED**

“to advise the Board that the Rural Committee fully accepts the advice of the Clerk and of the Department of Local Government and the Environment by way of the correspondence circulated and that the Rural Committee would recommend to the Board that they equally accept that advice given. Should the Board, however, decide not to accept the advice of its senior officer and of the department then independent legal advice should be sought on the motion. When such advice had been obtained then the Rural Committee would be prepared to reconsider the matter in the light of that information”.

R/05/05/6

PLANNING MATTERS

a) Initial Planning Decisions

PA 04/2480 Approval in principle for the demolition of indoor riding arena and redundant stables and conversion of existing stone stables and barn into 12 residential units with associated parking, Lower Sulby Farm, Scollag Road for Mrs Linda Kneale – **Approved.**

The conditions of approval indicated that units 1 – 9 inclusive were to use the existing fabric with no extensions, demolition or significant alterations thereto. In respect of the conversion of the building to form units 10 – 12 this must involve the refinishing of the building, replacing the existing patched cladding with a material more appropriate in colour and finish.

With regard to the latter it was noted that this in fact was giving approval to the conversion of the former Belle Vue International Exhibition building of 1892 which had been re-erected on the site as a traction engine shed. It basically comprised a corrugated iron clad timber framed structure with no substantial walls or floor and therefore in order to comply with modern day living standards it would in reality involve a total rebuild rather than just re-cladding.

Members noted that the proposals resulted in all existing and usable farm buildings being demolished and the stone barns being converted yet no proof had been given that they were in fact redundant for the purpose for which they were intended. The overall scheme was contrary to the Onchan Plan in so much that no provision had been given for residential development in this area and the question of access onto the road or additional traffic onto the road had not been addressed.

The Building Control Officer informed members that as the initial decision came in shortly after the previous meeting then a request for a Review had been automatically applied. Members endorsed the action taken and the Building Control Officer was to submit the case for Review.

b) **Planning Decisions (ON REVIEW)**

PA 04/2354 Erection of new barn to increase storage capacity, Field 534269, Clypse Beg, Clypse, Onchan for Douglas Corporation – **Approved.**

The conditions of approval were as at the initial planning stage.

The Building Control Officer advised that a request for an Appeal in respect of this application had been received and consequently a submission by the commissioners needed to be made by 21st June 2005. It was confirmed that there was no change to the views of the commissioners previously stated. Mr Skillicorn declared an interest in the matter.

PA 04/2587 Part demolition and then reconstruction and extension of existing outbuilding to initially form temporary living accommodation and then conversion to office, workshop and store Ballairgey, Abbeylands for Mr D. Hawley – **Refused for reasons that the proposal would represent creation of a new dwelling in the countryside albeit temporary which would be contrary to the general policies against such development outside areas designated for development. Furthermore, as the proposal is for the demolition rather than conversion of the existing building it is not in compliance with the department's policies on the reuse of redundant rural buildings as set out in planning circular 3/89. The Planning Committee is not satisfied that the proposal is necessary to affect the renovation of the house and outbuilding approved in principle under PA 02/2135.**

b) **Appeals**

The Building Control Officer reported documentation had been received in respect of the proposed Appeal for PA 04/1691 Demolition of two greenhouses and construction of four bed dormer bungalow with integral double garage, below Woodland Heights, Ashley Road, Onchan for Mr M.R. Barker.

It was noted that the Appeal is to be held on Wednesday 15th June 2005 at 2pm.

R/05/05/7

ANY OTHER BUSINESS

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

Wednesday 29th June 2005 at 5.15pm. Mr Kennuagh indicated that he may possibly be off the Island at that time.

b) **Isle of Man Water Authority**

The Administrative Officer reported receipt of a letter from the Isle of Man Water Authority advising that representatives would be calling on landowners in the Onchan area in the near future to outline proposals in respect of wayleaves for new treated water pipes to be laid down the east side of the island. Noted.

c) **Planning Officer**

Letter reported as received from Miss Sarah Corlett, Planning Officer advising that she was no longer going to be dealing with the plans in the Onchan area as following a reshuffle within the department she was now dealing with the south of the island. The purpose of the letter was to extend her appreciation to the commissioners for their input into various applications in the area over the years and also for their input into the Onchan Local Plan. Miss Corlett advised that her successor was to be Mr Anthony Holmes but she would continue with matters through Review and Appeal in respect of those applications with which she had dealt at the initial stage of planning. Noted.

Meeting terminated at 6.35pm.