

ONCHAN DISTRICT COMMISSIONERS

Hawthorn Villa,
Main Road, Onchan.

IN PUBLIC

29th August 2007

Sir/Madam,

You are hereby summoned to attend an **ORDINARY meeting of the Authority** to be held in the Boardroom, at Hawthorn Villa, 79 Main Road, Onchan, to transact the undernoted business at:

7.00 p.m. on Monday, 3rd September 2007

which will be followed by a meeting of the Board sitting *In Committee*.

Yours faithfully,

P.M. HULME
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 (with the exception of items 1, 2 or 3 which cannot be varied) or by a resolution duly moved and seconded and passed on a motion which shall be moved and put without discussion.

1. **To choose a person to preside if the Chairman and vice-chairman be absent**
2. **To deal with any business required by statute to be done before any other business**
3. **To approve as a correct record and sign the Minutes of the:-**
 - 3.1 Ordinary meeting held on 30th July 2007 **(Minutes – APPENDIX 3)**
4. **To dispose of business (if any) remaining or arising from the last and any intermediate extraordinary meeting.**
 - 4.1 Drinking in Public Places – **memorandum circulated**
5. **To dispose of business (if any) remaining or arising from meetings held prior to the last ordinary meeting.**

None.

6. **To deal with any business expressly required by statute to be done.**
7. **To receive and consider reports, minutes and recommendations of committees.**
(Note: See Standing Order Number 7(1) attached)

7.2.1 Works and Cleansing Committee **(Appendix 7.2.1)**
Extraordinary meeting held 15th August 2007

Please note that in accord with Board Policy, the Standing Committees of the Authority do not meet during the month of August.

8. **To consider letters, petitions, memorials and other communications.**
- 8.1 Planning decisions/communications from the D.L.G.E. Planning Committee
1.1 Planning Communications – **list circulated** (to follow)
1.2 Plans – **list circulated** (to follow)
1.3 Planning Recommendations, Rural Committee
- 8.2 Richmond Hill Consultative Committee minutes of meeting held 2nd May 2007
minutes circulated
- 8.3 Offshore Aggregates – Procedures for issue of prospecting and extraction licence/s – **Letter circulated**
- 8.4 Laxey Hopefuls – Bed Pull – **Letter circulated**
- 8.5 St John Ambulance – Flag Day – **Letter circulated**
- 8.6 Golden Jubilee Trust – Seminar – **Correspondence circulated**
- 8.7 St Peters Church – Proceeds from Civic Service – **Letter circulated**
- 8.8 DHSS – Supporting Older People in Mann Exhibition – **Letter circulated**

9. **To consider any report from the clerk or the surveyor**

None.

10. **Chairman's Announcements**

Chairman to report

11. **To answer questions asked under standing order 7** (Note: See Standing Order 7(2) to 7(4) attached)

None

12. **To consider Motions in the order in which notice has been received.** (Note: See Standing Order No 5 attached)

None.

13. **Other Business, if any, specified in the summons**

None.

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, Main Road, Onchan, on Monday 30th July 2007 at 7.00 p.m.

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

Apologies: Mrs W. Megson

In Attendance: Mr P.M. Hulme (Chief Executive/Clerk)
Mr B. T. Price (District Surveyor)
Ms A.S. Dentith (Personal Assistant)

C07/07/01/01
BUSINESS REQUIRED TO BE DEALT WITH BY STATUTE

None.

C07/07/01/02
MINUTES

The minutes of the public section of the ordinary meeting held on 25th June 2007, copies of which having previously been circulated were considered, agreed as a correct record of proceedings and signed by the Chairman.

C07/07/01/03
BUSINESS ARISING

None.

C07/07/01/04
ANY BUSINESS REMAINING OR ARISING FROM MEETINGS HELD PRIOR TO THE LAST ORDINARY MEETING

None.

C07/07/01/05
ANY BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C07/07/01/06
HOUSING COMMITTEE MINUTES

The minutes of the public section of the Housing Committee meeting held on 2nd July 2007, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

1. **H07/07/01/02(2) – Ballachrink Bus Stop**

A letter had been sent to the Department of Transport as they had some responsibility as the bus stop was located on the pavement. It was requested that a letter also be sent to the Department of Tourism and Leisure, as they are responsible for the bus service.

2. **H07/07/01/05(2) - Retirement of Warden at Springfield Court**

It was acknowledged that the Warden would be retiring in the Autumn and she had provided 25 years of excellent service. It was agreed that her retirement presentation would take place at Springfield Court rather than in the Boardroom so that her friends at the Complex could be present.

3. **H07/07/01/08(2) – School Road Water Pressure**

Discussion ensued and it was agreed that the domestic requirements for these properties had increased since construction. There was a problem with water pressure and this was due to the size of the pipe which restricts the flow.

The Chairman of the Housing Committee, Mr Kennaugh, advised that the problem with water flow would be included in consideration of the refurbishment of the scheme which was planned to take place in two years time. He also advised that the Department of Local Government and the Environment were aware of the problem and had been trying to ease the situation but any proposals do need to be carried out in a cost effective way.

It was agreed that the subject be referred back to the Housing Committee for urgent consideration.

4. **H07/07/01/17(3) – Surgery Visit Reports**

A Member asked how many reports were received at the Surgery visits and the nature of the concerns. Report to be circulated to the next meeting of the Board.

5. **H07/07/01/02(3) – Solar Panel Heating**

The Chairman of the Housing Committee brought this matter to the attention of Members.

C07/07/01/08

RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Housing Cleansing Committee Meeting held on 2nd July 2007 be and are hereby received. It was **RESOLVED** that the following recommendation contained therein required the consent of the Board be approved:-

1. **Garage Maintenance Report – Resurfacing of the tarmac**

That the figure of £5,374 from John Cain Haulage be accepted, and the sum would be from the Housing Budget.

C07/07/01/09

WORKS AND CLEANSING COMMITTEE MINUTES

The minutes of the public section of the Works and Cleansing Committee meeting of 9th July 2007, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

1. **WC07/07/02(a) – Shoprite Land/Lane**

It was acknowledged that this matter was overdue and that Members were awaiting the copy of the Deed of Conveyance to establish the definitive ownership and look at ways forward.

2. **WC07/01138 – Registered Building Consent (in association with PA 07/001137(GB), Welch House, Church Road for Mr D. Higgins**

Discussion ensued with regard to the decision of the Works and Cleansing Committee “to refuse the application, as the plans as submitted do not conform to the requirements of the Onchan Local Plan in that it does not provide off-road parking.”

The District Surveyor clarified that the owner has the right of access over the Village Green to the off-road parking at the rear of the property. He is providing off-road parking which is the only part of the application

that the Commissioners objected to and therefore under the planning terms the application does conform with the Onchan Local Plan.

On the proposal of Mr Kennaugh, seconded by Mr Black it was **RESOLVED to approve PA WC07/01138, Welch House, Church Road, as off-road parking is provided.**

For: Messrs Watterson, Kennaugh, Stowell, Black
Against: Messrs Crellin, Astill, Killey, Kelly

On casting vote of Chairman, resolution therefore carried.

C07/07/01/10 **RECEIVING OF MINUTES**

It was **RESOLVED** that the minutes of the public section of the Works and Cleansing Committee meeting held on 9th July 2007 be and are hereby received. There were no resolutions contained therein requiring the consent of the Board.

C07/07/01/11 **WORKS AND CLEANSING COMMITTEE MINUTES**

The minutes of the public section of the extraordinary Works and Cleansing Committee meeting of 26th July 2007, copies of which having previously been circulated, were considered. There were no matters arising therefrom requiring the consent of the Board.

C07/07/01/12 **RECEIVING OF MINUTES**

It was **RESOLVED** that the minutes of the public section of the extraordinary Works and Cleansing Committee meeting held on 26th July 2007 be and are hereby received. There were no resolutions contained therein requiring the consent of the Board.

C07/07/01/13 **LEISURE AND AMENITIES COMMITTEE**

The minutes of the public section of the Leisure and Amenities Committee meeting held on 16th July 2007, copies of which, having previously been circulated, were considered. The following matters were arising therefrom:-

1. LA07/05/07/05(d) – Grass Cutting – Northbank Land

In answer to question, the District Surveyor advised that the landscaping detail for the development is for the grass to be cut twice a year and to leave the glen side of the area in a semi-natural state. He further confirmed that the specification within the grass cutting contract is for the grass to be collected or mulched.

On the proposal of Mr Killey, seconded by Mr Crellin, that the matter be returned to the Leisure and Amenities Committee to investigate how farmers cut their fields and gain a costing per acre for a one-off cut and to take the grass away.

An counter-proposal by Mr Stowell, seconded by Mr Crellin, and **RESOLVED that the District Surveyor contact an agricultural contractor to undertake a one-off cut to get the grass in a manageable state, but the existing contractor can continue to fulfil his contract.**

For: Messrs Stowell, Crellin, Astill, Killey, Kennaugh, Black and Mrs Kelly

On the proposal of Mr Stowell, seconded by Mrs Kelly and **RESOLVED that all unkempt areas which can be viewed from the carriageway up to the tree line be topped.**

For: Messrs Stowell, Crellin, Astill, Killey, Kennaugh, Black and Mrs Kelly

2. LA07/07/09(b) – Village Fair

It was acknowledged that complaints had been received from the public regarding lack of toilet facilities at the Village Fair. People were directed to the nearest public toilets but it was agreed if this event was to be repeated investigations take place at the time for the provision of port-a-loos.

C07/07/01/14

RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Leisure and Amenities Committee meeting held on 16th July 2007 be and are hereby received. There were no resolutions contained therein requiring the consent of the Board.

C07/07/01/15

POLICY AND FINANCE COMMITTEE MINUTES

The minutes of the public section of the Policy and Finance Committee meeting held on 23rd July 2007, copies of which having previously been circulated, were considered. The following matters were arising therefrom:-

1. PF/06/012/06(1) – Rates Collected

In answer to question, the Chairman of Policy and Finance Committee, Mr Killey advised that non-payment of rent, rates, or indeed anyone who owes money to the Authority over a period of time, would actively be pursued for the recovery of monies and if necessary would be referred to the Small Claims Court and the Coroner.

2. PF07/07/02(2) – Policy and Finance Committee – Start Time

After discussion, it was proposed by Mr Stowell, that the commencement time be amended from 5.30 p.m. to 7.00 p.m.. No seconder was received.

Mr Kennaugh proposed, seconded by Mr Astill, and **RESOLVED that the status quo remain as it satisfies the majority of the Committee and Officers.**

*For: Messrs Watterson, Kennaugh, Black, Astill, Killey
Against: Mr Stowell*

C07/07/01/16

RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public section of the Policy and Finance Committee meeting held on 18th June 2007, be and are hereby received. It was further unanimously **RESOLVED that the following recommendation be endorsed:-**

1. The five areas listed, plus Heywood Court, be included in a new order to be placed before Tynwald.

After discussion, it was unanimously **RESOLVED that the signs to be displayed in the areas be kept to a minimum and be of a standard size.**

C07/07/01/17

RURAL COMMITTEE MINUTES

Minutes of the public section of the Rural Committee meeting held on 18th July 2007, copies of which were previously circulated were considered. There were no matters arising therefrom.

C07/07/01/18

RECEIVING OF MINUTES

It was **RESOLVED** that the minutes of the public sections of the Rural Committee meetings held on 18th July 2007 be and are hereby approved. There were no recommendations contained therein requiring the consent of the Board.

C07/07/01/19

LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS

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

1.1 The following planning communications were considered:-

| P A NUMBER | DESCRIPTION | COMMENT |
|-------------------|-----------------------------------------------------------|--------------------------------------------------------------|
| 07/00622 | Alterations and erection of extensions - 27 Heywood Close | ODC recommendation - Refusal Planning decision – Approval |

1.2 The following plans were considered:-

1.2.1 PA 07/01302 – Field 534369, Opposite Creg-ny-Baa Public House, Mountain Road – retention of car park

After brief discussion, it was unanimously **RESOLVED** to approve the application as submitted with observations attached regarding drainage.

1.2.2 PA07/01309 - 80 Birch Hill Crescent – Demolition of existing garage and flat roof extensions, and replacement with new pitched roof extensions to side and rear elevations

After brief discussion, it was unanimously **RESOLVED** to approve the application as submitted but notification be given to neighbours.

1.2.3 PA07/01317 – Larkhill Cottage, Abbeylands - Installation of replacement windows

After brief discussion, it was unanimously **RESOLVED** to approve the application as submitted.

1.2.4 PA07/01318 – G.E. Aviation Factory, School Road – Erection of replacement signage

After brief discussion, it was unanimously **RESOLVED** to approve the application as submitted.

1.2.5 PA07/01323 – Coutts House, Summerhill Road – Creation of two balconies and alterations to existing pitched roof (Amendments to PA 07/00027/B)

After brief discussion, it was unanimously **RESOLVED** to approve the application as submitted.

1.2.6 PA07/01324 – 38 Summerhill Road – Extension to rear elevation and installation of two additional windows to side elevation

Mr Stowell declared an interest in this item and did not take part in the discussion.

After brief discussion, it was unanimously **RESOLVED** to approve the application as submitted.

1.2.7 PA07/01351 – 16 Thirlmere Avenue - Alterations and erection of extensions

After brief discussion, it was unanimously **RESOLVED** to approve the application as submitted and to notify the neighbour.

1.3 Rural Plans

None.

2. Covenants at Bay View Road

In answer to question, the District Surveyor explained the four covenants attached to the property in detail.

Chief Executive advised that the letter received was not for the release of the covenant but a request for permission for the roofing material to be changed.

On the proposal of Mr Stowell, seconded by Mr Crellin, it was **RESOLVED that the roofing material not be accepted.**

For: Messrs Crellin, Astill, Killey, Stowell, Kennaugh, Black and Mrs Kelly
Against: Mr Watterson

3. No-Smoking Premises Regulations 2007

The content of the letter was noted.

4. Lifeboats

Letter was noted with pleasure. The Chairman also thanked the RNLI for their recent trip of the Lifeboat which they thoroughly enjoyed.

C07/07/01/20

CLERKS REPORT

1. Reorganisation of Board meetings 2008

The report of the Chief Executive was noted and it was unanimously agreed that the matter would be referred to the next meeting of the Board for further discussion.

2. Partnership and Community Working Together (PACT) Meetings

On the proposal of Mr Kennaugh, seconded by Mr Watterson, it was unanimously **RESOLVED** to accept the recommendation of the Chief Executive **that Onchan District Commissioners agree to participate in quarterly PACT meetings**

C07/07/01/21

DISTRICT SURVEYORS REPORT

None.

C07/07/01/22

CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised Members that he had attended the following functions in an official capacity:-

- Village Fair – 7th July
- Civic Sunday – 23rd July
- Tynwald Garden Party
- Beat the Treat
- Tynwald
- Laxey Village Commissioners – Civic Sunday
- Ramsey Town Commissioners – Civic Sunday
- Beating the Bounds
- Crown Green Bowling Club – presentations
- RNLI – trip on lifeboat
- DOLGE & Sheltered Housing on the Island.

C07/07/01/22

QUESTIONS

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

(a) Commissioner Mr B. Stowell to the Chairman, Policy and Finance Committee:-

Given that:

1. *Does the Chairman of Policy and Finance accept that his position is in effect the Chancellor for Onchan?*
2. *Does the Chairman of Policy and Finance accept that the expenditure of the Authority is in the main fixed many years in advance by the fixed costs that are ongoing by way of Salaries, Sinking Fund Repayments, and Insurances, etc?*
3. *Does the Chairman of Policy and Finance accept that it is a comparatively simple process to estimate the fixed costs to the Authority for many years into the future?*
4. *Does the Chairman of Policy and Finance accept that once the budgetary process is embarked upon it is almost impossible to make significant savings such that a reduction in the Rate levied is possible?*
5. *Does the Chairman of Policy and Finance Committee agree with me that indications are that to achieve a sustainable and reasonable fiscal position, it will be necessary to increase the rate by inflation plus 20% in 2008?*

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

1. Yes.
2. Yes. Except staff varies from time to time but many of the costs are fixed in advance.
3. Yes
4. Yes
5. He does not agree that the indications are to increase the rate by inflation plus 20% in 2008. The general rate has to be approved by the Department of Local Government and the Environment and the level of reserves will be taken in to account by Onchan District Commissioners and DOLGE before the setting of the rate is agreed.

C07/07/01/24
MOTIONS

None.

C07/07/01/23
ANY OTHER BUSINESS

None.

There being no further business the meeting terminated at 8.30 p.m.