

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 1st April 2019 at 7.05 p.m.

Present: Mr. M. Macfarlane (Chairman)
Mr A. Allen (Vice-Chairman)
Mr D. Crellin (Lead Member for Environmental and Technical Services)
Mr C. Quirk
Mr R. Turton (Lead Member for Finance and General Purposes)
Miss K. Williams

Apologies: Mr J. Cherry (Lead Member for Properties and Amenities)

In Attendance: Mrs L. Radcliffe (Chief Executive/Clerk)
Mrs S. Johnson (Finance Manager)
Mr B. Price (District Surveyor)
Mrs A. Gale (Senior Administrator)

C19/04/01/01
TO CHOOSE A PERSON TO PRESIDE IF THE CHAIRMAN AND VICE-CHAIRMAN BE ABSENT

Not necessary.

C19/04/01/02
BUSINESS REQUIRED TO BE DEALT WITH BY STATUTE BEFORE ANY OTHER BUSINESS

None.

C19/04/01/03
MINUTES

1. Ordinary meeting held on Monday 18th March 2019

The minutes of the ordinary meeting held on Monday 18th March 2019, copies of which having previously been circulated, were considered.

It was proposed by Mr Allen, seconded by Mr Turton, and unanimously **RESOLVED** that the minutes be agreed as a correct record of proceedings and be signed by the Chairman.

Mr Crellin did not vote as he was not in attendance at the meeting.

2. Staff Minutes of Ordinary meeting held on Monday 4th March 2019

To be considered In Committee.

C19/04/01/04
BUSINESS ARISING NOT REFERRED TO IN THE MINUTES

None.

C19/04/01/05
BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C19/04/01/06
BUSINESS ADJOURNED FROM A PREVIOUS MEETING

None.

C19/04/01/07
PLANNING DECISIONS/COMMUNICATIONS FROM THE DEPARTMENT OF INFRASTRUCTURE
PLANNING COMMITTEE

1. Plans to the Board

(a) The following plans were considered by the Board.

(i) PA 19/00205 Clypse Estate Ltd, Clypse Moar Farm

Members were advised that the planning application was for a variation to condition 1 seeking extension of further 4 year approval to rebuild two new properties.

It was proposed by Mr Crellin, seconded by Mr Turton and unanimously **RESOLVED that PA 19/00205 – Clypse Moar Farm be recommended for approval.**

(ii) PA 19/00216 Mr A.R. Haworth, 11 Bay View Road

Members were advised that the planning application was for the removal of chimney stacks to either side of the building.

It was proposed by Mr Crellin, seconded by Mr Turton and unanimously **RESOLVED that PA 19/00216 – 11 Bay View Road be recommended for approval.**

(iii) PA 19/00217 Mr M. Haxby, Clypse Moar Farm

Members were advised that the planning application was for amended plans to previously approved application where the equine arena has been rotated through 90° to minimise environmental impact on earth moving engineering works.

It was proposed by Mr Crellin, seconded by Mr Allen and unanimously **RESOLVED that PA 19/00217 – Clypse Moar Farm be recommended for approval subject to the conditions imposed on previous approval 18/00629/B are incorporated into the approval.**

(iv) PA 19/00233 Mr & Mrs D. Dignan, 45 Bemahague Avenue

Members were advised that the planning application was for a Certificate of Lawful use for conservatory, dormer window and front porch. These features have been constructed many years previously without any approvals.

It was proposed by Mr Crellin, seconded by Miss Williams and unanimously **RESOLVED that the Certificate of Lawful use for PA 19/00233 – 45 Bemahague Avenue be recommended for accepted.**

- (v) PA 19/00253 Ms L. Gould, 4 Furman Road
- Members were advised that the planning application was for a proposed replacement of roof covering from red pan tiles to grey slate.
- It was proposed by Mr Crellin, seconded by Mr Quirk and unanimously **RESOLVED that PA 19/00253 – 4 Furman Road be recommended for approval.**
- (vi) PA 19/00278 Mr J. Coulson & Ms L. Gilman, 13 Seafield Crescent
- Members were advised that the planning application was for a proposed 30m² extension to the rear. The extension comes within 1.8m of the rear boundary and covers the whole of the garden area to the rear. A side garden of approximately 50m² remains. There are no windows to the rear and the main window looks over the side garden.
- It was proposed by Mr Crellin, seconded by Mr Turton and unanimously **RESOLVED that PA 19/00278 – 13 Seafield Crescent be recommended for approval, subject to no adverse comments from neighbours (notify 11 & 15 Seafield Crescent, 44 & 46 Seafield Close)**
- (vii) PA 19/00283 Mr & Mrs A. Williams, 22 Sunningdale Drive
- Members were advised that the planning application was for replacement conservatory roof with lightweight tiles.
- It was proposed by Mr Crellin, seconded by Mr Allen and unanimously **RESOLVED that PA 19/00283 – 22 Sunningdale Drive be recommended for approval.**
- (viii) PA 19/00285 Mr & Mrs J. Bucknell, 39 Summerhill Road
- Members were advised that the planning application was for the demolition of existing double garage and erection of a single storey triple garage/utility room and living room to one side of the dwelling, and a two storey extension to the other comprising of sun lounge and en-suite. This is a large plot which can easily accommodate this scale of work.
- It was proposed by Mr Crellin, seconded by Mr Allen and unanimously **RESOLVED that PA 19/00285 – 39 Summerhill Road be recommended for approval.**

2. Planning Communications

None.

C19/04/01/08 FINANCE AND GENERAL PURPOSES

8.1 Management Accounts

To be considered In Committee.

8.2 Finance Matters

To be considered In Committee.

C19/04/01/09

REPORT FROM THE CLERK OR OTHER OFFICER

1. Chairman-Elect and Vice-Chairman Elect

Members agreed that due consideration of Chairman-Elect and Vice-Chairman be tabled at the meeting of the Board to be held on 29th April 2019.

2. Public Holidays

Report of the Chief Executive/Clerk dated 27th March 2019, having previously been circulated was considered. The report detailed the statutory holidays for 2019 plus two extra statutory holidays not in line with current terms and conditions.

The Chief Executive/Clerk highlighted to members the cost to the Authority of the two extra days. In answer to question, the Chief Executive/Clerk advised that the Christmas eve holiday has been granted by the Authority for over 25 years, and was last considered in the early 1990s. The further statutory day is usually taken on the 2nd January in line with the Isle of Man Government privilege day which is stopping this year.

The Lead Member for Finance and General Purposes stated that under custom and practice it would be hard to take these days away as they have been in place for such a long period. They felt that the Authority had excellent staff and did not wish to alienate at this stage, and the Authority can plough their own route at times.

A Member commented that the public had asked why the Authority was closed on 2nd January. The Chief Executive/Clerk advised that for 2018 the day was moved forward to coincide with the privilege day, so the office was open on the 2nd January.

The Board agreed that the Christmas Eve holiday be retained, and that the Chief Executive/Clerk to work out the best strategy for keeping the office open to grant the 2nd statutory holiday to enable the office to be open on the 2nd January and report back to the Board.

3. Health and Safety Matters

To be considered In Committee.

C19/04/01/10

LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS

1. Public Sector Housing (Older Persons) Allocation Policy 2019

Report of the Senior Administrator dated 26th March 2019, having previously been circulated was considered. The report highlighted the changes in criteria for acceptance on to the older persons housing waiting list for sheltered housing.

Members commented as follows:-

- When being placed on the list from private households to sheltered, they are not gaining the same points as those moving from social housing;
- Requested clarification of the qualification period.

The Board requested that two test examples are undertaken, one from sheltered and one from private.

The matter to be brought back for further direction.

2. Public Sector Housing (General Needs) (Allocation) Policy 2019

Report of the Senior Administrator dated 27th March 2019, having previously been circulated was considered. The report highlighted the changes in criteria for acceptance on to the general needs waiting list for general housing.

Members commented as follows:-

- Concern over the lowering of the savings threshold and impact on those currently on the waiting list;
- There appeared to be in equalities with the Equality Act.
- That the question be asked through the Equality Advisor.

3. Climate Change Mitigation Strategy 2010-2030 Consultation

Email correspondence received dated 18th March 2019, Environmental Protection Officer advising that the consultation for climate change mitigation strategy is now being undertaken, comments to be submitted by 19th May 2019.

A Member stated that the first key idea came across as condescending 'Felt that the education and modification of consumer behaviour'.

Chief Executive/Clerk advised that thoughts are required when considering new builds or any renovation schemes. Also whether when replacing the service vehicles that perhaps electric vehicles should be explored.

The Chairman stated that the Consultation was open for individual submissions but that the Authority would wish to also forward a submission.

It was agreed that members of the public be invited to submit their comments to the Authority and feedback to the Board.

4. Local Authority Housing Manager's Meeting – Terms of Reference

Report of the Senior Administrator dated 26th March 2019, having previously been circulated was considered. No comments.

5. Highways Presentation & Manual for Manx Roads

Presentation received from the Clerk's Forum dated 1st March 2019, having previously been circulated was considered and noted.

The Chief Executive/Clerk gave a resume of the presentation with regard to the transferred functions survey. The Finance Manager to ensure that our insurance cover is communicated with the Department of Infrastructure.

6. Motorsport Merchandise – IOM TT Flag

Correspondence received from Motorsport Merchandise Correspondence received with a complimentary flag for display within the constituency. The Board agreed to the flag being flown within Onchan Park.

7. Provision of Data Protection Officer Services

To be considered In Committee.

C19/04/01/11
QUESTIONS

None.

C19/04/01/12
MOTIONS

None.

C19/04/01/13
ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

None.

C19/04/01/14
PROPERTIES AND AMENITIES MATTERS

1. Housing Allocations

To be considered In Committee

C19/04/01/15
CHAIRMAN'S ANNOUNCEMENTS

1. Dates for the Diary

Date	Organisation	Event	Time
6 th April 2019	Onchan District Commissioners	Commissioners' Surgery Mr Allen and Mr Quirk	11.00 a.m. to 1.00 p.m.
6 th April 2019	Lawn Bowls IOM	Official Opening of the Green	1.30 p.m.
15 th April 2019	Onchan District Commissioners	Board Meeting	7.00 p.m.
1 st May 2019	Onchan District Commissioners	AGM	7.00 p.m.

C19/04/01/16
ANY OTHER BUSINESS

1. Advertising

After discussion, it was agreed to purchase the advertising space for the map and guide issued by 3FM and Visit IOM, providing that Onchan is detailed on the map.

2. Constituency Boundary - Onchan

In relation to the national general elections, that the matter of the boundary be placed on a future agenda.

The public section of the meeting closed at 7.55 p.m.

C19/04/01/17
MINUTES

1. Staff Minutes of Ordinary meeting held on Monday 4th March 2019

Deferred to the end of the meeting.

C19/04/01/17
SUSPENSION OF STANDING ORDERS

The following matter was considered In Committee and transferred to the public domain.

It was proposed by Mr Quirk, seconded by Mr Allen, and unanimously **RESOLVED that Standing Orders be Suspended on the Making of Contracts under Part 1, clause 11.1.**

C19/04/01/18
ANY OTHER BUSINESS

1. **Tenders**

(a) **Cleaning Contract**

The following matter was considered In Committee and transferred to the public domain.

The District Surveyor advised that as no tenders were received, and after speaking with the current service provider they have indicated that they are willing to continue with the contract.

In answer to question, the District Surveyor informed that there was a specification of works in place for works undertaken in each area.

The issues which had previously been experienced was due to lack of staff which have now been addressed.

It was proposed by Mr Quirk, seconded by Mr Allen and unanimously **RESOLVED to grant Paul Hampton Cleaning Services the cleaning contract for a period of 2 years.**

(b) **Vehicle Servicing**

The following matter was considered In Committee and transferred to the public domain.

The District Surveyor informed Members that after consultation with the current contractor, that the price for provision of a service would be retained as the status quo for a further 2 years.

After discussion, the Chief Executive/Clerk stated that there was a piece of work which needs to be carried out to investigate the cost effectiveness of the current vehicle fleet.

It was proposed by Mr Turton, seconded by Mr Allen, and unanimously **RESOLVED to grant Outdoor Power and Plant the vehicle servicing contract for a period of 2 years.**

C19/04/01/19
FINANCE AND GENERAL PURPOSE MATTERS

1. **Management Accounts**

The following matter was considered In Committee and transferred to the public domain.

The Management Accounts for the period to 31st December 2018, having previously been circulated were considered.

The Lead Member for Finance and General Purposes stated that the administration expenses were higher and needed to be monitored. In answer to question, the Finance Manager advised that the non-rate income detailed was due to the sale of Kenyon's Café which would be transferred against the correct area at year end.

In answer to question, the Finance Manager stated that the commercial property expenses were due to maintenance works at Elm Tree House which had been unbudgeted, and legal expenses due to the large number of lease renewals.

Discussion ensued with regard:-

- To ways to reduce void costs for re-letting properties.
- Using loans for larger maintenance and refurbishment schemes.

2. **Finance Matters**

The following matter was considered In Committee and transferred to the public domain.

The Chief Executive/Clerk spoke on an area of concern regarding human resources. A temporary appointment has been undertaken to look at the contracts and terms and conditions to bring the Authority in line with the Employment Act 2006. However, this is not a long term solution and Managers and staff do require HR support and advised of a meeting held with a company who provide HR solutions, and in addition offer a payroll solution.

The Chief Executive/Clerk gave a resume of the services and functions offered by the company, and highlighted concerns regarding challenges faced in relation to internal HR support. There are three different terms and conditions to which the staff are employed, and can be confusing for managers when discussions are being undertaken that the right terms and conditions are being referred to.

In answer to question, the Chief Executive/Clerk advised that:-

- Recruitment was not a service which they were looking to outsource.
- The cost will be cost neutral bearing in mind the impending changes within the staffing of the Authority.
- Contract term is negotiable, the cheapest option has been brought to the table.

It was proposed by Mr Turton, seconded by Mr Quirk and unanimously **RESOLVED that Indigo Strategic be granted the HR and payroll outsourcing solution for a period of 3 years, implementation to be as soon as possible.**

C19/04/01/19

CONSIDERATION OF ANY REPORT FROM THE CLERK OR OTHER OFFICER

1. **Professional Services**

The following matter was considered In Committee and transferred to the public domain.

The Chief Executive/Clerk advised that, with the Finance Manager, a review of the professional services provided to the Authority is progressing. Meetings have been held with providers which have been positive.

A Member requested that the relationship with the Estate Agent be reviewed.

The notes of a meeting held with the Health and Safety Advisor, District Surveyor and Chief Executive/Clerk, having previously been circulated were considered.

The Chief Executive/Clerk gave an overview of the meeting held with SafetyNet Ltd and the District Surveyor. The Chief Executive/Clerk advised that the resurrection of quarterly health and safety meetings will be set up.

Members requested that confirmation of the services provided by the Health and Safety Company.

C19/04/01/20

CONSIDERATION OF ANY RELEVANT CORRESPONDENCE

1. Provision of Data Protection Officer Services

The following matter was considered In Committee and transferred to the public domain.

The quotation received from Quinn Legal, dated 8th March 2019, having previously been circulated was considered.

The Chief Executive/Clerk advised that at the Clerk's Forum there was no offer from another Local Authority to be the Data Protection Officer. The Local Government Unit are not opposed to the Clerk being the Data Protection Officer, although there may be a conflict of interest, but whether the Board have felt that this was significant.

A Member requested that the Internal Auditors review the risk.

Receive the Local Government Units advice in writing, and bring the correspondence back to the Board for consideration.

The Chairman requested that Indigo Services be approached to see if they offer the service.

Members requested that the Chief Executive/Clerk speak with the Local Government Unit and the Information Commissioner for further information.

C19/04/01/18

PROPERTIES AND AMENITIES MATTERS

1. Tenancy Matter - 10/56 – 2 Bed House

The following matter was considered In Committee and transferred to the public domain.

The report of the Senior Administrator, having previously been circulated was considered.

It was proposed by Mr Quirk, seconded by Mr Allen, and **RESOLVED that a five year fixed term tenancy be granted to HA 3822 jointly with the existing tenant.**

2. Housing Allocation

The following matter was considered In Committee and transferred to the public domain.

The report of the Senior Administrator, having previously been circulated was considered.

It was proposed by Mr Quirk, seconded by Miss Williams, and unanimously **RESOLVED that the balance of a five year fixed term tenancy be granted to IAS 019 of 06/73.**

C19/04/01/19

ANY OTHER BUSINESS

None.

C19/04/01/20

MINUTES

(1) Staff Minutes of Ordinary Meeting held on 4th March 2019

The minutes of the ordinary meeting held on Monday 4th March 2019, copies of which having previously been circulated, were considered. It was proposed by Mr Allen, seconded by Mr Turton, and unanimously **RESOLVED that the minutes be agreed as a correct record of proceedings and be signed by the Chairman.**

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