

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 3rd September 2018 at 7.00 p.m.

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

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

In Attendance: Mr T.R. Craig (Deputy Clerk)
 Mrs S. Johnson (Finance Manager)
 Mr R. Phillips (Acting District Surveyor)
 Ms A.S. Dentith (Senior Administrator)

C18/08/01/01

TO CHOOSE A PERSON TO PRESIDE IF THE CHAIRMAN AND VICE-CHAIRMAN BE ABSENT

Not necessary.

C18/08/01/02

BUSINESS REQUIRED TO BE DEALT WITH BY STATUTE BEFORE ANY OTHER BUSINESS

None.

C18/08/01/03

MINUTES

1. Ordinary meeting held on Monday 13th August 2018

The minutes of the ordinary meeting held on Monday 13th August 2018, copies of which having previously been circulated, were considered.

- (i) PA 18/00744 – 3 Ballachurry Avenue, as Members had declared an interest remove their names from the vote.
- (ii) PA 18/00776 – add in address
- (iii) C18/08/01/14(3)(b) – Groudle Water Wheel. Remove last sentence in paragraph.

Subject to the above amendments, it was proposed by Mr Crellin, seconded by Mr Allen, and unanimously **RESOLVED that the minutes be agreed as a correct record of proceedings and be signed by the Chairman.**

C18/08/01/04

BUSINESS ARISING NOT REFERRED TO IN THE MINUTES

1. C18/08/01/14(3)(a) - Molly Carrooin's Cottage

A Member requested that an officer contact the Friends of Onchan's Heritage to enquire what donations are received and where the money is expended.

2. C18/08/01/13(2) - Belgravia Road – Parking Issues

In answer to question, Members were advised that the investigation of a time restricted waiting zone had been referred to the Department of Infrastructure. A Member requested an update from the Police with regard to the increased parking issues on Belgravia Road.

3. C18/08/01/04(1) - Tennis Courts

Acting District Surveyor is due to meet with the Forester from the Department of Environment, Forestry and Agriculture to discuss the trees in the area.

4. C18/08/01/14(1)(v) - Public Toilets

In answer to question, the Acting District Surveyor advised that the Port Jack Toilets had been left open over the Festival of Motorcycling. No further vandalism had been reported.

The timing locks for Onchan Park public toilets will be installed in due course.

5. Chief Executive/Clerk to the Commissioners – Recruitment

The Chairman advised that the closing date for applications had now passed, and would keep the Board up to date as the process moved forward.

6. Chief Executive/Clerk – Employment Tribunal

To be considered In Committee.

C18/08/01/05

BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C18/08/01/06

BUSINESS ADJOURNED FROM A PREVIOUS MEETING

None.

C18/08/01/07

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 18/00679** **Mr & Mrs P. Russell**
Bibaloe Beg Farmhouse, Bibaloe Beg Road

The Acting District Surveyor advised that the planning application was for amended plans:-

- Demolition of attached outbuildings and detached garage; and
- Construction of single storey garage and store;
- including increase of parking courtyard and widening of access. Comments received.

Discussion ensued with regard to the proposed cladding on the building.

It was proposed by Mr Crellin, seconded by Mr Allen and unanimously **RESOLVED that PA18/00679 – Bibaloe Beg Farmhouse, Bibaloe Beg Road, be recommended approval.**

(ii) **PA 18/00776 Manx Blind Welfare Society, Corrin Court, Heywood Avenue**

The Acting District Surveyor advised that the planning application was for the creation of an exercise area and memorial gardens with associated landscaping, structures and parking. Two comments received.

It was proposed by Mr Crellin, seconded by Mr Allen, and unanimously **RESOLVED that PA 18/00776 – Manx Blind Welfare be recommended for approval, subject to the vegetation and hedging remain in place.**

(iii) **PA 18/00825 Mr S. Lee, 26 Furman Close**

The Acting District Surveyor advised that the planning application is for alterations and a front and rear extension. No comments received.

It was proposed by Mr Crellin, seconded by Mr Allen, and unanimously **RESOLVED that PA 18/00825 – 26 Furman Close be recommended for approval.**

(iv) **PA 18/00874 Mr & Mrs D. Spitsyn, 5 Tromode Green**

The Acting District Surveyor advised that the planning application was to replace the conservatory roof with tiled roof.

It was proposed by Mr Crellin, seconded by Mr Allen, and unanimously **RESOLVED that PA 18/00874 – 5 Tromode Green be recommended for approval.**

(v) **PA 18/00879 Luan Yi, Loong Tan Garden, 11B Village Walk**

The Acting District Surveyor advised that the planning application was for the installation of flue from extraction unit.

It was proposed by Mr Crellin, seconded by Mr Quirk, and unanimously **RESOLVED that PA 18/00879 – 11B Village Walk be recommended for approval.**

2. Planning Communications

None.

C18/08/01/08

FINANCE AND GENERAL PURPOSES

1. Internal Audit Report

The Chairman advised that a meeting had been held with the Internal Auditors, and a follow up meeting will be arranged in due course.

2. Telephone System Update

An update was given to advise that numbers have been offered with 69 prefix, for members consideration and approval. Members requested that department option on the telephone system be removed as soon as possible.

3. Draft Financial Statement of Accounts

To be considered In Committee.

4. Staffing Matters

To be considered In Committee.

5. Requests for Information from Officers

To be considered In Committee.

6. Correspondence

To be considered In Committee.

C18/08/01/09**REPORT FROM THE CLERK OR OTHER OFFICER****1. Onchan Wetlands**

Report of the Senior Administrator dated 24th August 2018, having previously been circulated was considered.

Members agreed that they would go and view the Onchan Wetlands, and decide on whether a meeting should be held on site or in the office with representatives of the Manx Wildlife Trust.

C18/08/01/10**LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS****1. Royal Air Forces Association – Battle of Britain Concert and Church Service**

Invitation received from the Secretary of the IOM Branch of the Royal Air Forces Association to attend the following:-

- 14th September – Concert, St George's Church at 7.00 p.m. – Vice Chairman indicated his attendance.
- 16th September – Church Service, St George's Church at 11.00 a.m. Vice-Chairman indicated his attendance.

2. Patrick Parish Commissioners – Civic Service

Invitation received from the Chairman and Members of Patrick Parish Commissioners to attend the Civic Service to be held on 23rd September 2018 at St Paul's Church, Foxdale at 2.00 p.m.

3. Onchan Methodist Chapel – Carol Service

Invitation received from Onchan Methodist Church to attend the annual Carol Service on 19th December 2018 at 7.30 p.m.

4. **Department of Infrastructure – Rent Setting**

Correspondence received dated 13th August 2018 from the Director of Public Estates and Housing Division, regarding rent setting for the 2019/20 period.

Members made the following comments:-

- The CPI rate of inflation is only 1.6%;
- The overall costs of living are increasing significantly and so effectively the tenants have no more disposable income as they did the previous year;
- In the previous 5 years, the rent has gone up by 17.7% but wages have only increased marginally by 1% or 2%.
- Service charges have increased, and it would be interesting to know what the percentage rates of increase for major services.

The Deputy Clerk commented that Members would recall the significant rent hike in 2013, when taken in to account, over the last 6 years rents have gone up at least 38% to some of our tenants.

The rent and rates are distinct and different, and it has to be careful that any publication of zero increase do not restrict the setting of the district rate for services provided by the Authority. Rate setting process is not completed until January 2019, and rents are being decided in September. Decisions have to be evidenced based, unfortunately one decision is within the control of the Authority, the other is not.

It was proposed by Mr Turton, seconded by Mr Qurik, and **unanimously RESOLVED that the Department of Infrastructure be notified that Onchan District Commissioners are recommending a zero percent rent rise, and that the Deputy Clerk provide relevant information to back up the position as discussed.**

5. **Onchan Community Fund – Donation**

Correspondence received offering to donate funds to the installation of a piece of playground equipment in The Rec.

Acting District Surveyor to investigate options. Deputy Clerk to issue a holding response.

C18/08/01/11 **QUESTIONS**

None.

C18/08/01/12 **MOTIONS**

None.

C18/08/01/13 **ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS**

1. **Bedding Plants - Tender**

To be considered In Committee.

2. **Domestic Bin – Unpaid Accounts**

To be considered In Committee.

3. **Groudle Glen – Sewerage Proposals**

To be considered In Committee.

4. **Nuisance Abatement Notice**

To be considered In Committee.

C18/08/01/14

PROPERTIES AND AMENITIES MATTERS

1. **Onchan Park – Update**

(i) **Onchan Park – Site Visit** – Rearranged to be 15th September 2018 at 10.00 a.m.

2. **Housing ICT Platform – Presentation Date**

Presentation to be held on Thursday 6th September at 7.00 p.m. in Boardroom, Onchan District Commissioners.

3. **Department of Infrastructure – Fixed Term Tenancy Policy**

Members acknowledged the Fixed Term Tenancy Policy and use of the Commissioners' Five Year Fixed Term Housing Review Form.

Comments were made with regard to immediate action required to combat anti-social behaviour, and a brief discussion regarding the installation of satellite dishes.

4. **Heywood Court**

To be considered In Committee.

5. **Commercial Leases**

To be considered In Committee.

6. **Housing Maintenance – Voids**

To be considered In Committee.

7. **23 and 23a Main Road – Disposal**

To be considered In Committee.

8. **Nivison Stadium – Leases/Licences**

(a) **Football Pitch**

To be considered In Committee.

(b) **Onchan Raceway**

To be considered In Committee.

9. **Onchan Park Café – Lease**

To be considered In Committee.

10. Housing Allocation – PW/36

To be considered In Committee.

C18/08/01/15**CHAIRMAN'S ANNOUNCEMENTS****1. Dates for the Diary**

Date	Organisation	Event	Time
3 rd September 2018	Onchan District Commissioners	Board Meeting	7.00 p.m.
6 th September 2018	Department of Infrastructure	ICT Platform Demonstration	7.00 p.m.
11 th September 2018	Department of Infrastructure	Draft Area Plan for the East - Facilitated Local Government Leadership Workshop	5.00 p.m.
11 th September 2018	IOM Municipal Association	Seminar on Environment and Waste Management Issues.	7.00 p.m.
14 th September 2018	Royal Air Forces Association	Battle of Britain Concert	7.00 p.m.
16 th September 2018	Royal Air Forces Association	Church Service	11.00 a.m.
16 th September 2018	Manx Blind Welfare	Blind Driving School	TBA
17 th September 2018	Onchan District Commissioners	Board Meeting	7.00 p.m.
23 rd September 2018	Patrick Parish Commissioners	Civic Service	2.00 p.m.
27 th September 2018	IOM Municipal Association		7.00 p.m.
30 th September 2018	Marown Parish Commissioners	Civic Service	11.00 a.m.
1 st October 2018	Onchan District Commissioners	Board Meeting	7.00 p.m.
2 nd October 2018	Commissioners' Surgery	Springfield Court	2.30 p.m.
6 th October 2018	Commissioners' Surgery	Onchan Hub	11.00 a.m.
19 th December	Onchan Methodist Church	Carol Service	7.30 p.m.

C18/08/01/16**ANY OTHER BUSINESS****1. Marown Parish Commissioners – Civic Service**

Invitation received from the Chairman and Marown Parish Commissioners to attend their Civic Service on 30th September 2018 at Methodist Chapel, Crosby at 11.00 a.m. Chairman indicated attendance.

2. Cabinet Office

The Deputy Clerk advised of correspondence acknowledging the receipt of the Authority's written submission for the Draft Eastern Area Plan.

The meeting moved to In Committee proceedings at 8.25 p.m.

C18/08/01/17**BUSINESS ARISING NOT REFERRED TO IN THE MINUTES****1. Chief Executive/Clerk – Employment Tribunal**

See Staff Minute Book.

C18/08/01/18**FINANCE AND GENERAL PURPOSES****1. Draft Financial Statement of Accounts**

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

Consideration of the draft financial statement of accounts for the year ended 31st March 2018, having previously been circulated were considered.

The Lead Member for Finance and General Purposes offered thanks to the Finance Manager for their assistance in drawing up the statement of accounts, and realised the difficulties faced joining the Authority part way through the financial year.

A Member requested an overview breakdown of matters covered under the title of 'Legal, professional and bank costs'.

It was proposed by Mr Turton, seconded by Mr Allen, and unanimously **RESOLVED that the financial statements for the year ended 31st March 2018 may be submitted to the external auditors.**

2. Staffing Matters

See Staff Minute Book.

3. Requests for Information from Officers

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

The Vice-Chairman advised that a Member had requested information relating to an email sent to an officer from an outside party, and the information had not been provided. He felt that under point 10 of the Code of Conduct, should the circumstance be as a result of a resolution of the Board that the information should be made available.

In answer to question, the Deputy Clerk stated that within the Code of Conduct and Standing Orders, it is a matter for the Clerk. It is for the Member to make the case for the release, and not that it should be automatically released. There is no automatic right to correspondence, neither the Clerk or an officer would withhold any item of correspondence without good reason.

The Deputy Clerk stated that it was important that the Clerk is always the interface between Members and Officers when requesting such correspondence. The correspondence may put officers in a difficult position if something within that correspondence is controversial or prejudice to a Member. The Clerk is the filter operationally between officers in their day to day roles and officers on a political level. Members may request to see correspondence which is relevant but not all correspondence.

The Deputy Clerk advised that the information had been released to the Chairman for his review.

4. **Correspondence**

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

(a) **Heywood Court**

The Vice-Chairman advised that residents at Heywood Court had received correspondence from Mrs J. Edge MHK with regard to the £300,000 deficit. In Mrs Edge's reply she refers to the 1.1% ring fenced for sheltered housing.

A Member commented that the correspondence was issued to a private individual and was not addressed to the Board. If the resident wishes to question detail within that correspondence it is for the tenant to contact Mrs Edge MHK direct.

In answer to comment, the Deputy Clerk stated that Onchan District Commissioners have always been open and transparent as to who was responsible for removing the deficiency payment, and it was an administrative decision of officers of the Department of Infrastructure, approved by the Minister.

Members agreed that the open letter issued to Mr R. Callister MHK which is in the public domain may be circulated to the resident at Heywood Court.

C18/08/01/19

ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

1. **Bedding Plants - Tender**

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

It was agreed that the tender for bedding plants be dealt with outside of the normal bi-annual tendering process but in accordance with Standing Orders on the Making of Contracts, specifically Standing Order 3(1).

2. **Domestic Bin – Unpaid Accounts**

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

It was agreed that correspondence be issued advising the debtors that if their account is not settled by 28th September 2018, the additional or larger wheelie bins at their property will be removed and replaced with the standard 240 litre bin. Letters to be issued by recorded delivery.

3. **Groudle Glen – Sewerage Proposals**

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

The Deputy Clerk gave a summary of the current position. The matter is currently on hold until details of the legal costs have been notified.

4. **Nuisance Abatement Notice**

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

The Acting District Surveyor advised that a Nuisance Abatement Notice regarding the bring bank site on Seacliffe Road. This matter has been referred to the Commissioners' Advocates

C18/08/01/20**PROPERTIES AND AMENITIES MATTERS****1. Heywood Court**

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

The Vice-Chairman advised Members that a member of staff would shortly be reaching retirement age. This statement generated a lengthy discussion regarding sheltered housing within the District. The Vice-Chairman felt that early consideration of the service provision for the elderly persons housing complexes should be discussed in more detail.

Members agreed that Officers prepare a business case for consideration by the Board in January 2019 to include and not limited to:-

- Staffing Options;
 - Review of running costs and how these may be reduced
- [amended by ODC 01/10/18]

2. Commercial Leases

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

(a) Onchan Park Café Lease

The Vice-Chairman gave a resume of the current position.

In answer to question, the Deputy Clerk advised that he had seen the draft Deed of Variation had been approved. Once the document had been received arrangements would be made for signature.

3. Housing Maintenance – Voids

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

Report of the Senior Administrator, dated 24th August 2018 having previously been circulated was considered.

Acting District Surveyor advised that photographs are now taken on handover and vacation of the property so the tenant can be held accountable for neglect and damage.

Questions were asked on works required to the four properties detailed regarding the maintenance costs.

In answer to comment, the Acting District Surveyor advised that annual inspections had fell by the way side over the last 12 months, once the Surveyor's Department are back to a full team this will be recommenced.

It was agreed that arrangements would be made for Commissioners to view the void 05/76.

C18/08/01/21**SUSPENSION OF STANDING ORDERS**

It was proposed by Mr Allen, seconded by Mr Quirk, and ^(amended by ODC 17/09/18) **RESOLVED to suspend Standing Orders in order to conclude the business on the agenda to no later than 10.15 p.m.**

For: Messrs Macfarlane, Allen, Crellin, Turton, Quirk

Against: Miss Williams

C18/08/01/22

PROPERTIES AND AMENITIES MATTERS continued

1. 23 and 23a Main Road – Disposal

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

The property is now being actively marketed, and has been advertised for sale as required under Section 25(3)(b) of the Local Government Act 1985.

2. Nivison Stadium – Leases/Licences

(i) **Football Pitch**

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

It was agreed that the decisions of the 13th August 2018 still stands:-

- *“that a licence be granted for the use of the football pitch in Nivison Stadium for a period of three years under the same terms and conditions as existing;*
- *that the licence fee for the football pitch would be £1,400 plus V.A.T.; and*
- *no refund be granted. “*

(ii) **Onchan Raceway**

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

It was agreed that the decisions of the 13th August 2018 still stands:-

- *“that a lease be granted for the use of Nivison Stadium, Onchan Park, for a period of three years, under the same terms and conditions of the existing. It was further agreed that the rent would be as current with an annual increase of rent plus RPI.”*

3. Onchan Park Café – Lease

Matter dealt with earlier in the agenda.

4. Housing Allocation – PW/36

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

It was proposed by Miss Williams, seconded by Mr Allen, and unanimously **RESOLVED** that a **five year fixed term tenancy of PW/36 be granted to HA 3901.**

C18/08/01/21

ANY OTHER BUSINESS

1. Legal Representatives

It was proposed by Mr Allen, seconded by Mr Turton, and unanimously **RESOLVED** that the **current contract be rolled over, and no tender be issued for legal services at present but the matter be reviewed in 12 months.**

2. Meeting with Senior Planning Officer

Members advised that they could not meet at the end of the working week and requested another suggested date.

There being no further business, the meeting closed at 10.11 p.m.