

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 5th March 2018 at 7.00 p.m.

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

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

At the beginning of the meeting a minutes' silence was held as a mark of respect for:-

- The former Chief Executive/Clerk, Mr Malcolm Hulme who sadly passed away on 24th February 2018; and
- The former Chairman and Onchan Village Commissioner, Mr Alan Moore, who sadly passed away on 18th February 2018.

Sincere condolences were expressed to their families.

C18/03/01/01

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

Not necessary.

C18/03/01/02

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

None.

C18/03/01/03

MINUTES

1. Ordinary meeting held on Monday 19th February 2018

The minutes of the ordinary meeting held on Monday 19th February 2018, copies of which having previously been circulated, were considered.

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

Miss Williams did not cast a vote as she was not in attendance at the meeting.

C18/03/01/04

BUSINESS ARISING NOT REFERRED TO IN THE MINUTES

1. Chief Executive/Clerk Recruitment

To be considered In Committee.

C18/03/01/05

BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C18/03/01/06

BUSINESS ADJOURNED FROM A PREVIOUS MEETING

1. **Staff Minutes of Ordinary meeting held on Monday 5th February 2018**

To be considered In Committee.

2. **Minutes of the extra-ordinary meeting held on Monday 29th January 2018**

To be considered In Committee.

3. **Minutes of the extra-ordinary meeting held on Monday 12th February 2018**

To be considered In Committee.

4. **Miscellaneous Fees 2018/19**

To be considered In Committee.

5. **A Rights of Way – Policy & Strategy 2018-2028**

To be considered In Committee.

6. **Ballachrink Stores**

To be considered In Committee.

C18/03/01/07

**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 17/01217 – Field 534212, Scollag Road.**

The Acting District Surveyor informed Members that this matter was brought back for information only, and:-

- Five of the residents had submitted comment.
- The application had amended plans showing the repositioning of the new stables, alternative roof covering and definitive colour finish of the timber weather board.

(ii) **PA 18/00143 – 21 The Park, replacement of glazed conservatory with tiled “warm roof” conversion.**

After discussion, It was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED** that **PA 18/00143 – 21 The Park be recommended for approval.**

- (iii) **PA 18/00162 – The Old Toll House, Groudle, Retrospective application in relation to the conversion of the existing Gatehouse structure into self-contained accommodation.**

The Acting District Surveyor advised that:-

- In addition, to this there is the conversion of the lower ground floor of the Old Toll House into two apartments.
- The Gatehouse and the two apartments within the Old Toll House are single bedroom units.

Mr Crellin declared an interest.

A Member commented that Architects should know that planning permission be sought before commencing work.

In answer to comment, the Deputy Clerk advised that the rate records would identify if the Gatehouse has been rated for accommodation.

It was proposed by Mr Cherry, seconded by Mr Quirk, and **RESOLVED that PA 18/00162 – The Old Toll House be recommended for approval.**

2. **C18/02/03/07(2.1) - Creation of additional detached garages at Bemahague Avenue**

The Lead Member for Environment and Technical Services advised Members:-

- A site visit had been undertaken with the applicant who would like to build garages along the back wall.
- The garages would be slightly bigger than already in situ, along with two smaller garages/storage units.
- The reason for the meeting was to investigate the submission of a planning application to develop the site to stop unauthorised parking and to gain income from the garages on the plot.
- The applicant would be interested in purchasing the two adjacent small plots of grass which were in the ownership of the Authority.

Members considered the plans and photographs.

Comments were made as follows:-

- Concern over the height of the garages, the houses opposite would be looking at the roof of the garages.
- Most of the houses facing on to the proposed area have a hedge which hides the view.
- Only one access point to the garages up Wybourn Drive and through Bemahague Avenue.
- Concern over increased traffic flow.
- If another access is created then there is a possibility of a short cut through to Birch Hill and the School.
- If the applicant wants to develop the land, then he should submit a planning application.
- Steps should be retained to continue to provide pedestrian access to the area.
- Would like the residents in the area to have their say?

Discussion ensued with regard to the possible sale of the adjacent grass plots which are in the ownership of the Authority. Lead Member for Environment and Technical services stated that this would save costs on the cutting and maintenance of the grassed areas.

A Member stated that a planning application should be submitted, which would give residents an opportunity to voice their opinions.

The Deputy Clerk advised that the previous Board had stated the steps were to be kept as a means of pedestrian access. It would be advantageous to have the land valued as this is a business opportunity for the applicant rather than the Commissioners.

Members are not averse to the principle of the land being developed but cannot give a formal decision until an official planning application has been received.

In answer to comment, the Deputy Clerk advised Members that if the applicant wishes to approach the Commissioners to purchase the two small plots of land, then they may do so as a separate matter which would be considered by the Board.

The Deputy Clerk cautioned the Board in their dealings with the matter, as it could be construed as the Board having a vested interest due to the sale of the land.

The Acting District Surveyor was asked to pass on the Board's views by letter.

3. **Planning Communications**

None.

C18/03/01/08

FINANCE AND GENERAL PURPOSES

1. **Commercial Property Rent Report**

To be considered In Committee.

2. **EPC Heating Charges 2018/19**

To be considered In Committee.

C18/03/01/09

REPORT FROM THE CLERK OR OTHER OFFICER

1. **On-Call Allowance**

To be considered In Committee.

2. **Lease and Licence – Nivison Stadium**

To be considered In Committee.

3. **Onchan Park Kiosk**

To be considered In Committee.

4. **Commercial Refuse Collection**

To be considered In Committee.

5. **Additional Sites – Area Plan for the East**

To be considered In Committee.

6. **Dog Fouling**

To be considered In Committee.

C18/03/01/10
LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS

None.

C18/03/01/11
QUESTIONS

None.

C18/03/01/12
MOTIONS

None.

C18/03/01/13
ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

1. **Grass Cutting Contract**

To be considered In Committee.

C18/03/01/14
PROPERTIES AND AMENITIES MATTERS

1. **Commercial Property Update**

To be considered In Committee.

C18/03/01/15
CHAIRMAN'S ANNOUNCEMENTS

1. **Dates for the Diary**

- 6th March 2018 – Commissioners Surgery, 6.30 p.m. – Onchan Hub. Commissioners Mr Allen and Mr Crellin will be in attendance.
- 8th March 2018 – Funeral of Mr Malcolm Hulme, 11.00 a.m. – St Peter's Church
 - Mr Cherry will be off Island and wishes to tender apologies for Mr Hulme's Funeral.
- 12th March 2018 – Meeting with Onchan AFC, 3.30 p.m.
- 16th March 2018 – The Worshipful the Mayor of Douglas, Miss D. Pitts,
11.30 a.m., Boardroom, Hawthorn Villa.
- 21st March 2018 – Junior Commissioners Board, 10.00 a.m.

C18/03/01/16
ANY OTHER BUSINESS

1. **Onchan Agendas**

A Member mentioned that the matter of the Authority's agenda was discussed on Manx Radio, with comment on how much was discussed in private.

The Chairman stated that the agenda for tonight was heavily weighted due to carry over of business from the last meeting.

The Deputy Clerk commented that whilst there is a number of items in private, and the discussion is in private, the minutes are entirely in public apart from staffing matters. Matters which are discussed in private concern the commercial position of the board, purchasing, housing

application/tenancy management or anything relevant to a person or persons and all should be dealt with in the private domain. Also on occasions some information which is not in the public domain has been circulated from other stakeholders for the Board's comment before release.

Chairman stated that those discussions held in private are considered perhaps in greater length and have a greater degree of scrutiny than if they were in public. Once transferred to the public domain, the general public gets a feel of what is going on without having to go through the detail of the scrutiny.

The meeting moved to In Committee proceedings at 8.06 p.m.

C18/03/01/17

BUSINESS ARISING NOT REFERRED TO IN THE MINUTES

1. Chief Executive/Clerk Recruitment

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

Discussion ensued with regard to the appointment of an independent person and establishment of a recruitment panel.

The Deputy Clerk informed Members that the Chief Executive at Douglas Borough Council had indicated they would be happy to assist, although they asked that Onchan pay for the officers time. The Board will be getting the benefit of a highly qualified member of staff, who is happy to assist. The individual would like to meet with those Members who will be involved in the recruitment process to discuss the details.

The Chairman requested that a meeting be arranged with the Independent, the Chairman and Vice-Chairman of the Authority. Further discussion will be held at the next meeting of the Board to receive nominations of those Members of the Board who would like to be considered for the recruitment panel.

C18/03/01/18

TO DISPOSE OF ANY RELEVANT BUSINESS ADJOURNED FROM A PREVIOUS MEETING

1. Staff Minutes of Ordinary meeting held on Monday 5th February 2018

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

The staff minutes of the ordinary meeting held on Monday 5th February 2018, copies of which having previously been circulated, were considered.

1. C18/02/01/20(1) – Employment Tribunal Claim

Delete the second bullet point.

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

2. Minutes of the extra-ordinary meeting held on Monday 29th January 2018

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

The minutes of the extra-ordinary meeting held on Monday 29th January 2018, copies of which having previously been circulated, were considered.

1. C18/01/03/01 – Street Lighting

Amend reference number.

Second paragraph, delete duplicated words “in respect of”.

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

Miss Williams and Mr Cherry did not cast a vote as they were not present at the meeting.

3. Minutes of the extra-ordinary meeting held on Monday 12th February 2018

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

The minutes of the extra-ordinary meeting held on Monday 12th February 2018, copies of which having previously been circulated, were considered.

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

(1) **Matters arising from the Minutes**

(a) Onchan Park

After discussion regarding the items in the minutes relating to Onchan Park, Members requested that the following matters be considered at the next meeting of the Board:-

- Upgrade of Emergency Lighting.
- Onchan Park Update to appear on each agenda
- Reports received on 5th March to be placed on the next agenda.
- Addressable Fire Alarm System Quotation be sought.
- Construction of new Tennis Courts be costed.

The Acting District Surveyor advised that it was likely that the expenditure required to upgrade the existing emergency lighting and fire alarm systems will be high. Decisions in relation to the future development and use of the stadium and Onchan Park need to be considered before committing to carrying out the works.

After discussion, it was proposed by Mr Cherry, seconded by Mr Quirk, and unanimously **RESOLVED that Curtins Structural Engineers be appointed to carry out a structural condition survey for the concrete seating.**

(b) Finance Manager

In answer to question, the Chairman advised that confirmation was awaited from the applicant who was offered the position. The Chairman requested that an answer be obtained by the end of the current week.

4. Miscellaneous Fees 2018/19

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

Report of the accountant dated 29th January 2018, having previously been circulated was considered.

1. Refuse Collection Charges

Members expressed concern over the low additional charge per bin for second collection and asked for clarification of how the cost had been derived, and how it compared with other providers.

2. Kiddie Cars

A Member felt that the suggested cost was too expensive.

A Member stated that the track has ^[amended by ODC 19/03/18] doubled in size and there were new kiddie cars purchased.

It was proposed by Mr Macfarlane, seconded by Mr Crellin and **RESOLVED that the miscellaneous charges be approved as detailed below:**

For: Messrs Allen, Macfarlane, Cherry, Quirk, and Crellin

Against: Messrs Turton and Miss Williams.

Search Fees	£100	
Garage Rents	£12 – Social housing tenants £17 (incl VAT) – All others	
Bowling	Adult Fee	£62.50
	Senior Fee	£52
	Junior Fee	£15
	Bowling Festivals	£1,350 for two festivals
Refuse Collection Charges	Admin Charges	£106 per annum
	Additional charge per bin for second collection	Not approved – Further clarification sought.
Onchan Park – standard price per activity. These tickets cover the cost per person for the Boats, Bumper Boats, Mini and Crazy Golf. They also cover the cost per person for tennis (per hour) and bowls (per hour) which need to be booked through the pay hut.	Adult (1 turn per person)	£4
	Child (1 turn per person)	£2
	Day Ticket – Adult (unlimited turns)	£10
	Day Ticket – Junior (unlimited turns)	£5
	Day Ticket – Family of 4 (unlimited turns)	£20 (Max 2 adults)
	Day Ticket – Family of 6 (unlimited turns)	£25 (Max 2 adults)
Kiddie Cars – Token	£2	Per token
	£5	For three tokens

5. A Rights of Way – Policy & Strategy 2018-2028

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

Correspondence received from the Highway Asset and Standards Manager enclosing the Public Rights of Way – Policy and Strategy 2018-2028 document, having previously been circulated, was considered.

After an extensive discussion, concern was expressed that it felt like a delegation of service at the Local Authority's cost. There are a number of footpaths in Onchan and it would take a full time member of staff to maintain those footpaths throughout the year, which is a significant cost.

The Chairman commented that there was no opportunity to put forward views or change detail within the Policy and Strategy document.

The Board expressed disappointment that no consultation was given before this policy document was implemented and in the manner in which the document has come forward. They also felt that the maintenance of public rights of way and footpaths should not be a burden on the rate payer.

6. Ballachrink Stores

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

The Deputy Clerk explained the development of the area, and whether the Board wished to look at the suggestions as part of the service provision for residents of the area. There is opportunity to increase the rental on the property due to the increased size.

In answer to comment, the Deputy Clerk advised that there was no obligation for the commercial properties to use the commercial refuse collection provided by the Authority.

Members indicated that they would meet on site to discuss the proposals before proceeding any further.

C18/03/01/19

FINANCE AND GENERAL PURPOSES MATTERS

1. Commercial Property Rent Report

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

The commercial rent report as at 28th February 2018, having previously been circulated was considered. Members were given a resume of the latest position.

The Chairman commented that the arrears processes need to be more robust than they have been to date.

2. EPC Heating Charges 2018/19

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

The report dated 28th February 2018, having previously been circulated with regard to the heating and service charges, was considered.

It was proposed by Mr Macfarlane, seconded by Mr Cherry and unanimously **RESOLVED that the status quo for the heating and service charges for the elderly persons complexes be retained.**

C18/03/01/20

REPORT FROM THE CLERK OR OTHER OFFICER

1. On-Call Allowance

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

The report of the Deputy Clerk dated 23rd February 2018, having previously been circulated was considered.

Members agreed that the on-call allowance was overdue for review. Clarification was sought on the following:-

- That on-call payments are liable for pension contribution and national insurance contributions from the Authority. The Deputy Clerk confirmed that they were.
- Part week periods. The formula in the draft agreement was explained.
- Preferred rota commitment.
- No enhancement for being on call over bank holidays. This was confirmed.
- Mileage allowance This was confirmed as being the same as used by Central Government.

Lead Member for Environment and Technical Services stated that the Board were supportive of the staff, and felt that the Authority were good employers and were trying to protect the services they provide and the staff involved.

The Deputy Clerk added that the officers understand the position of the Board, but very little recognition was given to work which is being undertaken out of hours. This service is not included in the contracts of the staff members. It was his recommendation that the new on call scheme and allowances be introduced with effect from 20th February 2018.

C18/03/01/21
SUSPENSION OF STANDING ORDERS

It was proposed by Mr Turton, seconded by Miss Williams, and unanimously **RESOLVED** that **Standing Orders in respect of meetings of the Authority be suspended to no later than 10.15 p.m. to complete the business on the agenda.**

C18/03/01/22
ON-CALL ALLOWANCE

Officers were requested to leave the meeting at 10.03 p.m.

Members discussed the proposed draft in private and **RESOLVED** that **the new on-call scheme be introduced with effect from 1st April 2018.**

For: Messrs Allen, Macfarlane, Crellin and Quirk.
Against: Messrs Turton, Cherry and Miss Williams.

Officer returned to the meeting at 10.12 p.m.
Mrs Dentith left at 10.12 p.m.

C18/03/01/3
ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

1. Grass Cutting Contract

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

The memorandum from the Acting District Surveyor dated 2nd March 2018 was considered and after discussion it was proposed by Mr Cherry, and seconded by Mr Turton, and unanimously **RESOLVED** that **the contract for 2018/19 be renewed with David Noble Gardening.**

C18/03/01/24
ADJOURNED ITEMS

The following items were adjourned to the meeting of Monday 19th March 2018.

- a) Lease and Licence – Nivison Stadium
- b) Onchan Park Kiosk
- c) Commercial Refuse Collection
- d) Additional Sites – Area Plan for the East
- e) Dog Fouling
- f) Elm Tree House

There being no further business, the meeting closed at 10.30 p.m.