

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 7th January 2019 at 7.05 p.m.

Present: Mr. M. Macfarlane (Chairman)
Mr A. Allen (Vice-Chairman)
Mr J. Cherry (Lead Member for Properties and Amenities) (from 7.18 p.m.)
Mr D. Crellin (Lead Member for Environmental and Technical Services)
Mr C. Quirk
Miss K. Williams

Apologies: Mr R. Turton (Lead Member for Finance and General Purposes)

In Attendance: Mrs L. Radcliffe (Chief Executive/Clerk)
Mrs S. Johnson (Finance Manager)
Mr R. Phillips (Property Maintenance Manager)
Ms A.S. Dentith (Senior Administrator)

The Chairman welcomed everyone to the first meeting of the year and wished everyone a Happy New Year.

C19/01/01/01

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

Not necessary.

C19/01/01/02

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

None.

C19/01/01/03

MINUTES

1. Ordinary meeting held on Monday 10th December 2018

The minutes of the ordinary meeting held on Monday 10th December 2018, copies of which having previously been circulated, were considered.

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

Mr Quirk did not cast a vote as he was not present at the meeting.

2. Staff Minutes of Ordinary meeting held on Monday 26th November 2018

To be considered In Committee.

3. Staff Minutes of Extra-Ordinary meeting held on Monday 5th December 2018

To be considered In Committee.

4. Staff Minutes of Ordinary meeting held on Monday 10th December 2018

To be considered In Committee.

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

None.

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

None.

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

None.

C19/01/01/07
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 18/01266	Mr A. Drew – 19 Thirlmere Avenue
		Members were advised that the planning application was for carrying out alterations and widening of existing vehicular access No comments received. It was proposed by Mr Crellin, seconded by Mr Quirk and unanimously RESOLVED that PA 18/01266 – 19 Thirlmere Avenue be recommended for approval.
(ii)	PA 18/01268	Onchan Pensioners Club – Field 534017 & 534018 – Blackberry Lane
		Members were advised that the planning application was for the temporary use of football ground and facilities as a campsite for the duration of the TT and IOM Festival of Motorcycling. Comment received in support of the application. It was proposed by Mr Crellin, seconded by Mr Allen and unanimously RESOLVED that PA 18/01268 – Field 534017 & 534018 – Blackberry Lane be recommended for approval.
(iii)	PA 18/01277	Mr L.A. Hiscott, Eary Keeil, Begoade Road
		Mr Crellin declared an interest. Members were advised that the planning application was for the installation of a flue from multi-stove. No comments received. It was proposed by Mr Allen, seconded by Mr Quirk and RESOLVED that PA 18/01277 – Eary Keeil, Begoade Road be recommended for approval.

(iv)	PA 18/01285	Mr and Mrs Johnstone, 3 Birch Hill Crescent
		Members were advised that the planning application was for replacement of roof tiles. No comments received. It was proposed by Mr Crellin, seconded by Mr Quirk and unanimously RESOLVED that PA 18/01285 – 3 Birch Hill Crescent be recommended for approval.

Mr Cherry arrived at 19.18 p.m.

(v)	PA 18/01290	Mr and Mrs A. Kneale, 16 Cronk Avenue
		Members were advised that the planning application was for the erection of two storey extension to side elevation and widening of vehicular access and driveway. No comments received. It was proposed by Mr Crellin, seconded by Mr Quirk and unanimously RESOLVED that PA 18/01290 – 16 Cronk Avenue be recommended for approval.
(vi)	PA 18/01291	Mr and Mrs P. Cowin, 3 Cronk Avenue
		Members were advised that the planning application was for the alterations, erection of extension and widening of vehicular access and driveway. No comments received. It was proposed by Mr Crellin, seconded by Mr Cherry and unanimously RESOLVED that PA 18/01291 – 3 Cronk Avenue be recommended for approval.
(vii)	PA 18/01308	Mr and Mrs T. Quirk, 17 Thirlmere Avenue.
		Members were advised that the planning application was for the replacement of existing conservatory roof with tiled roof. No comments received. It was proposed by Mr Crellin, seconded by Mr Cherry and unanimously RESOLVED that PA 18/01308 – 17 Thirlmere Avenue, be recommended for approval.
(viii)	PA 18/01300	Mrs A. Kawalek, Groudle Glen Hotel
		Members were advised that the planning application was for approval in principal to replace the existing hotel with five detached dwellings with off-street parking. No comments received. The Property Maintenance Manager informed the Board of previous planning applications and informed that the building was not a listed building and was not located in a conservation area. Discussion ensued with regard to parking provisions. In answer to question, the Property Maintenance Manager advised that the biodisc treatment plant had received planning approval. It was proposed by Mr Crellin, seconded by Miss Williams and unanimously RESOLVED that PA 18/01300 – Groudle Glen Hotel be recommended refusal on the grounds that:- <ul style="list-style-type: none"> (i) Over development of the site; (ii) Does not comply with the Onchan Local Plan 2000, Sections O/RES/P/20 and O/RES/P/22

2. Planning Communications

None.

C19/01/01/08

REPORT FROM THE CLERK OR OTHER OFFICER

The following item was brought forward on the agenda for consideration.

The Chairman welcomed the Librarian to the meeting.

1. IOM Government Libraries Working Party – Briefing Paper

The briefing report of the Librarian, dated 3rd January 2019, having previously been circulated was considered.

The Librarian gave informed Members that:

- A Select Committee was appointed to review the Library service provision on the Island.
 - The Select Committee reported back to Tynwald with recommendations which include options to change the way Libraries are funded and structured on the Island.
 - It was decided that a working party should be formed to review further before decision were made.
 - The Libraries Working Party has now been established and is to report back to Tynwald no later than December 2019.
- The Working Party have been in touch via the Libraries Forum to enquire if there were any concerns about providing data which would be used to report on the structure of the Libraries.

The Library stated that the Harvey Briggs Onchan Library is a locally delivered service and is tailored to meet the needs of the community and is funded by the rates. Onchan residents are very much at the heart of the service and the service is available to neighbouring communities, and open to all. Funding options have been discussed at the Working Party, and a suggestion of a leisure rate which would be taken from the Local Authority's business rates to create funding. The costs and logistics have not been established.

The Library has provided an uninterrupted service 1944 and continues to be developed for services to meet the needs of the local community. If the decision making is removed from the Local Authority, then perhaps the personal community focus will be lost.

The Chairman thanked the Librarian and advised that the Board of Commissioners are passionate about the library service and community engagement.

In answer to question, the Librarian informed the Board that there are universal core services to all Libraries which we can be shared and the Libraries and already work collaboratively, for example working practices; but there is a unique focus for the service provided locally, which covers social inclusion and well-being. The Libraries do not work in isolation, there is already an all-Island service and all residents are welcome to use the Harvey Briggs Onchan Library.

In answer to question, the Librarian advised that even if a good service is provided, there are always room for improvements, but there is a balance between weighing up the needs and the resources for those improvements and putting them in place at the right time for them, and gave the example of e-audio book which are popular for Onchan's service provision. Areas of improvement, could be on on-line catalogue, or an online portal for all the information for the libraries to be in one place.

Concern was expressed of provision of data, as local provision in the U.K. have now pulled away from releasing the information as it is not relevant to other area. There was a danger that revenue

generated from the Harvey Briggs Onchan Library would be used for other libraries. The all island leisure rate would also involve parks, swimming pools and other leisure facilities.

Discussion ensued with regard to the funding and structure.

The Chairman commented that having different local authorities doing different things in their Libraries gives variety on the Island.

The Chief Executive/Clerk informed the Board that the Select Committee are drivers for change, but it does question who chairs the working party as they are members of the Select Committee and Department of Education and Children which operate the family library. This was moved from Education to Department of Health. The Select Committee are looking for a resolution going forward. In trying to resolve a problem, they are reviewing the whole structure. Only 3.2% in the survey indicated they wanted a structural change, the response was more in relation to centralising a library service which might not meet the populations need.

The Librarian referred to the survey, and upon perusal there does not seem to be a support for this type of change. There is a lot of support for Libraries, including the mobile and family library to have funding.

The Chief Executive/Clerk expressed concern that data is being requested from the ground up, rather than involving the Board of Commissioners at an early stage, and this is being witnessed through many government led forums. It is positive for the Authority to be able to influence direction rather than being excluded.

It was proposed by Mr Cherry, seconded by Mr Crellin, and **RESOLVED to inform the Libraries Working Party of serious concerns, and await future requests. There is no statutory requirement to supply this statistical data, and further requests for information could be reviewed and supplied where available, and if the Board consider it appropriate to do so.**

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

The Board thanked the Librarian for attending the meeting.

The Chief Executive/Clerk advised that as part of her induction was to attend all forums and meetings affecting the Authority, the request to attend the Library Forum had been refused. This has generated scepticism.

Mrs Hand left the meeting at 8.00 p.m.

C19/01/01/09 **FINANCE AND GENERAL PURPOSES**

1. Commercial Tenancy Agreements

Report of the Assistant Finance Manager, dated 27th December 2018, having previously been circulated was considered.

The Chief Executive/Clerk advised that whilst addressing tenancy issues it has come to light that there is a mix of percentage or RIP increases. The RPI choice is onerous on how it is calculated and has created confusion when communicating rental increases to the tenants. There has to be a consistent, fair and equitable approach to how an increase is applied. Over half of the new leases in the last 3 years have been with newly formed companies, and the legal team feel that it is more beneficial to have a fixed percentage enabling companies to manage their cash flow.

The Chief Executive/Clerk gave an explanation on how the RPI would be calculated, and differences in the date depending on the month that the rent increase would fall.

It was proposed by Mr Cherry, seconded by Mr Quirk, and unanimously **RESOLVED** that all commercial property tenancies be standardised to include 5% per annum increase.

C19/01/01/10

REPORT FROM THE CLERK OR OTHER OFFICER

1. IOM Government Libraries Working Party – Briefing Paper

Considered earlier in the meeting.

2. Draft Whistle Blowing Policy

The Chief Executive/Clerk informed Members that:-

- o the draft Whistle Blowing Policy dated December 2018, has been forwarded to Unite and Unison for their consideration and awaiting their response.
- o Once agreed, presentation to the personnel will be undertaken to give them a clear understanding of the Whistle Blowing Policy.

3. Draft Onchan Dog Control Byelaws 2019

Report of the Chief Executive/Clerk dated 13th December 2018 having previously been circulated was considered.

It was proposed by Mr Allen, seconded by Mr Quirk and unanimously **RESOLVED** that the **Onchan Dog Control Byelaws 2019 be submitted for Tynwald approval.**

4. Public Toilets – Vandalism

Report of the Property Maintenance Manager dated 2nd January 2019, having previously been circulated was considered.

It was proposed by Mr Cherry, seconded by Mr Allen, and unanimously **RESOLVED** that **appropriate locks be installed on the public conveniences located at Port Jack and Main Road. The operational times to be at Officer's discretion.**

It was further agreed that appropriate signage would be installed.

5. Scott Close – Street Lighting

Report of the Property Maintenance Manager dated 2nd January 2019, having previously been circulated was considered.

It was proposed by Mr Quirk, seconded by Mr Cherry and unanimously **RESOLVED** that the **5 street light columns located at Scott Close, Groudle, be adopted subject to Scott Close Management Ltd carrying out the necessary upgrade and repairs. Further, that any charges for a wayleave be met by Scott Close Management Ltd.**

6. Interim Structure

To be considered In Committee.

7. Staffing Matter

To be considered In Committee.

C19/01/01/11

LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS

1. Chief Minister - Holocaust Memorial Service

Invitation received dated 27th December 2018, from the Chief Minister to attend the Annual Holocaust Memorial Day on Sunday 27th January 2019 at St Mary's Church, Douglas at 3.00 p.m. The Vice-Chairman indicated his attendance and guest.

2. Department of Infrastructure – Port Erin Fire Station

Email correspondence received dated 28th December 2018, advising of the Port Erin Fire Station being surplus to requirements. Noted.

C19/01/01/12

QUESTIONS

None.

C19/01/01/13

MOTIONS

None.

C19/01/01/14

ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

1. Nuisance Abatement Notice

To be considered In Committee.

C19/01/01/15

PROPERTIES AND AMENITIES MATTERS

1. Commercial Leases

To be considered In Committee.

C19/01/01/16

CHAIRMAN'S ANNOUNCEMENTS

1. Onchan Stargazing

The Chairman advised that the Live Stargazing Event with IOM Astronomical Society will take place this weekend, 11th, 12th and 13th January 2019 at the Dark Skies site in Onchan Park.

2. Dates for the Diary

Date	Organisation	Event	Time
13 th January 2019	IOM Woodlands Trust	Centenary Park	11.00 a.m.
13 th January 2019	Royal National Lifeboat Institute	Sir William Hillary Commemorative	3.00 p.m.
14 th January 2019	Onchan District Commissioners	Extraordinary Board Meeting	6.30 p.m.
27 th January 2019	Office of the Chief Minister	Holocaust Memorial Service 2019	3.00 p.m.
2 nd February 2019	Onchan District Commissioners	Commissioners' Surgery	11.00 a.m. – 1.00 p.m.

4 th February 2019	Cabinet Office, Equality Adviser	Equality Act Presentation	6.00 p.m.
4 th February 2019	Onchan District Commissioners	Board Meeting	7.00 p.m.
5 th February 2019	Onchan District Commissioners	Commissioners Surgery – Springfield Court	2.30 p.m.

3. **Apologies**

Commissioner Mr Cherry gave apologies for the meeting of the Board to be held on Monday 21st January 2019.

Commissioner Miss Williams gave apologies for the visit to IOM Centenary Park on 13th January 2019 and the extra-ordinary meeting of the Board to be held on 14th January 2019.

C19/01/01/17 **ANY OTHER BUSINESS**

None.

The public section of the meeting closed at 8.41 p.m.

C19/01/01/18 **MINUTES**

1. **Staff Minutes of Ordinary meeting held on Monday 26th November 2018**

Minutes to follow at the next meeting of the Board.

2. **Staff Minutes of Extra-Ordinary meeting held on Monday 5th December 2018**

Minutes to follow.

3. **Staff Minutes of Ordinary meeting held on Monday 10th December 2018**

The following matters were considered In Committee.

The staffing minutes of the ordinary meeting held on Monday 10th December 2018, copies of which having previously been circulated, were considered.

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

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

C19/01/01/19

CONSIDERATION OF ANY REPORT FROM THE CLERK OR OTHER OFFICER

1. Interim Structure

After a brief discussion, the Board agreed that the vacant post of Building Control Officer which has no budget for the post be removed from the staffing structure.

In answer to question, the Chief Executive/Clerk advised that the Interim Structure took away the post of Deputy Clerk and shared out the duties through the remaining staff, and this is for a period of 3 months to give time to consider the staffing needs of the Authority. It was acknowledged that this will be an evolving document as and when required.

2. Staffing Matter

Deferred to the end of the meeting.

C19/01/01/20

ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

1. Nuisance Abatement Notice

The following matters were considered In Committee and transferred to the public domain.

The Chief Executive/Clerk advised that the Directions Hearing had been withdrawn by the party, based on potential solutions which were being discussed. The Chief Executive/Clerk gave a resume of the solutions and any potential cost implications.

In answer to question, the Chief Executive/Clerk advised that reclaiming costs against the party had been investigated and was not cost effective in this case.

The Chief Executive/Clerk advised that one costs had been received the matter would be brought back to the Board for their consideration.

C19/01/01/21

PROPERTIES AND AMENITIES MATTERS

1. Commercial Lease

The following matters were considered In Committee and transferred to the public domain.

The Chief Executive advised that:-

(a) Restaurant, Onchan Park

Costs and location of a lift were being investigated. The Board would be kept informed of progress.

(b) Onchan Park Café

Negotiations were ongoing, and clarification sought through the legal advisors on points within the lease.

(c) 1st and 2nd Floor, Elm Tree House

The lease was being drawn up through the Authority's Legal Advisors and the tenants are ready to move in as soon as the lease has been signed. As a result of the earlier resolution of the Board to implement an annual increase of 5% this will need to be discussed with the incoming tenant.

(d) 35 Main Road

The lease has expired. The tenant wishes to renew for a 3 year period. It has come to light, that the tenant asked for a rent review in 2014/15 with no response from the Authority. A rental review will be carried out. The Board will be kept informed of progress.

(e) 75 Main Road

The lease is due for renewal at the end of April 2019. Contact has been made to commence the renewal process.

In answer to comment, the Chief Executive/Clerk advised that from a communication point of view, there is a substantial amount of consistency. However, the due diligence checks are highlighting that this is not the case.

C19/01/01/22**ANY OTHER BUSINESS****1. Royal Avenue**

The following matters were considered In Committee and transferred to the public domain.

Bus Stop – Rubbish reported. Property Maintenance Manager to investigation siting of a waste receptacle.

Pathway to St Peters – Rubbish reported. Property Maintenance Manager to investigate.

2. Hedge – Government House

The following matters were considered In Committee and transferred to the public domain.

Thanks to be extended to Government House for assisting in addressing the overgrown hedges. However, comment was made that one or two of the branches were overhanging. Property Maintenance Manager to action.

C19/01/01/23**STAFFING MATTER**

See Staff Minute Book.

The Chief Executive was requested to remain, and all other Officers left the meeting at 21.33 p.m.

There being no further business, the meeting closed at 9.50 p.m.