

IN PUBLIC

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 8th May 2017 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 & General Purposes)
Mr C. Quirk	
Mr R. Turton	
Miss K. Williams	

In Attendance:

Mr M.J. Morrison	(Chief Executive/Clerk)
Mr T.R. Craig	(Deputy Clerk) (until 10.08 p.m.)
Mr B.T. Price	(District Surveyor) (until 10.08 p.m.)
Mr T.M.G. Edwin-Reed	(Finance Manager) (until 10.08 p.m.)
Ms A.S. Dentith	(Senior Administrator)

C17/05/02/01**TO CHOOSE A PERSON TO PRESIDE IF THE CHAIRMAN AND VICE-CHAIRMAN BE ABSENT**

Not necessary.

C17/05/02/02**BUSINESS REQUIRED TO BE DEALT WITH BY STATUTE BEFORE ANY OTHER BUSINESS**

None.

C17/05/02/03**MINUTES****1. Ordinary meeting held on Tuesday 18th April 2017**

The minutes of the ordinary meeting held on Tuesday 18th April 2017, copies of which having previously been circulated, were considered.

(a) C17/04/02/13(5) – Tender Report

Page 6, at the end of the second sentence add in “which the Clerk concurred with”.

(b) C17/04/02/14(2) – Housing Allocations

Page 7, Change resolution to read “Miss Williams”.

(c) C17/04/02/16(8) – Chairman

Page 9, second paragraph remove the words “thanked”.

(d) C17/04/02/13(4) – Centenary Park – Management of Site

Page 5, second paragraph, correct the spelling of “pollution”.

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

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2. Annual General meeting held on Tuesday 2nd May 2017

The minutes of the ordinary meeting held on Tuesday 2nd May 2017, copies of which having previously been circulated, were considered.

(a) C17/05/01/01 – Appointment of Chairman

Page 1 – Last sentence insert “for the people”.

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

C17/05/02/04

BUSINESS ARISING NOT REFERRED TO IN THE MINUTES OF ANY SPECIAL COMMITTEES

None.

C17/05/02/05

BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C17/05/02/06

BUSINESS ADJOURNED FROM A PREVIOUS MEETING

None.

C17/05/02/07

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) PA17/00395 - 18 Hawthorn Close – Replacement conservatory roof with lightweight tiles.

It was proposed by Mr Crellin, seconded by Mr Cherry and unanimously **RESOLVED that PA17/00395 - 18 Hawthorn Close be recommended for approval.**

- (ii) PA 17/00406 and PA 17/00407 – Kates Cottage, Mountain Road – Alterations to registered building.

The District Surveyor advised that the application was for:-

- Conversion of existing garage into living accommodation, re-roofing using reclaimed slate, replacement windows (timber sliding sash).
- A new window is proposed for the west elevation which would not be visible from the highway.
- Vehicular access and parking space is to be adjusted and enlarged to the south and new outbuilding constructed to the north.

In answer to question, the District Surveyor advised that it is indicated that the new outbuilding would be housing a new water plant and storage space.

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It was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 17/00406 and PA 17/00407 – Kates Cottage, Mountain Road be recommended for approval subject to the storage units being ancillary to the main accommodation.**

- (iii) PA 17/00411 – 25 Derwent Drive – Proposed vehicular access and hardstanding

It was proposed by Mr Crellin, seconded by Mr Quirk, and unanimously **RESOLVED that PA 17/00411 – 25 Derwent Drive be recommended for approval.**

- (iv) PA 17/00418 – Cronkville, Hillberry Road – Proposed replacement of double garage door

In answer to question, the District Surveyor advised that the original planning application is for garage and workshop for domestic use.

After debate, it was proposed by Mr Quirk, seconded by Mr Cherry, and unanimously **RESOLVED that regarding PA 17/00418 – Cronkville, Hillberry Road**, in light of the outstanding planning issues with these premises no recommendation be put forward, but that the planning officers attention be directed to the condition in original approval requiring the garage to be for domestic use only.

- (v) PA 17/00419 – Scout Hall, School Road – Demolition of existing WC block and erection of new toilet accommodation and entrance hall.

Mr Turton declared an interest

It was proposed by Mr Crellin, seconded by Mr Quirk, and **RESOLVED that PA 17/00419 – Scout Hall, School Road be recommended for approval.**

- (vi) PA 17/00427 – 51 Sunningdale Drive – Re-roofing rear annex and raising the eaves

It was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 17/00427 – 51 Sunningdale Drive be recommended for approval.**

- (vii) PA 17/00433 – The Old Vicarage, Church Road – Replacement of front windows.

It was proposed by Mr Cherry, seconded by Mr Macfarlane, and unanimously **RESOLVED that PA 17/00433 – The Old Vicarage, Church Road be recommended for approval.**

- (viii) PA 17/00434 – Clyeen, Ballacottier Road – Proposed single storey extensions.

It was proposed by Mr Quirk, seconded by Mr Crellin, and unanimously **RESOLVED that PA 17/00434 – Clyeen, Ballacottier Road recommended for approval on the condition that the granny annex is ancillary to the main dwelling.**

- (ix) PA 17/00450 – 22 Furman Close – Replacement of existing conservatory and installation of three dormers to enlarge first floor accommodation.

It was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 17/00450 – 22 Furman Close be recommended for approval.**

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- (x) PA 17/00464 – 1 Slegaby Cottage, Little Mill Road – Proposed stable block.

It was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 17/00464 – 1 Slegaby Cottage, Little Mill Road recommended for approval.**

- (xi) PA 16/00859 – Land Adjacent to Onchan School – erection of fencing and gate.

Members were advised that the original submission had been deferred pending details of the proposed use for the land. This has now been provided indicating that the land is to be used for an outdoor learning and recreational area.

It was proposed by Mr Cherry, seconded by Mr Macfarlane, and unanimously **RESOLVED that approval be granted subject to the condition that there is no public access to, or through the site.**

2. Planning Communications

1. PA 16/01372 – Isle of Man Bank

Members were advised that a planning appeal had been lodged.

C17/05/02/08

REPORT FROM THE CLERK OR OTHER OFFICER

1. Joint Board Meeting – Braddan Parish Commissioners

Onchan District Commissioners held a joint meeting with Braddan Parish Commissioners on Thursday 20th April 2017. At the meeting a series of matters were discussed of mutual interest and both Boards felt it would be useful to have further joint meetings.

2. Onchan Byelaw – Consultation

The Chief Executive advised that the six week consultation had been undertaken, and three responses had been received. The matters raised are covered under Byelaw 14 – Feeding of animals and birds.

In answer to comments, the Chief Executive advised that the Byelaws gave the ability to take some action and the ability to react when required. The penalty is included by means of a fine not exceeding £2,500.

It was proposed by Mr Macfarlane, seconded by Mr Quirk, and unanimously **RESOLVED that the Onchan Byelaws be referred back to the Department of Infrastructure who will in turn place them before Tynwald for approval.**

3. Action Points

The action points list having previously been circulated was considered.

A Member expressed concern over whether the action list should be in the public domain as it gives a road map off the Board's intentions.

Clarification was requested as follows:-

- Play Equipment 'The Rec'. The Chief Executive advised that he had approached the tenant of the Nursery for their input regarding climbing equipment. This would be reported to the Board once details had been received.

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- Tennis Courts. The District Surveyor advised that the planning application was for Approval in Principle, but the Planning Committee recommended that the terminology be changed to Change of Use. In answer to comment, the District Surveyor advised that consultation for the Area Plan for the East had called for sites and he had put forward the Tennis Courts as a potential residential development site.

In answer to comment, the Chief Executive advised that having an action list in the public domain shows the Board as being transparent.

The Chairman stated that he was comfortable with the action list as a working document and it gave Members a snap shot of history and where the Authority were at the moment.

After a brief discussion, Members agreed that the action list remain in the public domain apart from matters relating to human resources and financial issues.

4. Governance at Meetings

The Chief Executive advised that this matter had been requested for consideration by the previous Chairman. The Corporate Governance Principles and Code of Conduct for Local Authorities is provided when Members are elected.

Members were advised that the Corporate Governance Principles and Code of Conduct for Local Authorities had been adopted by the Board at the meeting of 5th October 2015.

A Member felt that this was comprehensive guide for all Members; from the Chairman, individual Members and officers of the Authority.

It was agreed that the topic would be explored further as an ongoing staffing matter. ^[amended by ODC 22/05/17]

C17/05/02/09

LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS

None.

C17/05/02/10

QUESTIONS

None.

C17/05/02/11

MOTIONS

None.

C17/05/02/12

ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

1. Area Plan for the East

The District Surveyor gave a presentation to the Members explaining the matters to be considered for the preliminary consultation on the area plan for the east.

The District Surveyor gave a presentation for matters relating to Onchan only, a résumé is as follows:-

- **Housing Land** – Growth of 2,290 dwellings .

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- Where there is development you have to have the infrastructure to support it.
- **Spatial Policies** - are set out in the Strategic Plan to support the Spatial Strategy and identify the Island's settlement hierarchy.
 - Spatial policies are based on the current levels of development in the east.
 - The current mapping needs to be accurate and are the existing land uses correct and what they should be.
 - Settlement boundaries – purely a built area.
 - On the current local plans there is nothing indicated between settlements for green space.
 - The area plan lumps us all localities together.
 - Spatial vision – creating places where people want to live and work.
 - Insufficient sites for the existing settlement boundaries, brown field sites within the existing sites but do not meet the demand of what is proposed.
- **Grey infrastructure** – transport and utilities
 - Improvements will be required.
 - Utilities infrastructure – e.g. sewerage expansion for Mearey Veg and will need to be done within the timescale.
- **Social infrastructure**
 - For the growth of dwellings you will need at least 1,000 school places or more, there will be a need to look at schools and development of health care,
- **Green infrastructure**
 - This is not just open space, this means areas where children can play, e.g. playgrounds.
 - In the east we have the National Sports Centre.
 - However, this also means access to footpaths and country walks.
 - You would have to be careful where you put development so as not to make that access more difficult.
- **Potential development sites**
 - All sites have been put forward for consideration for development.
 - Assessment Framework:-
 - Preliminary screening – any site not immediately adjacent to settlement boundary. Critical constraints – can it be developed, can it be harmful, is it feasible.
 - Detailed consideration – series of questions which have graded answers to them. Deliverability - evaluation as to whether or not a site is developable.
- **Employment land**
 - Second Avenue – Marked for potential development. This has been highlighted twice, once for residential use and once for employment land.
 - Other sites zoned is from the Home of Rest for Old Horses through to Cooil Road.

The potential sites within the boundary of Onchan were identified as;

- Ballachrink Farm, In the 2000 area plan this was marked for development, and the Minister at the time refused.

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- Ashley Hill Lane – existing residential development on that site. Should that not be developed further?
- Triumph Actuation Site – residential or light industrial
- Molly's kitchen site currently zoned
- Tennis courts – for elderly persons housing
- Car park for the Catholic Church off Ridgeway Road
- Hague Farm – currently zoned for development.
- Bottom two fields of Blackberry lane currently zoned.
- Back of Manx Blind Welfare – originally zoned for 6-8 bungalows
- Scollag Road – section between Johnny Watterson's Lane and the Onchan Boundary – mixed use.

Following discussion the District Sureyor advised that individual sites were not for consideration at this time unless Members felt that there was a flaw in the assessment of that site.

There were further discussions regarding housing densities, regeneration, infrastructure requirements, affordable housing, and green gaps.

Members agreed that they were not in favour of high density developments, removal of the green belt between Onchan and Douglas, and the development of green sports sites.

The Chairman clarified that the Board were considering their response and the submission would be made public at the next meeting of the Board.

Members requested that the response is issued 24 hours prior to release with the agenda papers.

2. Surface Water Flooding – Laurel Avenue, Ashley Park and Hackett Close

Correspondence received dated 24th April 2017 from the Acting Director of Highway Services.

The Chairman commented that the correspondence is different to the original agreement. The Department of Infrastructure now advise that they have insufficient funds to enable the works to be undertaken.

It was agreed that:-

- A reply be issued to the Acting Director of Highway Services, copied to the Minister for the Department of Infrastructure and Onchan MHKs.
- Onchan MHK's are requested to consider this matter as a national priority rather than a local priority.
- A letter be issued to residents advising them of lack of support to this project by the Department of Infrastructure and this is copied to MHKs representing the area.

3. C17/03/01/13(3) – Groudle Glen House

The Chief Executive informed Members that the pollution in Groudle Glen was still ongoing but works seem to be underway to resolve the matter.

C17/05/02/13

PROPERTIES AND AMENITIES MATTERS

1. Dance Studio – Proposed Works

Report of the Chief Executive dated 3rd May 2017, having previously been circulated was considered.

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Chief Executive advised that some works to create an accessible entrance, if the Board are content in principle to draw up some plans and detailed costings.

After a brief discussion, it was agreed that the matter be held over for future consideration.

2. C17/04/02/13(4) – Centenary Park – Management of Site

The Chief Executive advised this item was carried over to this meeting as the Board were unable to resolve the matter previously.

The Chairman asked that Commissioner Quirk to seek further information from the Environmental Health Section of Department of Environment, Food and Agriculture .

3. C17/04/02/04(1) – Warden Call System – Springfield Court

The District Surveyor advised that the final installation work had been carried out and that commissioning was underway. The system is expected to be operational later in the week.

A Member expressed dissatisfaction in the delay, advising that the original approval was given early in January.

The District Surveyor stated that the transition went smoothly at Heywood Court, but for Springfield Court there had been issues with delivery of materials and gaining access to properties.

The Deputy Clerk assured Members that two instances had occurred:-

- A fall - the tenant were able to summon assistance by other means.
- An inappropriate discharge of a tenant from Nobles Hospital, who is prone to falling, and medication was not checked properly in his view the tenant was sent home too early. Arrangements were made for direct link phone link for the tenant.

4. Permissive Signage around District

Report of the Chief Executive dated 3rd May having previously been circulated was considered.

Members agreed with the suggestion to change signs around the district to permissive signs where appropriate.

C17/05/02/14

CHAIRMAN'S ANNOUNCEMENTS

1. The Onchan Hub – Official Opening

The Chairman expressed his gratitude to His Excellency Sir Richard Gozney and his wife Lady Diana Gozney for their time, patience and understanding throughout the day on Friday 5th May 2017.

On behalf of the Members of the Board, the Chairman expressed thanks to those who attended and to the Chief Executive, his staff, and all the contractors who worked towards the refurbishment of the Onchan Hub, for their time, energy and commitment.

C17/05/02/15

OTHER URGENT BUSINESS

In line with Standing Orders, the Chief Executive that no business had been communicated to him or the chairman before 5.00 p.m. that day for consideration under this section.

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- The Vice-Chairman requested an index of the policies of the Authority.
- Commissioners Surgery 9th May – 2.30 p.m. Commissioners Crellin and Quirk to attend. 6.30 p.m. Commissioners Crellin and Cherry to attend.

C17/05/02/16**FINANCE AND GENERAL PURPOSES MATTERS****1. Management Accounts**

The following matter was considered in committee and transferred to the public domain.

The management accounts for the twelve month period to 31st March 2017, having previously been circulated was considered.

The Finance Manager advised that the management accounts show a small surplus for the year on the rate borne expenditure.

The Finance Manager answered questions with regard to additional expenditure regarding the park boats and bin weigh system. In answer to comment, the Finance Manager assured Members that the wages and salaries figures report comprise of gross wages and salaries, and the employer's cost of national insurance and pension contributions.

2. C17/04/02/16(7) – Accountancy Services – Result of Tender

The following matter was considered in committee and transferred to the public domain.

The report of the Chief Executive, having previously been circulated was considered.

Members expressed disappointment that the recruitment process had not commenced for a replacement part-time accountant.

The Chief Executive advised that due to the potential length of the recruitment process there was an urgent need to find an interim solution to minimise the risk to the Authority.

It was proposed by Mr Macfarlane, that SMP Accounting & Tax Limited be appointed on an interim basis without agreement to the length of any contract.

C17/05/02/17**SUSPENSION OF STANDING ORDERS**

It was proposed by Mr Macfarlane, seconded by Mr Cherry, that Standing Orders be suspended to allow the meeting to continue to 10.30 p.m.

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

Against: Miss Williams and Mr Turton

C17/05/02/18**FINANCE AND GENERAL PURPOSES MATTERS continued****1. C17/04/02/16(7) – Accountancy Services – Result of Tender**

It was proposed by Mr Macfarlane, seconded by Mr Cherry, and unanimously **RESOLVED** that **SMP Accounting & Tax Limited be appointed on an interim basis to assist with the Authority's accountancy services.**

*IN PUBLIC***2. Appointment of Responsible Finance Officer**

The following matter was considered in committee and transferred to the public domain.

Mr Turton proposed, seconded by Mr Macfarlane, and unanimously **RESOLVED that Mr Michael Morrison, Chief Executive of Onchan District Commissions be nominated as Responsible Finance Officer and the position to be reviewed in 6 months.**

3. Housing Reserves – Control Measures

The following matter was considered in committee and transferred to the public domain.

The Vice-Chairman advised Members there had been a significant fall in housing reserves in the previous financial year and propose some additional control measures to keep the Board aware of the rate of expenditure throughout the year.

Members were asked to give consideration to the following:- [amended by ODC 22/05/17]

1. That approval must be given by the Board for expenditure on social housing maintenance beyond the budget in the current financial year.
2. On application by Officers the Board would be minded to approve an additional sum not to exceed £100,000 for transfer from reserves to the social housing maintenance budget during the current financial year.
3. Lead Member for Properties and Amenities must be notified, in advance, where a single property is assessed as requiring expenditure in excess of £10,000 but less than £14,000 from the social housing maintenance budget before it is re-let
4. That the Board must be notified, in advance, where a single property is assessed as requiring expenditure in excess of £14,000 from the social housing maintenance budget before it is re-let.

A Member expressed concern that these controls had to be put in place, however as the Department of Infrastructure placed limits on maintenance expenditure which were unrealistic the only alternative was to fund essential maintenance from reserves.

The Board reiterated their support for maintenance staff and contractors who carry out this work. They considered that whilst the rate of expenditure currently exceeded the budget they were receiving value for money in the delivery of this service.

The Vice-Chairman stated that additional controls are not a criticism of current procedures nor should they unnecessarily delay maintenance works, but the controls should keep the Board better informed of the rate of expenditure.

A Member requested a monthly report on the number of vacant properties undergoing maintenance and expected completion dates.

The Chief Executive commented that this was about a change in culture for the staff and contractors, as tenants were now paying a realistic rent and expect a professional service.

Matter to be placed on the agenda for the next meeting of the Board.

*IN PUBLIC*C17/05/02/19PROPERTIES AND AMENITIES MATTERS1. Kenyon's Café – Onchan Hub

This matter was deferred to the next meeting of the Board.

2. Joint Tenancy Application – 08/29

Report of the Deputy Clerk dated 3rd May 2017, having previously been circulated was considered.

Mr Quirk declared an interest.

It was proposed by Mr Cherry, seconded by Miss Williams, and **RESOLVED** that the Board noted the family circumstances but declined to add the son to the tenancy of the property as there may be a need to allocate that property to an applicant with more points should the current tenancy end. Further, that the son be granted lodger status until the parent is no longer resident at the property.

3. Housing Allocations

It was proposed by Mr Cherry, seconded Miss Williams, and unanimously **RESOLVED** that the tenancies be granted as follows:-

(a) 04/40 – that the tenancy be granted to the tenant of 17/01.

(b) 08/47 – that the tenancy be granted to TG 420

There being no further business, the meeting closed at 10.40 p.m.