

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 9th April 2018 at 7.01 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)

C18/04/01/01
TO CHOOSE A PERSON TO PRESIDE IF THE CHAIRMAN AND VICE-CHAIRMAN BE ABSENT

Not necessary.

C18/04/01/02
BUSINESS REQUIRED TO BE DEALT WITH BY STATUTE BEFORE ANY OTHER BUSINESS

None.

C18/04/01/03
MINUTES

1. Ordinary meeting held on Monday 19th March 2018

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

It was proposed by Mr Cherry, seconded by Mr Turton, and unanimously **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 present at the meeting.

2. Staffing Minutes meeting held on Monday 19th March 2018

To be considered In Committee.

C18/04/01/04
BUSINESS ARISING NOT REFERRED TO IN THE MINUTES

1. C18/03/01/04(1) - Chief Executive/Clerk Recruitment

To be considered In Committee.

C18/04/01/05
BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C18/04/01/06BUSINESS ADJOURNED FROM A PREVIOUS MEETING1. War Memorial Costs

To be considered In Committee.

C18/04/01/07PLANNING DECISIONS/COMMUNICATIONS FROM THE DEPARTMENT OF INFRASTRUCTURE PLANNING COMMITTEE1. Plans to the Board

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

- (i) **PA 18/00242 – Field 534213, Lower Sulby Farm, Creation of a menage to allow training and exercising of horses.**

After discussion, It was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 18/00242 – Field 534213, Lower Sulby Farm, be recommended for approval, but consideration to be given to where the surface water drain is going to discharge as concern was expressed with regard to potential flooding.**

- (ii) **PA 18/00243 – 36 King Edward Park, Creation of a domestic shed**

After discussion, It was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 18/00243 – 36 King Edward Park be recommended for approval with the condition that the shed is for domestic use only.**

- (iii) **PA 18/00251 – 5 Ridgeway Road, Proposed formation of a detached double garage.**

It was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 18/00251 – 5 Ridgeway Road be recommended for approval.**

- (iv) **PA 18/00255 – 107 Wybourn View – Proposed rear extension, front porch and associated internal alterations.**

It was proposed by Mr Crellin, seconded by Mr Quirk, and unanimously **RESOLVED that PA 18/00255 – 107 Wybourn View Avenue be recommended for approval.**

- (v) **PA 18/00260 – 5 Groudle Road, Proposed rear extension and front porch.**

It was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 18/00260 – 5 Groudle Road be recommended for approval.**

- (vi) **PA 18/00290 – 41 Briarfield Avenue, Proposed extension, conversion of existing garage and associated internal alterations.**

It was proposed by Mr Crellin, seconded by Mr Macfarlane, and unanimously **RESOLVED that PA 18/00290 – 41 Briarfield Avenue Road be recommended for approval.**

- (vii) **PA 18/00292 – Howstrake Lodge, 14 Groudle Road, Proposed rear extension, new garage and extension above with associated internal alterations.**

It was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED** that **PA 18/00292 – Howstrake Lodge, 14 Groudle Road, be recommended for refusal due to the proximity of the proposed extension to the boundary of the neighbouring property.**

2. Planning Communications

(a) **Government House – Proposal to register a building**

Notice of proposal to register a building, namely Government House, Onchan had been received.

It was proposed by Mr Crellin, seconded by Mr Macfarlane, and unanimously **RESOLVED** that the **Board were in support of Registered Building No: 07/00254/REGBLD, namely Government House being registered.**

C18/04/01/08

FINANCE AND GENERAL PURPOSES

1. Update from MHKs

The Deputy Clerk advised that he was asked to check with the MHKs to see if there was any advance in legislation in assisting the relevant Authorities against the antisocial behaviour ^[amended by ODC 23/04/18] within the District. Unfortunately, he had no update, and would report the next Board meeting.

A Member asked that the MHKs be contacted to arrange a mutually convenient date and time for a meeting.

2. Response to Housing Rents

The Chairman agreed that items 8.2 and 10.3 of the agenda may be considered as one item.

The following correspondence had been circulated:-

- Letter from Mr R. Callister MHK dated 5th April 2018
- Report of the Deputy Clerk dated 5th April 2018

The Deputy Clerk referred to his briefing report, where this matter had been considered in detail at the meeting of the Board held on 30th October 2017. Members at that meeting agreed that the allowances set by the Department of Infrastructure are a separate item to the rent charged to tenants.

In answer to comment the Deputy Clerk stated that rent was one aspect, but if it does not meet the operational costs, a deficiency can be claimed from the Department. He informed Members that housing allowances in the Isle of Man (IOM) compared with those of local authority providers in the United Kingdom (UK) are significantly less per housing unit than our UK counterparts. The costs of services and materials in the IOM are often more expensive than the equivalents in the UK. The facts and figures are detailed in the copy of the report issued to Members of the Board in October 2017.

It was clarified that the increase in rents over a number of years had been to offset the deficiency payments from Central Government, whilst the allowances for Local Authorities ^[amended by ODC 23/04/18] has not increased, which is benefitting Central Government and not the Housing Authorities.

The Deputy Clerk stated that the problem in Onchan is that the Department of Infrastructure made a decision to combine the revenue accounts in 2016 which meant that we have lost £300,000 per year which is having to be found from the general housing rental stream to subsidise the Elderly Persons Housing. The elderly persons housing complexes around the Island are all receiving deficiency payments, so Onchan would not be unique in claiming the same. The Department will not be persuaded that maintenance and housing allowances for general stock and elderly persons housing should be kept separate.

The Deputy Clerk referred to the content of Mr Callister's letter and Section 49 of the Housing Act 1955 regarding conditions to be observed in management of local authority houses. Specifically, that subject to the Department's approval that the Authority may granted to any tenant such rebates from rent, subject to terms and conditions, as they think fit. It could be argued that any tenant in rent arrears may state they are experiencing financial hardship and could claim a rent rebate.

Members made the following observations:-

- The setting up of a rebate system would need to be carried out through an all island policy, which is the responsibility of the Department of Infrastructure.
- The amalgamation of the elderly persons and general housing finance has had a large impact on the Authority.
- The Commissioners could be bold and not apply the rent increase as set, but the last time this was tried, the Department of Infrastructure told us, quite bluntly, that we would impose the increase or face financial penalties.
- The rent is set by Government and not by the Housing Authority.

The Chairman advised that the Deputy Clerk had drafted a reply to Mr Callister's correspondence which will make the Authority's position very clear. The correspondence does include mention of the loss of £300,000 per annum taken away, and two letters have been issued to the Minister of the Department regarding this position. It seems unfair that this Authority is being treated differently from other providers for elderly persons housing across the Island.

A Member commented that equally the opposite may be true, that as the Authority has lost the deficiency payment for elderly persons housing provision, a means testing system be introduced to increase rents in this housing provision to cover the lost money that government have taken away.

A Member stated that to introduce a rebate system, this will require the services of a separate officer, and there will be considerable costs to administer the scheme.

In answer to question, the Deputy Clerk advised that the only time the rent account has been adjusted, with the approval of the Department of Infrastructure, was when a property was out of circulation for 6 months and it was removed from the notional income in the accounts.

Members agreed that the reply to Mr Callister's correspondence be issued as an Open Letter, copied to the same recipients.

Members requested that this matter be highlighted as an item to discuss at the joint meeting with the Onchan MHKs.

C18/04/01/09

REPORT FROM THE CLERK OR OTHER OFFICER

1. Meeting with Port St Mary Commissioners

The Deputy Clerk advised that Members of the Authority met with their counter parts at Port St Mary Commissioners recently and the meeting was beneficial.

The Lead Member for Properties and Amenities and the Deputy Clerk were asked to prepare a briefing paper for the pros and cons of a shared waiting list which will be issued prior to the next meeting.

2. Parksman – Business Case

To be considered In Committee.

C18/04/01/10

LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS

1. Planning Enforcement Policy

Correspondence received dated 22nd March 2018 from the Senior Planning Officer, having previously been circulated was considered.

Members agreed to invite the Senior Planning Officer to a meeting with the Commissioners prior to a Board meeting at 6.30 p.m., mutually convenient date to be arranged.

2. IOM Municipal Association – Annual General Meeting

Correspondence received from the Isle of Man Municipal Association advising of the Annual General Meeting taking place on 24th May 2018. Noted.

3. Social Housing – Rent Rebate

Considered at agenda item 8.2

4. World Scout Jamboree 2019

Letter of thanks received from the Unit Leader for the World Scout Jamboree 2019 for the donation from the Onchan Youth Development Fund. Noted with pleasure.

5. Friends of Chernobyl's Children Isle of Man

Letter of thanks received from the Chairman of the Friends of Chernobyl's Children (Isle of Man) dated 16th March 2018, for the Park Child Day Tickets. Noted with pleasure.

6. On-Call Scheme

To be considered in Committee.

C18/04/01/11

QUESTIONS

None.

C18/04/01/12

MOTIONS

None.

C18/04/01/13

ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

1. Commercial Waste Trade Collection

To be considered In Committee.

2. Bemahague Avenue – Land

To be considered In Committee.

C18/04/01/14

PROPERTIES AND AMENITIES MATTERS

1. Onchan Park – Update

Report of the Acting District Surveyor dated 27th March 2018, having previously been circulated was considered.

Comments were made as follows:-

(a) Stadium

The Acting District Surveyor explained the cost for upgrading to an addressable fire alarm system. A question was asked regarding the lifespan of the system.

(b) Sensory Garden

It was agreed to accept the offer of assistance from Barclays Bank to maintain and improve the Sensory Garden. The Acting District Surveyor gave an explanation of the proposed works.

Members wished a letter of thanks to be issued to Barclays Bank, and were looking forward to working with the team.

(c) Tennis Courts

The Acting District Surveyor gave an explanation of the works and costings involved in creating a new tennis court within Onchan Park.

After a discussion, Members agreed:-

- The investigation and costing for the creation of a minimum of two new courts.
- Options be investigated for a multi-use play area which could be used for various sports.
- Investigate the use of recycled rubber tyres for the play service.

(d) Mini-diggers

After discussion, Members agreed that the installation of mini-diggers was too expensive.

(e) Corporate Sponsorship

It was agreed that the Acting District Surveyor investigate further.

2. Commercial Properties - Update

An update was given as follows:-

- 10 Elm Tree Road – no response from the original interested party. Estate Agent instructed to actively market the property.
- 12 Elm tree Road – After due diligence checks, subject to Board approval, the Lease to be assigned.

- 44-46 Main Road – This property has been advertised for sale as required under under S25(3)(b) of the Local Government Act 1985. The Government Valuer confirmed that the offer received is good value for money and there has been no challenge to the disposal.
- 61-69 Main Road, 1st Floor, Elm Tree House – Keys to the property have been returned. Investigations are being undertaken with regard to the outstanding balance, and has been referred to the Commissioners' Advocates.

After a brief discussion, a Member requested that a report be issued to the next meeting of the Board giving a breakdown of the rent, rates and commercial waste collection for the commercial properties and any arrears that may be outstanding by the tenants, and action being taken to recover any debts.

3. Elm Tree House

Acting District Surveyor advised that he had spoken to an interested party who wishes to expand their premises and use the whole of the 1st floor of Elm Tree House. Should the interested party wish to proceed this would eradicate the cost for splitting the area in to two separate units.

Acting District Surveyor to bring an update to the next meeting of the Board.

4. Commissioners' Surgery Report

Onchan Hub - No attendees.

Springfield Court – 2 attendees.

- Possible abandoned vehicle which was reported through the Department of Infrastructure's Report a Problem Page. This vehicle is taxed and owned by a resident within the Complex.
- Communal Storage Area – difficulty in access
- A couple of maintenance issues.

5. Commissioners' Surgery – proposal to move date

It was proposed by Mr Macfarlane, seconded by Mr Quirk, and unanimously **RESOLVED** that the **Commissioners' Evening Surgery be moved to the first Saturday of each month and to be open between the hours of 11.00 a.m. and 1.00 p.m.**

6. Housing Allocations

To be considered In Committee.

C18/04/01/15

CHAIRMAN'S ANNOUNCEMENTS

1. Dates for the Diary

- 12th April 2018 – Eastern Civic Amenity Site Committee Meeting
- 1st May 2018 – 7.00 p.m. Onchan District Commissioners AGM
- 5th May 2018 - Commissioners Surgery, 6.30 p.m. Onchan Hub
- 8th May 2018 - Commissioners Surgery, 2.30 p.m. – Heywood Court
- 20th May 2018 – 3.00 p.m., Onchan District Commissioners Civic Sunday
- 24th May 2018 – IOM Municipal Association AGM

C18/04/01/16

ANY OTHER BUSINESS

1. **The Village Green**

In answer to comment, the Acting District Surveyor advised that footpaths were being upgraded.

2. **Path – The Rec**

In answer to question, the Acting District Surveyor advised that works to the replace the footpath at The Rec will be completed before the children return to School after the Easter Holidays.

The meeting moved to In Committee proceedings at 20.43 p.m.

The Deputy Clerk and Acting District Surveyor left the meeting at 20.46 p.m.

C18/04/01/17
MINUTES

1. **Staffing Minutes meeting held on Monday 19th March 2018**

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

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

It was noted that although the contract papers had been circulated via email, not all Members had viewed the document. Hard copy to be issued as soon as possible for Members consideration.

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

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

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

C18/04/01/18
BUSINESS ARISING NOT REFERRED TO IN THE MINUTES

1. **C18/03/02/04(1) - Chief Executive/Clerk Recruitment**

Please see staff minute book.

Deputy Clerk and Acting District Surveyor returned to the meeting at 9.02 p.m.

C18/04/01/19
TO DISPOSE OF ANY RELEVANT BUSINESS ADJOURNED FROM A PREVIOUS MEETING

1. **War Memorial Costs**

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

After discussion it was agreed that the lettering on the memorial shall be repainted.

It was proposed by Mr Cherry, seconded by Mr Quirk, and unanimously **RESOLVED that approval be granted for the purchase of World War 1 Commemorative Medals which will be given to the children of Onchan and those residents residing in Heywood Court and Springfield Court.**

It was further agreed that a meeting be arranged with Mr Hector Duff BEM.

C18/04/01/20
REPORT FROM THE CLERK OR OTHER OFFICER

1. **Parksman – Business Case**

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

The report of the Acting District Surveyor, dated 5th April 2018 was considered.

A Member commented that the job description for the positions should be written so that the incumbents are able to cover manual positions in other Departments and not strictly limited to the Parks Department.

It was proposed by Mr Quirk, seconded by Mr Cherry, and unanimously **RESOLVED that approval be given for the recruitment of 1 full time general worker and 1 full time seasonal general worker.**

A Member reminded officers that when applications are received that the Lead Member for Environment and Technical Services be consulted.

In answer to question, Members were advised that if any Health and Safety advice is required, Safety Net are the Commissioners' consultants.

C18/04/01/21
LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS

1. **On-Call Scheme**

To be considered later in the meeting.

C18/04/01/22
ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

1. **Commercial Waste Trade Collection**

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

The report of the Operations Manager, dated 20th March 2018, having previously been circulated was considered.

The Deputy Clerk advised that Port St Mary Commissioners are undergoing a tender process for their refuse collection service. Onchan District Commissioners have registered their interest.

Discussion ensued with regard to the current service provision and budgeting.

The Chairman commented that there will come a point where costs will have to be balanced with output of work.

C18/04/01/23
PROPERTIES AND AMENITIES MATTERS

1. **Housing Allocation**

(a) **13/22 – Two Bedroom Bungalow**

After discussion, it was proposed by Mr Cherry, seconded by Miss Williams, and unanimously **RESOLVED that the tenancy of 13/22 be offered to HA 3914.**

C18/04/01/24
SUSPENSION OF STANDING ORDERS

It was proposed by Mr Macfarlane, seconded by Mr Cherry, and unanimously **RESOLVED** that **Standing Orders be suspended to continue with the business on the agenda till 10.15 p.m.**

C18/04/01/25
PROPERTIES AND AMENITIES MATTERS

1. **Housing Allocation**

(a) **05/76 – Four Bedroom House**

After discussion, it was proposed by Mr Cherry, seconded by Miss Williams, and unanimously **RESOLVED** that **the tenancy of 05/76 be offered to TG 422.**

C18/04/01/26
ADJOURNED ITEMS

The following items are adjourned to the meeting of the Board of Commissioners to be held on Monday 23rd April 2018:-

1. On-Call Scheme
2. Bemahague Avenue – Land

C18/04/01/24
ANY OTHER BUSINESS

1. **Email Accounts**

The Deputy Clerk asked Members to check their mail boxes and delete where appropriate as emails are bouncing back.

There being no further business, the meeting closed at 10.15 p.m.