

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 18th September 2017 at 7.00 p.m.

Present: Mr. 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
 Miss K. Williams

Apologies: Mr R. Turton

In Attendance: Mr T.R. Craig (Deputy Clerk)
 Mr B.T. Price (District Surveyor)
 Mr D. Vincent (Interim Finance Manager)
 Ms A.S. Dentith (Senior Administrator)

C17/09/02/01

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

Not necessary.

C17/09/02/02

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

None.

C17/09/02/03

MINUTES

1. Ordinary meeting held on Monday 4th September 2017

The minutes of the ordinary meeting held on Monday 4th September 2017, copies of which having previously been circulated, were considered.

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

2. Staff Minutes of the ordinary meeting held on Monday 7th September 2017

To be considered In Committee.

C17/09/02/04

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

1. C17/09/01/12(2) – Eastern Civic Amenity Site – Replacement Equipment

Correspondence and minutes from the Eastern Civic Amenity Site Joint Committee, having previously been circulated was considered.

In answer to question, the Deputy Clerk informed Members that the costings had been received and Onchan's contribution would be 17.86%. He further advised that the scrap value for the old skips had yet to be assessed.

It was proposed by Mr Crellin, seconded Mr Cherry, and unanimously **RESOLVED that Onchan District Commissioners agree to contribute their 17.86% share towards the overall cost of the replacement of the eight skips at the Eastern District Civic Amenity Site.**

2. **C17/09/01/18 – Onchan Park Café**

To be considered In Committee due to commercial sensitivity.

C17/09/02/05

BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C17/09/02/06

BUSINESS ADJOURNED FROM A PREVIOUS MEETING

None.

C17/09/02/07

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) PA 17/00900 – 17 King Edward Park – Proposed creation of second driveway to the property.

It was proposed by Mr Crellin, seconded by Mr Quirk, and unanimously **RESOLVED that PA 17/00900 – 17 King Edward Park be recommended for approval.**

- (ii) PA 17/00910 – Former Howstrake Holiday Camp – Extend condition for a further 2 years.

The District Surveyor gave a brief explanation of the planning application and the reserved matters attached thereto, it was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 17/00910 – Former Howstrake Holiday Camp be recommended for approval.**

- (iii) PA 17/00920 – 33 Wybourn Grove – Replacement of existing conservatory roof with tiles.

It was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 17/00920 – 33 Wybourn Grove be recommended for approval.**

2. **Planning Communications**

(a) **PA 16/00859/b – Land adjacent to Onchan School**

Correspondence received dated 8th September 2017 from the Director of Planning and Building Control giving apologies for the non-consideration of the second submission from the Authority. Members wished to express thanks to the Director for their openness and honesty.

Members considered and approved the Authority's statement of appeal subject to minor amendment.

The Chairman requested the District Surveyor to ensure that the appeal statement is given to the Planning Appeals Administrator before the deadline.

The Chairman informed Members that there was to be a meeting with the Director of Planning and Building Control in the Commissioners' Boardroom on Wednesday 20th September 2017 at 10.00 a.m.. Members were welcome to attend if they so wish.

C17/09/02/08**FINANCE AND GENERAL PURPOSES****1. Rent Report**

To be considered In Committee.

C17/09/02/09**REPORT FROM THE CLERK OR OTHER OFFICER****1. Future of Onchan Park Report**

To be considered In Committee.

C17/09/02/10**LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS****1. 5 Year Service Review – Local Bus Service Provision**

Correspondence received dated 8th September 2017 from the Head of Operations, Department of Infrastructure. Public Transport, requesting views to be submitted by 10th October 2017.

A Member commented that:-

- The bus service around Onchan had not seen any improvement.
- For some estates services had been cut.
- The centre of the Village and Birch Hill appeared to be well served but this did not apply to the whole of Onchan.
- Discussion ensued with regard to buses serving Onchan to commute workers to Douglas at the start and finish of the day.

It was agreed that information be sought from the residents of the District, which could be included in the Authority's submission.

C17/09/02/11**QUESTIONS**

None.

C17/09/02/12**MOTIONS**

None.

C17/09/02/13

ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

1. Street Lighting Report

The Street Lighting Report for May, June, July and August 2017, having previously been circulated was considered.

The District Surveyor informed Members that there had been delays with two street lights on King Edward Road and parts were due for delivery.

In answer to question, the District Surveyor advised that the changeover of time clocks to the areas identified, such as bus stops, had been completed.

C17/09/02/14

PROPERTIES AND AMENITIES MATTERS

1. Shared Housing Waiting List Eastern Region

Correspondence received from the Department of Infrastructure Member for Housing, dated 7th September 2017, together with the submission from the Lead Member for Properties and Amenities, having previously been circulated was considered.

The Vice-Chairman referred to the third paragraph of the letter from the Department of Infrastructure and disagreed with the following points^{[amended by ODC 02/10/17].-}

- The Authority had been engaging with Braddan Parish Commissioners and the position of the Board was to see how the latest trial would work.
- The statement in the letter is that “the Department could not defer the operation of the pilot any longer”. Members were not aware that the Department were waiting upon a decision from the Board. The Board’s understanding was that the pilot was going to become operational and that Onchan would be an observer.

The Deputy Clerk stated that the Board had always made their position very clear.

2. Housing Reserves

Correspondence received dated 11th September 2017 from the Housing Business Analyst, Public Estates and Housing Division, Department of Infrastructure, having previously been circulated was considered.

The Deputy Clerk drew Members’ attention to item 2, as the Department are looking to any Authority having an excess of the 7.5% allowed reserve to be off-set against the following years housing deficiency payment. This is basically the Department’s view.

The Deputy Clerk commented that the Department had instructed Onchan District Commissioners to combine the income and expenditure streams for both sheltered and general housing. Any shortfall on income verses expenditure is for Elderly Persons Complexes about average for all housing authorities who run sheltered housing. Only Onchan and Douglas are being made to fund Elderly Persons Complexes’ shortfall from general housing income. This removes investment and maintenance finance from general housing.

The Chairman requested that the matter be raised at the forthcoming MHKs meeting with the Board.

3. Joint Housing Managers Meeting

To be considered In Committee.

4. **Commissioners' Surgery**

To be considered In Committee.

5. **Onchan Football Club**

To be considered In Committee.

C17/09/02/15

CHAIRMAN'S ANNOUNCEMENTS

1. **Attendances**

5th September – Commissioners' Surgery

7th September – Prize Presentation, Onchan Library

12th September – Centenary Park, Memorial Wood, Opening Ceremony

17th September – Onchan District Commissioners Civic Sunday

- Thank you to all officers and staff in their assistance

2. **Dates for the Diary**

20th September - Director of Planning at 10.00 a.m.

20th September – Ashley Park Community Engagement at 6.30 p.m.

25th September – Quarterly MHKs meeting. – 7.00 p.m.

Joint Board Meeting with Braddan Parish Commissioners to be rearranged.

C17/09/02/16

ANY OTHER BUSINESS

1. **Rally IOM**

After a brief discussion, the Deputy Clerk was requested to write to IOM Rally and the Police regarding the traffic congestion affecting Onchan, so that in future years these problems could be addressed to alleviate the inconvenience to the public.

C17/09/02/17

MINUTES

1. **Staff Minutes of the ordinary meeting held on Thursday 7th September 2017**

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

The staff minutes of the ordinary meeting held on Thursday 7th September 2017, copies of which having previously been circulated, were considered.

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

C17/09/02/18

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

1. **C17/09/01/18 – Onchan Park Café**

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

Email correspondence dated 18th September 2017 from the Director of Onchan Park Café Ltd, having been circulated was considered.

The Deputy Clerk was asked to respond to the Directors of Onchan Park Café Ltd to advise that the four suggestions had been given due consideration, and the Board were only mindful of supporting the Santa's Grotto.

C17/09/02/19

FINANCE AND GENERAL PURPOSES

1. Rent Report

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

The report of the Interim Finance Manager dated 13th September 2017, having previously been circulated was considered.

The Interim Finance Manager advised:-

- There is an increase in rent arrears due to a large number of tenants on Notice to Quit who have paid no or very little rent.
 - As a result 8 defaulters had been referred to the Advocates with a view to proceeding to court.
- Those properties who are not under Notice to Quit actually shows a decrease in arrears as they are engaging with the Finance Team.

The Chairman was concerned that the graph shows a year on year increase. The Interim Finance Manager advised that there were controls in place with early engagement.

The Deputy Clerk advised that the Interim Finance Manager and staff engage with all defaulters on a regular basis. The 8 defaulters referred to Court are long standing arrears cases which had exhausted all intervention possibilities. He confirmed that there was a process in place, displayed in the reception area, detailed within the tenants handbook and in their 'welcome packs'.

C17/09/02/20

REPORT FROM THE CLERK OR OTHER OFFICER

1. Future of Onchan Park Report

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

The report having previously been circulated, was considered.

After discussion, it was unanimously agreed that the following items be investigated for inclusion in the budget considerations for the next financial year:-

- Replacement Crazy Golf Course
- Lift for Views Restaurant
- Advertising and Marketing for Onchan Park
- Kiddi Car replacement and extension to the track.

Members agreed that the Future of Onchan Park Report should be used as a working document.

After a brief discussion, the Chairman requested that the renewal for the lease of Onchan Raceway and licence of Onchan AFC be included on the agenda for the next meeting of the Board.

In answer to comment, the Deputy Clerk stated that the Future of Onchan Park Report was a report to the Commissioners and not by the Commissioners. No decisions had been made, and the Board had not had sight of the report before disclosure in the public domain. Liability of the Authority for any perceived loss through a newspaper reporter's interpretation would be difficult to prove by a claimant.

C17/09/02/20

PROPERTIES AND AMENITIES MATTERS

1. Joint Housing Managers Meeting

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

The Deputy Clerk gave a resume of matters discussed at the Joint Housing Managers Meeting held on 12th September 2017. The main topic of the meeting was finance matters regarding the allowances and deficiency payments as to how social housing would be funded in the future. The Deputy Clerk felt confident that Onchan District Commissioners can demonstrate it provides an excellent service for the money that is being expended.

2. Commissioners' Surgery

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

(a) 01/46 – Copy correspondence having been circulated was considered. Members were advised that, to date, no access to the property had been granted to carry out a maintenance inspection. Further, that the additional information requested had not yet been received.

3. Onchan Football Club

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

After discussion, it was unanimously agreed that the 10 days available within the lease of Nivison Stadium for use by Onchan District Commissioners is solely for one off community events and that the status quo will remain.

C17/09/02/22

ANY OTHER BUSINESS

1. Housing Transfer Allocation

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

It was proposed by Mr Cherry, seconded by Miss Williams and unanimously **RESOLVED that the tenancy of 13/24 be offered to transfer applicant TG 415.**

2. Kenyons Café – The Hub

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

Mr Macfarlane declared an interest.

Correspondence received 18th September 2017 from the Trustees of Kenyon's Café. After discussion it was agreed that the Deputy Clerk would respond to the queries as follows:-

- Clarify the notice period for termination of the licence by either party;
- Public Liability Insurance would be required for the element of the business relating to the licensee;
- Insurance for goods and chattels would be required by the licensee;
- Nuisance – the liability falls with the licensee within the premises. Once users have left the premises this would become a police matter; and
- Fire Certificate – advise of the breakdown in numbers for the premises.

It was proposed by Mr Cherry, seconded by Miss Williams, and unanimously **RESOLVED** that a **suspension of standing orders to allow for consideration of the rental increase for Kenyon's Café.**

It was proposed by Mr Cherry, seconded by Mr Quirk, and unanimously **RESOLVED** that **reference to the increase within the Licence for The Onchan Hub by the Trustees of Kenyon's Café be amended to state that the increase will be by a percentage figure based on RPI in September of each year.**

3. Code of Conduct

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

In answer to question, the Deputy Clerk advised that the Code of Conduct had not yet been circulated and would like to discuss the matter further with the Chairman.

4. Groudle Glen House – Drainage

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

Correspondence received from Ellis Brown Architects, dated 10th August 2017.

After a brief discussion, Members agreed that approval be granted to apply for a wayleave in order to install a drainage basin unit for the properties Groudle Glen House and the Old Toll House.

5. Civic Sunday

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

A Member stated that, after speaking with various members of the community, it appeared that the preferred option would be to revert back to the previous policy of the Board to the third Sunday in May.

The Chairman requested that the matter be placed on the agenda for the next meeting of the Board.

6. Apologies

Apologies were given by Commissioner Crellin for the next two Board meetings.

There being no further business, the meeting closed at 9.55 p.m. [amended by ODC 02/10/17]