

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 23rd July 2018 at 7.15 p.m.

Present: Mr. M. Macfarlane (Chairman)
 Mr A. Allen (Vice-Chairman)
 Mr J. Cherry (Lead Member for Properties and Amenities) ^(from 7:26 p.m.)
 Mr D. Crellin (Lead Member for Environmental and Technical Services)
 Mr R. Turton (Lead Member for Finance and General Purposes)
 Miss K. Williams
 Mr C. Quirk

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

C18/07/02/01

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

Not necessary.

C18/07/02/02

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

None.

C18/07/02/03

MINUTES

1. Ordinary meeting held on Monday 9th July 2018

The minutes of the ordinary meeting held on Monday 9th July 2018, copies of which having previously been circulated, were considered.

(a) C18/07/01/14(1)(ii) – Public Toilets – changed ‘proposed’ to ‘proposal’.

Subject to the above amendment, 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 Macfarlane and Mr Quirk did not cast a vote as they were not present at the meeting.

2. Staff Minutes of Extra-Ordinary meeting held on Wednesday 27th June 2018

To be considered in Committee.

C18/07/02/04

BUSINESS ARISING NOT REFERRED TO IN THE MINUTES

1. C18/07/01/04(i) – Beehive Kindergarten, Hillberry Road

Acting District Surveyor advised that he had received no response to the request to meet with the Planning Enforcement Officer. The Acting District Surveyor advised of concern regarding access from Briarfield Avenue to the Beehive Kindergarten.

The Acting District Surveyor informed Members that he had been looking at the previous applications and it was agreed that a briefing paper would be produced for Members consideration.

A Member stated that clarification was sought as follows:-

- What is the permitted number at the property?
- How many is the kindergarten exceeding the number?
- Whose responsibility it is to bring the numbers back to where they should be?

The Acting District Surveyor expressed concern on the increase of near misses being reported at Briarfield Avenue, Laurel Avenue and around the Beehive Kindergarten Area. It was agreed that the Department of Infrastructure be informed.

Invite the Planning Enforcement Officer to meet with the Board prior to the next meeting of the Board on 13th August 2018.

Mr Cherry arrived at 19:26

2. C18/07/01/16(2) – Onchan Park Café

The Chairman advised of a meeting held that evening prior to the Board meeting with the Director of Onchan Park Café and their advisor ^[amended by ODC 13/08/18].

In answer to question, the Acting District Surveyor advised:-

- Fire Certificate – the defects had been corrected apart from issues with a wall which had been installed prior to the current leaseholders taking responsibility of the area. Awaiting revisit from Fire Officer.
- Refuse Bins – review security.

Finance Manager:-

- to investigate alleged discrepancy in the rateable value for the Arcade/Storage Room.
- Commercial Waste Charges - More accurate account of the waste collected to be detailed to the café proprietors.

The Acting District Surveyor was requested to amend toilet closing time to 9.30 p.m.

The Chairman advised that he would action the Lease.

With regard to maintenance and structural issues, the Acting District Surveyor to liaise with the café proprietors and report back to the next meeting of the Board.

3. C18/07/01/15(2) – Summer Recess

A Member expressed concern regarding the three week time period between meetings.

It was agreed that consideration of fortnightly meetings throughout the year be brought back for consideration in September.

C18/07/02/05

BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C18/07/02/06

BUSINESS ADJOURNED FROM A PREVIOUS MEETING

None.

C18/07/02/07

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 18/00679 Mr & Mrs P. Russell, Bibaloe Beg Farmhouse, Bibaloe Beg Road
Demolish attached outbuildings, detached garage and construct single storey garage and store including increase of parking courtyard and widening of access. No comments received.

After discussion, it was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 18/00679 – Bibaloe Beg Farmhouse, Bibaloe Beg Road be recommended approval, subject to installation of a slate roof.**

- (ii) PA 18/00689 Mr M.S. Hoque, 59 King Edward Road

Installation of flue (retrospective). Comments received.

After discussion, it was proposed by Mr Crellin, seconded by Mr Turton, and unanimously **RESOLVED that PA 18/00689 – 59 King Edward Road be recommended approval.**

- (iii) PA 18/00692 Mr & Mrs N. Dyson, 23 Groudle Road

Alterations, erection of an extension and removal of a chimney stack. No comments received.

After discussion, it was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 18/00692 – 23 Groudle Road be recommended approval.**

- (iv) PA 18/00697 Mr D. Cooper, 8 Howstrake Drive

Replacement conservatory roof with tiles. No comments received.

After discussion, it was proposed by Mr Crellin, seconded by Mr Cherry, and unanimously **RESOLVED that PA 18/00697 – 8 Howstrake Drive be recommended approval.**

- (v) PA 18/00700 Mr C. Dobson, 25 Sunningdale Drive

Replacement conservatory to rear of property. No comments received.

After discussion, it was proposed by Mr Crellin, seconded by Mr Allen, and unanimously **RESOLVED that PA 18/00700 – 25 Sunningdale Drive be recommended approval.**

2. **Planning Communications**

- (i) **PA 18/00441/CON – Kate’s Cottage – Registered Building consent for alterations, relocation of dry stone walls, paving layout and siting of satellite dish.**

Mr Crellin, Mr Allen and Miss Williams declared an interest.

Acting District Surveyor advised that the application had been approved by the Planning Committee. ODC had previously refused the application. *Noted.*

- (ii) **PA 18/00525/B – Field 53070 and 53069 – Scollag Road – Erection of building to provide stables, storage of agricultural equipment and feed, construction of an outdoor equestrian exercise arena, creation of a covered lunge pen, hard standing and erection of a wind turbine.**

Acting District Surveyor advised that the applicant has replied to as many comments as they have been able to, copies of which had previously been circulated. Members agreed to remain with their previous decision of refusal.

- (iii) **PA 18/00111/A - Land Adjacent 10 Birchley Terrace – Approval in principle for a detached dwelling**

Mr Allen declared an interest.

Acting District Surveyor informed Members that the appeal reasons lodged from the Authority is that the planning application lacked information and the information provided was conflicting. However, the Planning Committee have approved the application with stipulations.

It was agreed that a letter be issued challenging the appeal due to misrepresentation of what was to be erected on the site, and suggest that the whole planning application in this case be rejected, and the owner/applicant be asked to submit a fresh application with the correct information. Draft copy of letter to be circulated to Members for comment prior to issue.

Members welcomed the Acting District Surveyor’s suggestion to produce a briefing paper on the appeal process for the information of Members.

C18/07/02/08

FINANCE AND GENERAL PURPOSES

1. **Telephone System Update**

Lead Member for Properties and Amenities gave an update with regard to the release of the direct dial numbers.

2. **Onchan MHK – Joint Meeting**

Members agreed to invite the Onchan MHKs to a joint meeting with the Board of Commissioners on Monday 30th July 2018 at 6.15 p.m.

3. **Rent Report**

To be considered In Committee.

4. **Internal Audit Report**

To be considered In Committee.

C18/07/02/09
REPORT FROM THE CLERK OR OTHER OFFICER

None.

C18/07/02/10
LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS

1. **Tynwald Select Committee on Poverty**

Correspondence received from the Committee Chair of the Tynwald Select Committee on poverty dated 11th July 2018.

The Chairman requested Members to forward their views to the Senior Administrator so that a response may be formulated for consideration at the next meeting of the Board.

2. **IOM Municipal Association**

Letter of invitation received to a Seminar on Environment and Waste Management Issues, on 11th September 2018 at 7.00 p.m.. The Vice-Chairman indicated their attendance and Lead Member for Properties and Amenities gave apologies. [amended by ODC 13/08/18]

C18/07/02/11
QUESTIONS

None.

C18/07/02/12
MOTIONS

None.

C18/07/02/13
ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

1. **Miscellaneous Waste Charges**

To be considered In Committee.

C18/07/02/14
PROPERTIES AND AMENITIES MATTERS

1. **Onchan Park – Update**

The Acting District Surveyor updated Members as follows:-

- (i) **Public Toilets** - Magnetic locks are on order and will be installed as soon as available.
- (ii) **Crazy Golf** - After discussion, Members felt that to replace the crazy golf would be quite a substantial cost. It was agreed that the Acting District Surveyor will bring back details for a refurbishment scheme, for minimal works and a creative colour scheme/theme.

- (iii) **Fire Certificate** - Fire Officer due to revisit.
- (iv) **Tennis Courts** – A Forester from the Department of Environment, Forestry and Agriculture has inspected the trees previously whilst carrying out other inspections in the Park, and noted that two of the trees adjacent the court are diseased and in poor condition.

The Acting District Surveyor was requested to arrange a tour of Onchan Park with a visit to Tenant's premises.

2. Older Peoples Housing Needs for the Future

Correspondence received 12th July 2018 from the Director of Infrastructure, Department of Health and Social Care regarding Older People's Housing Needs for the future. Invite to a meeting of the Board to be held at 6.15 p.m. on 3rd September 2018.

3. 10 Elm Tree Road (Beech House) – Tenancy

To be considered In Committee.

4. Nivison Stadium - Lease/Licence

To be considered In Committee.

5. 23 and 23a Main Road – Disposal

To be considered In Committee.

6. Heywood Park – Window Refurbishment

To be considered In Committee.

7. Beech House - Window Refurbishment

To be considered In Committee.

8. Draft Adaptations Policy

To be considered In Committee.

C18/07/02/15

CHAIRMAN'S ANNOUNCEMENTS

1. Attendances

The Chairman had attended the following:-

- Heritage Service, Abbeylands Chapel – Friends of Onchan's Heritage
- Onchan Village Fair, Onchan Park.

2. Dates for the Diary

Date	Organisation	Event	Time
25 th July 2018	Department of Infrastructure	Eastern regional update on housing	7.00 p.m.
4 th August 2018	Commissioners Surgery	Onchan Hub – Anthony Allen	11.00 a.m.
7 th August 2018	Commissioners Surgery	Heywood Court – Miss Williams and Mr Crellin	2.30 p.m.

13 th August 2018	Onchan District Commissioners	Board Meeting	7.00 p.m.
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C18/07/02/16
ANY OTHER BUSINESS

1. Governors Road – Hedge Cutting

Members requested that a letter be issued to the Department of Infrastructure.

The meeting moved to In Committee proceedings at 9.00 p.m.

C18/07/02/17
MINUTES

1. Staff minutes of extra-ordinary meeting held 27th June 2018

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

The staff minutes of the extra-ordinary meeting held on Wednesday 27th June 2018, copies of which having previously been circulated, were considered.

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

C18/07/02/17
MATTERS ARISING

1. Chief Executive/Clerk Recruitment

See Staff Minute Book.

2. Authorised Signatories

See Staff Minute Book.

C18/07/02/18
PROPERTIES AND AMENITIES MATTERS

Members agreed to bring the following matter forward in the agenda.

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

1. Nivison Stadium – Lease/Licence

(i) Licence – Onchan AFC

After discussion, the Board had considered the request of Onchan AFC, and agreed that no refund shall be given.

(ii) Lease/Licence Renewal

Members agreed that contact should be made with Onchan Raceway and Onchan AFC to enquire if they wish to continue with the renewal of the lease under the same terms and conditions as the existing lease. The Board will consider the renewal at the next meeting of the Board.

Mr Macfarlane left the meeting at 21:25 p.m.

The Vice-Chairman took the Chair.

C18/07/02/19
PROPERTIES AND AMENITIES MATTERS

1. Rent Report

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

The rent report dated 17th July 2018, having previously been circulated, was considered and noted. The Finance Manager advised that there are a number of debtors who ^[amended by ODC 13/08/18] have put payment plans in place.

Member queried the 5 year fixed term tenancy procedure for removing people from their tenancy.

2. Internal Audit Report

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

The Internal Audit Review carried out by Alexander Elliott for the 2017/18 municipal year, having previously been circulated was considered.

The Finance Manager offered to answer any questions that Members may have.

Members were asked to submit questions to the Chairman and Vice-Chairman who were to meet with the Internal Auditors and Members' concerns would be raised. ^[amended by ODC 13/08/18]

C18/07/02/20
CORRESPONDENCE ETC

1. Manx Blind Welfare – Blind Driving

Mr Cherry declared an interest.

It was proposed by Mr Crellin, seconded by Mr Quirk, and unanimously **RESOLVED that the Manx Blind Welfare Society be granted permission to use Nivison Stadium on Sunday 16th September 2018 provided they are fully compliant with the risk assessment provided by Event Management Solution and the appropriate insurance is in place.**

C18/07/02/19
ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS

1. Miscellaneous Waste Charges

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

The report of the Acting District Surveyor, 17th July 2018, having previously been circulated was considered.

It was proposed by Mr Crellin, seconded by Mr Cherry, and **RESOLVED that the waste collection charges remain as the status quo to April 2019.**

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

C18/07/02/20**PROPERTIES AND AMENITIES MATTERS****1. 10 Elm Tree Road (Beech House) – Tenancy**

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

After discussion, it was proposed by Mr Turton, seconded by Mr Cherry, and unanimously **RESOLVED** that the tenancy of 10 Elm Tree Road be offered to Mr M. Moore on a three year lease, with an increase per annum of 5% or rate of inflation, whichever is the greater.

2. 23 and 23a Main Road – Disposal

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

It was proposed by Mr Turton, seconded by Mr Cherry, and unanimously **RESOLVED** that permission is sought from the Department of Infrastructure under Section 63 of the Housing Act 1955 (Sale of Houses by Local Authority):-

- That the properties known as 23 and 23a Main Road be sold on the open market;
- Permission for 23 and 23a Main Road to be removed from the rental roll and back date the costs associated to the void commencement date;
- That as a result of a sale the monies be reinvested into the housing maintenance reserve fund.

4. Heywood Park – Window Refurbishment

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

It was proposed by Mr Cherry, seconded by Mr Turton and unanimously **RESOLVED** that Courtyard Windows and Glazing Ltd be awarded the contract for Heywood park – Window Refurbishment.

C18/07/02/21**SUSPENSION OF STANDING ORDERS**

It was proposed by Mr Cherry, seconded by Mr Turton, and unanimously **RESOLVED** that Standing Orders be suspended to conclude business on the agenda, to no later than 10.15 p.m.

C18/07/02/22**PROPERTIES AND AMENITIES MATTERS continued****1. Beech House – Window Refurbishment**

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

It was proposed by Mr Cherry, seconded by Mr Crellin and unanimously **RESOLVED** that Courtyard Windows and Glazing Ltd be awarded the contract for Heywood park – Window Refurbishment.

2. Draft Adaptations Policy

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

Report of the Senior Administrator with the proposed draft Adaptations Policy from the Department of Infrastructure dated 4th July 2018, having previously been circulated was considered. *Noted.*

The Acting District Surveyor made an observation that if someone is not applicable for funding and pays for the work privately, who would adopt the maintenance responsibility.

C18/07/02/23

ANY OTHER BUSINESS

1. Housing Maintenance – Voids

The Lead Member for Finance and General Purposes advised the Board that the maintenance budget is overspent. The property maintenance team should be informed that no major refurbishments are going to be undertaken.

The Finance Manager informed Members that the sale of 23 and 23a Main Road will go towards eliminating the amount overspent on the maintenance budget. The situation was worsened due to the amalgamation of the Sheltered Housing and General Housing budgets. In hind sight, loans should have been used for some of the work undertaken.

The Lead Member for Finance and General Purposes stated that the drift cannot continue. Repairs and maintenance needed to cease which were not essential.

A Member referred to Board Policy regarding the spending limits on voids and the requirement to get approval from the Lead Member for Properties and Amenities. The Vice-Chairman requested that the policy be recirculated.

In answer to question, the Senior Administrator advised that a holding response had been issued by the Advocates to the Department of Infrastructure, advising that the Acting Chief Executive was on sick leave.

The Lead Member for Environment and Technical Services requested the Finance Manager and Senior Administrator to take the matter of the deficiencies forward.

2. Onchan Hub

The Vice-Chairman advised that the plaque which had been unveiled by His Excellency the Lieutenant Governor had been replaced due to inaccuracies.

There being no further business, the meeting closed at 10.20 p.m.