

Minutes of the Ordinary Meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 25th November 2019 at 7:00 pm

Present: Mr R Turton (Chairman)
 Miss K Williams (Vice-Chair and Lead Member for Housing)
 Mr D Crellin (Lead Member for Environmental and Technical Services)
 Mr M Macfarlane (Lead Member for Finance and General Purposes)
 Mr A Allen
 Mr C Quirk

In Attendance: Mrs L Radcliffe (Chief Executive/Clerk)
 Mrs S Johnson (Finance Manager)
 Mr R Phillips (District Surveyor)
 Mrs A Gale (Senior Administrator)
 Ms A Crellin (Executive Officer/Assistant)

C19/11/02/01

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

Not necessary.

C19/11/02/02

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

None.

C19/11/02/03

MINUTES

1. Ordinary meeting held on Monday 11th November 2019

The minutes of the Ordinary Meeting held on Monday 11th November 2019, copies of which having previously been circulated, were considered.

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

The Lead Member for Finance and General Purpose asked the Chairman for permission in accordance with Standing Order 67, to ask a question and give context around an event which took place between the termination of the previous meeting and commencement of this meeting regarding the way voting took place in respect of the appointment of a Lead Member for Housing.

The Chairman authorised the Lead Member to proceed and confirmed that the statement would be included in the minutes.

The Lead Member at the conclusion of the Board meeting of the 11th November 2019 was, accosted by a Member whom proceeded to make inappropriate statements without question about the direction of the Lead Members vote.

The behaviour of the Member in a public place, in front of others was, in his opinion inappropriate and an attempt to intimidate.

The Lead Member commented that one statement that greatly concerned them was that they “did not vote in the best interests of the ratepayer” the statement was considered disrespectful towards the appointed Lead Member, the ratepayers and felt it was a clear attempt to influence their democratic right to vote.

The Lead Member requested to the Chairman, that if another Member has an issue to bring it to the Board and not to conduct business outside by accosting Committee Members.

The Lead Member progressed by asking, given the nature of their Lead Member role, they are concerned that the comment of “not voting in the best interests of the ratepayer” and requested that if there is any concern from other Members? If so, they were asked to bring a motion of no confidence.

The Chairman acknowledged the statement and paused for Members responses.

A Member requested for the Chairman to clarify that it is not a regular occurrence. The Chairman commented that to his knowledge this is not a regular occurrence. The Chairman stated that Members should seriously consider their comments outside of the meeting before coming forward with such statements. The Chairman further commented that he hoped that this would be the last time that this matter is brought up and reminded Members to be respectful and treat others with courtesy at all times.

The Lead Member stated to the Chairman that this is about one Member and that they have not been treated like this by any of the other Members

The Lead Member went on to say that they are a proud member of the board, who grew up in Onchan, and to suggest they would vote against ratepayers' interests was ridiculous. The Lead Member said they care passionately about this community and always act in the best interest of the ratepayer and will not be intimidated or afraid to call out such behaviour.

A Member added that all members will vote in the best interest of the Public in the interest of the ratepayers.

C19/11/02/04

BUSINESS ARISING NOT REFERRED TO IN THE MINUTES

1. Bus Shelter

A Member asked for an update in relation to the Bus Shelter.

The Chief Executive/Clerk confirmed that a letter had been sent to the Minister for the Department of Infrastructure which had been acknowledged.

2. Planning Communication – 10 Birchley Terrace

The Property Manager had provided the Members with the documentation in relation to the above planning communication.

A vote was taken and it was decided the Authority would not take the Planning Communication.

A Member commented that a Member had declared an interest in relation to the Planning Communication on two occasions but the Member had voted. A Member further commented that it was inappropriate that the Member had voted on this occasion.

The Chairman commented that when a Member declares an interest it is from the time the matter is brought to the Board until the matter has concluded and all Members must abide by this. It is the Members responsibility to avoid the subject and not vote, declaration of interest remains until closure.

3. Onchan Flooding Issues

A Member asked for an update. The Chief Executive/Clerk confirmed that the District Surveyor was requesting dates from the Manx Utilities Authority and also the Department of Infrastructure.

C19/11/02/05

BUSINESS ARISING NOT REFERRED TO IN THE MINUTES CONTINUED

None.

C19/11/02/06

BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C19/11/02/07

BUSINESS ADJOURNED FROM A PREVIOUS MEETING

None.

C19/11/02/08

PLANNING DECISIONS/COMMUNICATIONS FROM THE DEPARTMENT OF INFRASTRUCTURE
PLANNING COMMITTEE

1. Plans to the Board

The following plans were considered by the Board.

(i) PA 19/01171 Mr D Litton – 57 Howe Road

Members were advised that the planning application was for a single storey extension.

In answer to questions, the District Surveyor advised that:-

- No comments had been received;
- The cut-off date to the application is the 29th November 2019; and
- 58, 59, 63 & 65 Howe Road had been notified.

After Members consideration, it was proposed by Mr Crellin and seconded by Mr Macfarlane and **RESOLVED that PA19/01171 - 57 Howe Road be recommended for refusal on the grounds of visual impact due to the nature of the design.**

For: Mr Turton, Miss Williams, Mr Quirk, Mr Macfarlane and Mr Crellin

Against: Mr Allen

- (ii) **PA 19/01203** **Manx Blind Welfare Society – Corrin Court, Heywood Avenue**
- Members were advised that the planning application was for removal of condition 2 of PA 18/00776/B, creation of an exercise area and memorial gardens with associated landscaping, structures and parking, regarding new car park and its retention.
- In answer to questions, the District Surveyor advised that:-
- The previous application had received one comment;
The cut-off date to the application is the 6th December 2019.
- It was proposed by Mr Crellin and seconded by Mr Allen and unanimously **RESOLVED that PA/01203 – Manx Blind Welfare Society – Corrin Court, Heywood Avenue be recommended for approval subject only if planning condition in relation to operating times and days are stipulated.**
- (ii) **PA 19/01214** **Mr R Callister – Waters Edge Cottage, Abbeylands**
- Members were advised that the planning application was alterations, removal of conservatory and installation of extension.
- In answer to questions, the District Surveyor advised that:-
- No comment had been received; and
The cut-off date to the application is 6th December 2019.
- It was proposed by Mr Crellin and seconded by Mr Allen and unanimously **RESOLVED that PA 19/01214 – Waters Edge Cottage, be recommended for approval and Riverside Cottage be notified.**
- (iii) **PA 1/01224** **Mrs J Allen – 123 King Edward Road**
- Members were advised that the planning application was for alterations and erection of a detached garage.
- In answer to questions, the District Surveyor advised that:-
- No comment had been received; and
The cut-off date to the application is 13th December 2019.
- It was proposed by Mr Crellin and seconded by Mr Quirk, and unanimously **RESOLVED that PA 19/01224 – 123 King Edward Road be recommended for refusal on the grounds of density and visual appearance and 121 & 125 King Edward Road be notified.**

2. Planning Communications

None.

C19/11/02/09

FINANCE AND GENERAL PURPOSES

1. **33 Main Road**

To be considered In Committee.

C19/11/02/10

REPORT FROM THE CLERK OR OTHER OFFICER

1. **Register of Members Interest Rules**

The Register of Members Interest Rules having previously been circulated was considered.

A Member asked if they have any queries can a Member speak to the Chief Executive/Clerk separately. The Chief Executive/Clerk confirmed that each Member could.

After a discussion, it was proposed by Mr Crellin and seconded by Mr Quirk and unanimously **RESOLVED that the Register of Member Interest Rules be approved and adopted.**

2. **Maternity Leave Policy & Procedure**

The Maternity Leave Policy and Procedure having previously been circulated was considered.

The Chief Executive/Clerk confirmed that this is a new policy and that it will be sent to the Unions for ratification.

After a discussion, it was proposed by Mr Macfarlane and seconded by Mr Allen and unanimously **RESOLVED that the Maternity Leave Policy & Procedure be approved and adopted.**

3 **Paternity Leave Policy & Procedure**

The Paternity Leave Policy and Procedure having previously been circulated was considered.

The Chief Executive/Clerk confirmed that the Policy states clearly the eligibility for Paternity Leave and that the Policy also includes Adoption leave.

After a discussion, it was proposed by Mr Allen and seconded by Mr Quirk and unanimously **RESOLVED that the Paternity Leave Policy & Procedure be approved and adopted.**

4. **Onchan District Byelaws 2017**

To be considered In Committee.

5. **Onchan Park – Installation of Water Feature and Aerator**

To be considered In Committee.

6. **Onchan Park – Statistics**

To be considered In Committee.

7. **Staffing Matter**

Deferred to the end of the Meeting.

C19/11/02/11

LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS

1. Isle of Man Government – Registration of Electors Bill 2020

A copy of the Registration of Electors Bill 2020 Elections (Keys and Local Authorities) Bill 2020 received from the Cabinet Office on the 14th November 2019, having previously been circulated was noted.

The Chief Executive/Clerk confirmed that the consultation is open until January and she is happy to provide collective or individual feedback. It was agreed that Members would provide any comments to the Chief Executive/Clerk by the 5th December 2019 and it would be discussed at the next Board Meeting.

2. Isle of Man Government – Draft Onchan 15 year Road Map

A copy of the (Draft) Onchan 15 year Road Map 2018 to 2033 received from the Department of Infrastructure having previously been circulated was considered.

The Lead Member for Environmental and Technical Services suggested that a meeting needs to be held for Members to review the draft Onchan 15 year Road Map. The Chairman confirmed that he agreed with the Lead Member for Environmental and Technical Services.

After a discussion, it was agreed that a Meeting be held on Monday 2nd December 2019 at 11:30 am in the board Room and that the Chief Executive/Clerk and District Surveyor would also attend.

3. Tynwald Commissioner for Administration

A copy of the e-mail dated 7th November 2019 received from the Council of Ministers attaching the Tynwald Commissioner for Administration Act 2011 (Appointed Day) (No 2) Order having previously been circulated was noted.

The Chief Executive/Clerk confirmed that the appointment comes into effect from the 1st July 2020.

4. Department of Infrastructure – Domestic & General Waste Gate Fee

A copy of the letter dated 8th November 2019 received from the Department of Infrastructure in relation to the Domestic and General Waste gate fees from the 1st April 2019 having previously been circulated was considered.

The Chief Executive/Clerk confirmed that the increase in Domestic & General Waste Gate fee comes into effect from the 1st April 2020. It was noted that this would be discussed at the next rate meeting.

The Chairman requested that Members make members of the Public aware that this is a decision of the Isle of Man Government and not a decision of the Authority.

5. Isle of Man Federation of Women's Institutes

An invitation received from the Isle of Man Federation of Women's Institutes inviting the Chairman to attend their celebration of Christmas to be held on Saturday 7th December 2019 at 2:00 pm at Christ Church, Laxey having previously been circulated.

The Chairman confirmed that he will be attending.

C19/11/02/12
QUESTIONS

None.

C19/11/02/13
MOTIONS**1. Commissioner A Allen – Variation and Revocation of Standing Orders**

After a discussion, it was proposed by Mr Allen ^[ODC 09/12/19] and seconded by Mr Quirk ^[ODC09/12/19] and unanimously **RESOLVED** that **Motion number 60 be moved to the next meeting of the Board to be held on the 9th December 2019.**

C19/11/02/14
ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS**1. Eastern Civic Amenity Site**

To be considered In Committee.

C19/11/02/15
HOUSING MATTERS**1. Housing Allocation and Housing Transfer Policy**

To be considered In Committee.

2. Housing Allocation – Ref: 13/07

To be considered In Committee.

3. Housing Allocation – Ref: E3/16

To be considered In Committee.

4. Housing Allocation – Ref: 01/42

To be considered In Committee.

C19/11/02/16
CHAIRMAN'S ANNOUNCEMENTS**1. Attendances****Chairman's Attendances**

(a) The Chairman confirmed to the Board that he had attended the following:-

Manx Scouts World Scout Jamboree Presentation on Friday 22nd November 2019.

Dates for the Diary

Date	Organisation	Event	Time
1 st December 2019	Royal Artillery Association	St Barbara's Day Service	11.00 a.m.
3 rd December 2019	Onchan Primary School	Christmas Fair	5:30 pm to 7:30 pm

3 rd December 2019	Onchan District Commissioners	Commissioners Surgery – Heywood Court	2.30 pm
5 th December 2019	St Peter's Church	Roc Vannin Choir Rocks Christmas	7:30 pm
7 th December 2019	Onchan District Commissioners	Commissioners Surgery – The Harvey Briggs Onchan Library – Mr Crellin and Mr Quirk	11.00 am – 1.00 pm
7 th December 2019	Isle of Man Federation of Women's Institutes	Celebration of Christmas	2:00 pm
9 th December 2019	Onchan District Commissioners	Board Meeting	7:00 pm
12 th December 2019	President of Tynwald	Carol Service – St Mary's Church	1:10pm
13 th December 2019	Onchan District Commissioners	Torchlight Procession and Christmas Market	6:40 pm – 9:00 pm
18 th December 2019	Onchan Methodist Church	Carol Service	7.30 pm

C19/11/02/17
ANY OTHER BUSINESS

The Public session of the Meeting ended at 20:00pm

C19/09/02/18
MINUTES

1. **Staffing Minutes held at the Ordinary Meeting of 11th November 2019**

See Staff Minute Book.

C19/11/02/19
FINANCE AND GENERAL PURPOSES

1. **33 Main Road**

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

The Chief Executive/Clerk reported to the meeting that correspondence had been received in relation to the renewal of the lease for the above mentioned property.

It was agreed that the Chief Executive/Clerk would arrange a meeting with the tenant to discuss their tenancy agreement.

C19/11/02/20
CONSIDERATION OF ANY RELEVANT CORRESPONDENCE:

1. **Onchan District Byelaws 2017**

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

The Report of the Chief Executive/Clerk dated 8th November 2019, having previously been circulated was considered.

The Chief Executive/Clerk commented that the purpose of the report was to consider appointing the two new Property Maintenance Officers as Authorise Officers of the Authority for the enforcement of the Onchan District Byelaws 2017.

After a discussion, it was proposed by Mr Macfarlane and seconded by Mr Quirk and unanimously **RESOLVED that the two new Property Maintenance Officers be appointed as Authorised Officers of the Authority in relation to the enforcement of the Onchan District Byelaws 2019, and the Operations Manager be removed as an Authorised Officer of the Authority.**

2. Onchan Park Installation of Water Feature and Aerator

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

The Report of the Property Maintenance Officer dated 19th November 2019, having previously been circulated was considered.

The Chairman asked Members to provide their comments to the District Surveyor.

After a discussion, it was proposed by Mr Turton and seconded by Mr Quirk and **RESOLVED that a water feature and aerator^[ODC 09/12/19] be installed in Onchan Park and that the District Surveyor review the comments received from Members.**

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

3. Onchan Park Statistics

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

The Report of the Finance Manager dated 20th November 2019, having previously been circulated was considered.

The Finance Manager confirmed that the information provided is based on the start of the Summer season and that if Members had any queries a further paper will be brought back to the Board at the beginning of next year.

A Member thanked the Officers who had been involved with the preparation of the Report.

C19/11/02/21

ENVIRONMENTAL AND TECHNICAL SERVICES

1. Eastern Civic Amenity Site

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

The Lead Member for Environmental and Technical Services provided the Board with an update of the Meeting held on the 16th November 2019. The Board were advised that there is another meeting to be held on the 28th November 2019.

It was agreed that the further information is required and that it would be brought back to the next Board Meeting.

C19/11/02/22

HOUSING MATTERS

1. Housing Allocation and Housing Transfer Policy

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

The Report of the Senior Administrator dated 16th November 2019 having previously been circulated was considered.

The Chief Executive/Clerk confirmed that the policy in place is the policy of the Department of Infrastructure and that it had been approved by Tynwald.

A Member thanked the Senior Administrator for the documents. The Chief Executive/Clerk confirmed that the Policy is available on Onchan District Commissioners website.

2. Housing Allocation – Ref: 13/07

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

The Report of the Housing Officer dated 19th November 2019 having previously been circulated was considered.

After a discussion, it was proposed by Miss Williams and seconded by Mr Quirk and unanimously **RESOLVED that HA3959 be allocated 13/07.**

3. Housing Allocation – Ref: E3/16

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

The Report of the Senior Administrator having previously been circulated was considered.

After a discussion, it was proposed by Miss Williams and seconded by Mr Macfarlane and **RESOLVED that SHA 424 be allocated E3/16.**

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

C19/11/02/23
SUPENSION OF STANDING ORDERS

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

On the proposal of Mr Turton and seconded by Mr Macfarlane it was **RESOLVED to suspend Standing Orders to allow completion of business till 10:15 pm.**

For: Mr Turton, Miss Williams, Mr Allen, Mr Crellin and Mr Macfarlane
Against: Mr Quirk
[ODC 09/12/19]

4. Housing Allocation – Ref: 01/42

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

The Report of the Senior Administrator dated 20th November 2019, having previously been circulated was considered.

After a discussion, it was proposed by Ms Williams and seconded by Mr Quirk and unanimously **RESOLVED that TG467 be offered the tenancy for 01/42.**

There being no further business the meeting ended at 22:15 pm