

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 26<sup>th</sup> November 2018 at 7.00 p.m.

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

**In Attendance:** Mrs L. Radcliffe (Chief Executive/Clerk)  
Mr T.R. Craig (Deputy Clerk)  
Mrs S. Johnson (Finance Manager)  
Ms A.S. Dentith (Senior Administrator)

**Apologies:** Mr R. Phillips (Acting District Surveyor)

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**C18/11/02/01**

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

Not necessary.

**C18/11/02/02**

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

None.

**C18/11/02/03**

**MINUTES**

**1. Ordinary meeting held on Monday 12<sup>th</sup> November 2018**

The minutes of the ordinary meeting held on Monday 12<sup>th</sup> November 2018, copies of which having previously been circulated, were considered.

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

**2. Staff Minutes of Ordinary meeting held on Monday 12<sup>th</sup> November 2018**

To be considered In Committee.

**3. Staff Minutes of Extra-Ordinary meeting held on Monday 19<sup>th</sup> November 2018**

To be considered In Committee.

**C18/11/02/04**

**BUSINESS ARISING NOT REFERRED TO IN THE MINUTES**

**1. Nuisance Abatement Notice**

In answer to question, the Deputy Clerk advised Members that the matter will be heard before the High Bailiff for a Directions Hearing on 14<sup>th</sup> December 2018.

**C18/11/02/05**  
**BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE**

None.

**C18/11/02/06**  
**BUSINESS ADJOURNED FROM A PREVIOUS MEETING**

None.

**C18/11/02/07**  
**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 18/01134 Ms V Laslett, 29 The Park

Members were advised that the planning application was for the widening of existing vehicular access and extension to the rear.

No comments received.

It was proposed by Mr Crellin, seconded by Mr Cherry and unanimously **RESOLVED that PA 18/01134 – 29 The Park be recommended for approval.**

**2. Planning Communications**

None.

**C18/11/02/08**  
**FINANCE AND GENERAL PURPOSES**

**1. Chief Executive/Clerk Appointment**

Correspondence received dated 5<sup>th</sup> November 2018, from the Department of Infrastructure, confirming the appointment of Mrs Linda Radcliffe as Chief Executive/Clerk to Onchan District Commissioners. *Noted.*

**2. Authorised Bank Signatories**

To be considered In Committee.

**C18/11/02/09**  
**REPORT FROM THE CLERK OR OTHER OFFICER**

**1. Board Meeting Dates 2019**

Report of the Senior Administrator, dated 20<sup>th</sup> November 2018, having previously been circulated was considered.

**C18/11/02/10****SUSPENSION OF STANDING ORDERS**

It was proposed by Mr Cherry, seconded by Mr Quirk, and **RESOLVED** that **Standing Orders be suspended to allow the date of the Annual General Meeting of Onchan District Commissioners to be considered.**

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

**C18/11/02/11****REPORT FROM THE CLERK OR OTHER OFFICER continued****1. Board Meeting Dates 2019**

It was proposed by Mr Allen, seconded by Mr Cherry, and **RESOLVED** that **the Annual General Meeting of Onchan District Commissioners would be held on Tuesday 1<sup>st</sup> May 2019, with the Board meeting to be held on 7<sup>th</sup> May 2018.**

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

**2. Christmas Refuse Collection Dates**

The Christmas Refuse Collection Notice, having previously been circulated, was considered. It was noted that the Village Walk Bring Bank was listed and this was no longer insitu. Unfortunately it was too late for a correction to the notice as they had been printed. However, the details on line would ensure that the recycling listing would be removed.

**3. Department of Infrastructure – Future Ideas**

Report of the Deputy Clerk, dated 21<sup>st</sup> November 2018, regarding the meeting held with the Department of Infrastructure (Highways Division) on 14<sup>th</sup> November 2018, having previously been circulated was considered.

The Deputy Clerk advised Members that this was a meeting upon which the Department of Infrastructure wished to focus on future planning for the District.

The Chief Executive informed Members that the Department wished to work with the Authority to plan a 15 year road map, which will cover the infrastructure, e.g. signage, traffic management, pedestrian areas, etc.. Members were requested not to consider the operational side but the strategic matters that may cover the future infrastructure for the District. Members agreed that the example shown at the meeting be circulated to Members. The Department are interested in receiving ideas from the Authority, and asked that if Members had any ideas to submit these via the Chief Executive.

Members advised that during the meeting topics were mentioned and no confirmation had been given, e.g.:-

- Proposal of a by-pass;
- Whether a new school would be built;
- Whether the factory will remain in its current location;
- New build;

All of these matters, had a significant effect on the future infrastructure of the areas affected.

A Member felt that agreeing to investigate Kaighen's Lane was a platitude, when so many areas within the District required more urgent attention. How could a 15 year plan be programmed and discussed, when the Department cannot reveal the development plans for Onchan.

A Member referred to the suggestion of cycle lanes through the Village, this would be difficult on the current width of the roads and expressed concern on road safety.

A Member commented that consideration should be given to the large size of the roundabout at Governors Bridge, where if it was made smaller, two lanes could be put in place to ease the congestion. Overgrown vegetation on the carriageways which reduces the road widths. It was felt that a Traffic Engineer should survey the Governor's bridge area, e.g. there a wall which juts out and causes problems with visibility from the Victoria Road exit.

Taking into account the discussion, the Chief Executive stated that contact would be made with the to advise that the Authority would like to work with the Department of Infrastructure on an initial five year plan.

#### 4. **Staffing Matter**

To be considered In Committee.

**C18/11/02/12**

### **LETTERS, PETITIONS, MEMORIALS AND OTHER COMMUNICATIONS**

#### 1. **Public Sector Housing and Access Eligibility Criteria**

Correspondence received dated 5<sup>th</sup> November 2018 advising that the Tynwald approval for the amendments to Public Sector Housing Access and Eligibility Criteria will be delayed until early 2019. *Noted.*

#### 2. **Hedge Cutting and Verge Management**

Correspondence received dated 6<sup>th</sup> November 2018 regarding hedge cutting and verge management. Matter to be held over to the next meeting of the Board.

#### 3. **Non-Police Convictions**

Correspondence received dated 15<sup>th</sup> November 2018 from the Information Governance Manager at the IOM Constabulary advising that steps are being taken to ensure it is compliant with Data Protection Legislation and considers that it cannot act as the holder of convictions that it has no legal basis to hold. These refer to:-

- Television licence offences;
- Commissioners offences (unpaid Fixed Penalty Notices which result in prosecution)
- Byelaw offences
- Treasury offences
- Cabinet office – census offences
- Fisheries offences – only non-recordable.

Chief Executive/Clerk advised that the process would be checked during work being undertaken for the GDPR compliance.

#### 4. **Celebration of Christmas**

Invitation received from the IOM Federation of Women's Institutes to a celebration of Christmas on Saturday 1<sup>st</sup> December 2018 at 2.00 p.m. Chairman gave apologies.

#### 5. **Tynwald Carol Service**

Invitation received from the President of Tynwald to the Tynwald Christmas Carol Service on Thursday 13<sup>th</sup> December 2018 at 1.30 p.m. *Noted.*

**C18/11/02/13**  
**QUESTIONS**

None.

**C18/11/02/14**  
**MOTIONS**

None.

**C18/11/02/15**  
**ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS**

None.

**C18/11/02/16**  
**PROPERTIES AND AMENITIES MATTERS**

1. **Housing Allocation – 09/51**  
To be considered In Committee.
2. **Tenancy Transfer – 13/13**  
To be considered In Committee.
3. **Repossession Enforcement**  
To be considered In Committee.
4. **Housing Allocations – Elderly Persons Complex**  
To be considered In Committee.
5. **Commercial Property – Disability Discrimination Act**  
To be considered In Committee.
6. **Sheltered Housing Application – Appeal**  
To be considered In Committee.

**C18/11/02/17**  
**CHAIRMAN'S ANNOUNCEMENTS**

1. **Douglas Borough Council**  
On behalf of the Board of Commissioners, the Chairman expressed thanks to the Worshipful the Mayor of Douglas and Councillors for an enjoyable reception held on Friday 23<sup>rd</sup> November 2018.
2. **Christmas Market and Torchlight Procession**  
The Christmas Market and Torchlight Procession will take place on Friday 7<sup>th</sup> December 2018, and volunteers were requested to assist with the road closure.  
6.40 p.m. Carols in the Park  
7.00 p.m. Torchlight Procession from Onchan Park to The Hub.

Miss Williams and Mr Turton extended their apologies as they will be unable to attend.

**3. Dates for the Diary**

Date	Organisation	Event	Time
1 <sup>st</sup> December 2018	Commissioners' Surgery Mr Allen and Mr Quirk will be in attendance.	Onchan Hub	11.00 a.m.
2 <sup>nd</sup> December 2018	Royal Artillery Association	St Barbaras Day Service	11.00 a.m.
7 <sup>th</sup> December 2018	Onchan District Commissioners	Torchlight Procession & Christmas Market	7.00 p.m.
7 <sup>th</sup> December 2018	Port St Mary Commissioners	Celebration of Christmas	7.30 p.m.
10 <sup>th</sup> December 2018	Onchan District Commissioners	Board Meeting	7.00 p.m.
16 <sup>th</sup> December 2018	Onchan Silver Band	Christmas Concert	3.00 p.m.
18 <sup>th</sup> December	Manx Blind Welfare	Christmas Celebration	2.00 p.m.
19 <sup>th</sup> December	Onchan Methodist Church	Carol Service	7.30 p.m.

**C18/11/02/16**  
**ANY OTHER BUSINESS**

None.

**The public section of the meeting closed at 7.30 p.m.**

**C18/11/02/17**  
**MATTERS ARISING**

None.

**C18/11/02/18**  
**MINUTES**

**1. Staff Minutes of Ordinary meeting held on Monday 12<sup>th</sup> November 2018**

To be considered at the next meeting of the Board.

**2. Staff Minutes of Extra-Ordinary meeting held on Monday 19<sup>th</sup> November 2018**

To be considered at the next meeting of the Board.

**C18/11/02/19**  
**FINANCE AND GENERAL PURPOSE MATTERS**

**1. Authorised Bank Signatories**

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

Report of the Finance Manager dated 21<sup>st</sup> November 2018,m having previously been circulated was considered.

Discussion ensued with regard to the number of signatories required for each bank account. A Member stated that there should be no more than 4 signatories and is the same for all accounts.

The Chief Executive expressed concern regarding Clause 3.3.1 regarding the wording "...even if it causes an Account to be overdrawn or exceed any limit". The Finance Manager advised that this wording allows for accounts to be managed correctly. The Deputy Clerk advised that when you see capital borrowings on a statement they are shown as a debit and is an agreed borrowing. The resolution wording is supplied from the Bank.

It was agreed that the matter be referred to the next meeting of the Board, to give officers more time to consider the number of signatories.

### C18/11/02/20

#### CONSIDERATION OF ANY REPORT FROM THE CLERK OR OTHER OFFICER

##### 1. Staffing Matter

Deferred to the end of the meeting.

### C18/11/02/21

#### PROPERTIES AND AMENITIES MATTERS

##### 1. Housing Allocation – 09/51

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

The report of the Senior Administrator dated 20<sup>th</sup> November 2018, having previously been circulated was considered.

It was proposed by Mr Cherry, seconded by Miss Williams, and unanimously **RESOLVED that HA 3790 be allocated a five year fixed term tenancy on the property 09/51.**

##### 2. Transfer of Tenancy – 13/13

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

Report of the Senior Administrator dated 16<sup>th</sup> November 2018, having previously been circulated was considered. The Deputy Clerk gave a resumé of the current situation.

After discussion, it was proposed by Mr Cherry, seconded by Mr Turton, and **RESOLVED that a tenancy for the remaining time period of 3.5 years, be transferred to the remaining partner at 13/13.**

##### 3. Repossession Enforcement – 13/02

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

Report of the Deputy Clerk dated 15<sup>th</sup> November 2018 having previously been circulated was considered.

The Deputy Clerk gave a resumé of the time period and events which have led to the current repossession enforcement. Members expressed disappointment that the debt had got to this stage.

In answer to question, the Deputy Clerk advised that going to Court gives the Authority confirmation of the debt, any Court Order issues follows the debt around with the individual till it is cleared.

In answer to comment, the Finance Manager informed Members that the total rent debt for the authority equated to 1-2% of the rents receivable.

The Chief Executive suggested that a timeline of events which may explain, from a policy point of view, how to move forward.

It was proposed by Mr Cherry, seconded by Miss Williams, and **RESOLVED to approve the eviction of the tenant by the Coroner if the property is not vacated by the date detailed within the Court Order. Further, that the Board approval referral of the debt for judgement and execution if not paid within the six month period granted by the High Bailiff.**

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

Reference was made to anti-social behaviour at one of the Commissioners' properties and Members were asked to encourage residents to inform the Police of such incidents in order for the matter to be progressed.

**4. Housing Allocations – Elderly Persons Complex**

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

Report of the Senior Administrator dated 16<sup>th</sup> November 2018 having previously been circulated was considered.

After discussion, it was agreed that the sheltered housing applicant who has been identified for one of the properties be brought to the next meeting of the Board for allocation.

The sheltered housing appeal was also considered within this item on the agenda, which had been refused on the grounds of not meeting the age criteria by 2.5 years.

The Deputy Clerk advised that the eligibility criteria is being reviewed in the January sitting of Tynwald, which will include an exceptions ruling.

The matter of the appeal to be brought back to the next meeting for further consideration.

**5. Commercial Property – Disability Discrimination Act**

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

Report of the District Surveyor, dated 21<sup>st</sup> November 2018, having previously been circulated was considered.

Discussion ensued with regard to undertaking all the works required at Onchan Park under one capital scheme.

Members requested:-

- District Surveyor to meet with existing tenant for input;
- Consideration required for the size of lift;
- Consideration as to whether should be an external or internal lift; and
- Location of the lift.

A Member referred to the consultation document - "Future of Onchan Park", any works will need to take into account any future redevelopment programme of the site.

It was agreed that further consideration be deferred to officers, and an extra-ordinary meeting to be programmed once some thought has been put forward regarding design and concept of ideas.

Members requested that an appropriate response be issued to the Suttons.

**6. Sheltered Housing Application – Appeal**

The sheltered housing appeal was considered during Agenda Item C18/11/02/20(4).



**C18/11/02/22**

**ANY OTHER BUSINESS**

1. **Apologies**

Mr Turton gave apologies for the next meeting of the Board as he would be unable to attend.

2. **Rate and Budget Setting**

Members agreed that an extraordinary meeting would be held on Monday 14<sup>th</sup> January 2019 to consider the budget.

**C18/11/02/23**

**CONSIDERATION OF RELEVANT CORRESPONDENCE**

1. **Staffing Matter**

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

*The Chief Executive/Clerk was asked to remain in the meeting, and all other officers left the meeting at 21.00 p.m.*

See Staff Minute Book

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