

Minutes of the Ordinary Meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 30<sup>th</sup> November 2020 at 7:00 pm

**Present:**

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

**In Attendance:**

Mrs L Radcliffe	(Chief Executive/Clerk)
Mr R Phillips	(District Surveyor)
Mrs S Johnson	(Finance Manager)
Miss A Crellin	(Executive Officer/Assistant)

**C20/11/03/01**

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

Not necessary.

**C20/11/03/02**

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

Not necessary.

**C20/11/03/03**

**MINUTES**

**1. Ordinary meeting held on Monday 16<sup>th</sup> November 2020**

The minutes of the Ordinary Meeting held on Monday 16<sup>th</sup> November 2020, copies of which having previously been circulated, were considered.

Amendments:-

Page 12 under Any other Business include:-

**22 Third Avenue**

A Member advised the Board that the above mentioned property is in a dilapidated state and asked if there is anything that can be done. The District Surveyor confirmed that the matter is in hand. <sup>[ODC 30/11/2020]</sup>

Subject to the above amendments it was proposed by Mr C Quirk and Mr Macfarlane seconded by and unanimously **RESOLVED** that the minutes be agreed as a correct record of the proceedings and be signed by the Chairman.

**C20/11/03/04**

**BUSINESS ARISING FROM SUCH MINUTES IF NOT REFERRED TO IN THE MINUTES**

None.

C20/11/03/05BUSINESS ARISING NOT REFERRED TO IN THE MINUTES

None.

C20/11/03/06BUSINESS ARISING NOT REFERRED TO IN THE MINUTES CONTINUED

None.

C20/11/03/07BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C20/11/03/08BUSINESS ADJOURNED FROM A PREVIOUS MEETING

None.

C20/11/03/09PLANNING 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 20/01186 Mr G A Heaton – 80 Royal Avenue**

Members were advised that the application is for the installation of a flue

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

- No comments had been received;
- The return date for the application is 20<sup>th</sup> November 2020; and
- Neighbouring properties have been notified.

After Members consideration, it was proposed by Mr C Quirk and seconded by Mr Allen and unanimously **RESOLVED that PA 20/01186 – 80 Royal Avenue be recommended for approval.**

(ii) **PA 20/01240 Mr & Mrs J Christian - 11 Fairfield Avenue**

Members were advised that the application is for the erection of an extension and rear dormer.

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

- No comments had been received;
- The return date for the application is the 4<sup>th</sup> December 2020; and
- Neighbouring properties have been notified.

After Members consideration, it was proposed by Mr C Quirk and seconded by Mr Allen and unanimously **RESOLVED that PA 20/01240 – 11 Fairfield Avenue be recommended approval.**

(iii) PA20/01265 Mr L Holmes - 9 Sea View Road

Members were advised that the application is for the removal of the existing conservatory and for the installation of patio doors and a patio area.

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

- No comments had been received; and
- The return date for the application is 4<sup>th</sup> December 2020.

After a discussion, it was proposed by Mr C Quirk and seconded by Mr Macfarlane and unanimously **RESOLVED that PA 20/01265 – 9 Seaview Road be recommended for approval.**

(v) PA 20/01204 Mr & Mrs S Skillicorn - Plot North of 'Turnberry', Alberta Drive

Members were advised that the application is for the erection of a detached dwelling with a driveway and alterations to vehicle access.

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

- No comments had been received; and
- The return date for the application is the 11<sup>th</sup> December 2020.

After a discussion, it was proposed by Mr C Quirk and seconded by Mr Allen and unanimously **RESOLVED PA 20/01204 – Plot North of "Turnberry", Alberta Drive be recommended for approval.**

***The District Surveyor declared an interest.***

(vi) PA 20/00884 Mr & Mrs G Horton – 56 Majestic View

Members were advised that the application is for extension of the existing first floor balcony and alterations to the first floor window.

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

- No comments had been received; and
- The return date for the application is the 11<sup>th</sup> December 2020.

It was agreed that **PA 20/00884 – 56 Majestic View be deferred to the next Board Meeting to allow time for comments to be received from the public.**

## 7.2 Planning Communications

### 1. PA 20/00446 – The Chapel, Nursery Avenue/Main Road

The District Surveyor advised the Board that the Authority had refused the above planning application on the grounds of insufficient parking. The District Surveyor further advised the Board that notice had been received from the Planning Department that they have approved the application. The District Surveyor asked the Board if they wish to appeal the decision.

After a discussion, it was agreed that the Board would only support an appeal of the decision if a Resident made an appeal against the planning decision.

### 2. PA 20/00141 – Winchester Court, Second Avenue

A copy of the letter received from the Planning Department dated 23<sup>rd</sup> November 2020 advising that the planning application had been withdrawn having previously been circulated was noted.

## C20/11/03/10

### FINANCE AND GENERAL PURPOSES

#### 1. House of Keys Question/Response

To be considered In Committee.

## C20/11/03/11

### REPORT FROM THE CLERK OR OTHER OFFICER

#### 1. 2021 Commissioners Surgery Dates

The Memo of the 2021 Commissioners Surgery dates, having previously been circulated was noted.

##### a) Commissioners Surgery – Springfield Court

It was noted that Mr Allen and Mr Crellin would be attending the Commissioners Surgery at Springfield Court on Tuesday 1<sup>st</sup> December 2020.

##### b) Commissioners Surgery – The Hub

It was noted that Mr Allen and Mr Crellin would be attending the Commissioners Surgery at The Hub on Saturday 5<sup>th</sup> December 2020.

##### c) Commissioners Surgery – The Hub

It was noted that Mr Macfarlane and Mr Allen would be attending the Commissioners Surgery at the Hub on Saturday 2<sup>nd</sup> January 2021.

#### 2. Public Consultation Mid-Rent Housing Options

The Report of the Housing Manager dated 17<sup>th</sup> November 2020, having previously been circulated was considered, noted and for submission.

3. **The National Federation of the Women's Institute (WI) – Lease**

To be considered In Committee.

4. **Bedding Plants Tender – Spring/Summer Season 2021-2023**

To be considered In Committee.

**20/11/03/12**

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

1. **Consultation on Business Oversight, Crab and Lobster Fishing, Food Hygiene Rating System and International Co-operation (Protection from Liability) Bill 2020**

A copy of the correspondence received from the Isle of Man Government in relation to the above mentioned consultation, having previously been circulated was noted.

**C20/11/03/12**

**QUESTIONS**

None.

**C20/11/03/13**

**MOTIONS**

None.

**C20/11/03/14**

**ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS**

1. **Land Sales**

To be considered In Committee.

2. **Onchan Park Update**

To be considered In Committee

3. **Eastern Civic Amenity Site – Update**

To be considered In Committee.

**C20/11/03/15**

**HOUSING MATTERS**

1. **Elderly Persons Housing – Tenancy Agreement**

To be considered In Committee.

**C20/11/03/16**

**CHAIRMAN'S ANNOUNCEMENTS**

1. **Attendances**

The Chairman advised the Board that he had attended the following:-

- The 2<sup>nd</sup> Onchan Scouts Group Annual General Meeting and Prize Presentation of Friday 20<sup>th</sup> November 2020; and
- The Isle of Man Municipal Association Annual Dinner of Thursday 27<sup>th</sup> November 2020

## 2. Dates for the Diary

Date	Organisation	Event	Time
30 <sup>th</sup> November 2020	Onchan District Commissioners	Board Meeting	7:00 pm
1 <sup>st</sup> December 2020	Onchan District Commissioners	Commissioners Surgery – Springfield Court (Mr Allen & Mr Crellin)	2:30 pm to 3:30 pm
2 <sup>nd</sup> December 2020	Onchan District Commissioners	Night of Light	6:00 pm to 8:30 pm
5 <sup>th</sup> December 2020	Onchan District Commissioners	Commissioners Surgery – The Hub (Mr Allen & Mr Crellin)	11:00 am to 1:00 pm
8 <sup>th</sup> December 2020	Onchan District Commissioners	Reception for MMD	3:00 pm to 5:00 pm
21 <sup>st</sup> December 2020	Onchan District Commissioners	Board Meeting	7:00 pm

**C20/11/03/17**

### **ANY OTHER BUSINESS**

#### 1. **Press Statements**

To be considered In Committee.

*The Public session of the Meeting ended at 19:30 pm*

**C20/11/03/18**

### **FINANCE AND GENERAL PURPOSES**

#### 1. **House of Keys Question/Response**

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

A copy of the correspondence provided to the Local Government Unit in relation to a question asked in the House of Keys having previously been circulated was considered and noted.

**C20/11/03/19**

### **REPORT FROM THE CLERK OR OTHER OFFICER**

#### 1. **The National Federation of the Women's Institute (WI) – Lease**

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

A copy of the Report of the Chief Executive/Clerk dated 24<sup>th</sup> November 2020, having previously been circulated was considered.

A Member asked in relation to the 5% increase. The Chief Executive/Clerk advised that there is a Board resolution in 2018 resolving there be an annual 5% increase in rents.

The following Board Resolution was passed on the 7<sup>th</sup> January 2019 in relation to Commercial Tenancy Agreements:-

### **Commercial Tenancy Agreements**

*Report of the Assistant Finance Manager, dated 27<sup>th</sup> December 2018, having previously been circulated was considered.*

*The Chief Executive/Clerk advised that whilst addressing tenancy issues it has come to light that there is a mix of percentage or RIP increases. The RPI choice is onerous on how it is calculated and has created confusion when communicating rental increases to the tenants. There has to be a consistent, fair and equitable approach to how an increase is applied. Over half of the new leases in the last 3 years have been with newly formed companies, and the legal team feel that it is more beneficial to have a fixed percentage enabling companies to manage their cash flow.*

*The Chief Executive/Clerk gave an explanation on how the RPI would be calculated, and differences in the date depending on the month that the rent increase would fall.*

*It was proposed by Mr Cherry, seconded by Mr Quirk, and unanimously **RESOLVED that all commercial property tenancies be standardised to include 5% per annum increase.***

After a discussion, it was proposed by Mr Macfarlane and seconded by Mr Allen and **RESOLVED that the Authority approve the assignment of the above mentioned lease for a further 5 years, holding the rent for the first year with an increase in line with the rental value assessment in Year 2; and a 5% increase in year 3, 4 and 5.**

**For: Mr Crellin, Mr Macfarlane, Mr Allen, Mr C Quirk and Miss Williams**  
**Against: Mr D J Quirk and Mr Turton**

## **2. Bedding Plants Tender – Spring/Summer Season 2021-2023**

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

A copy of the Report of the Chief Executive/Clerk dated 26<sup>th</sup> November 2020, having previously been circulated was considered.

After a discussion, it was proposed by Mr Macfarlane and seconded by Mr C Quirk and unanimously **RESOLVED that Tender 1 be appointed as the bedding plant contractor for the period 2021 to 2023.**

**C20/11/03/20**

## **ENVIRONMENTAL AND TECHNICAL SERVICES MATTERS**

### **1. Land Sales**

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

The District Surveyor advised the Board that there are still some outstanding land sales which are taking longer to complete than expected.

The District Surveyor advised the Board that the Authority had been contacted in relation to the potential sale of the following parcels of land:-

a) **Land at Heywood Close**

The Chairman advised the Board that he had been contacted by the resident wishing to purchase a parcel of land at Heywood Close and that the Chairman had advised that the Authority is not overly keen on selling land due to the administration costs incurred by the Authority.

After a discussion, it was proposed by Mr Macfarlane and seconded by Mr C Quirk and unanimously **RESOLVED that the boundary extension request be refused.**

b) **Land at Groudle**

The District Surveyor advised the Board that the Authority had been contacted by a property owner in relation to the Authority selling land to them.

After a discussion, it was proposed by Mr C Quirk and seconded by Mr Turton and unanimously **RESOLVED that the boundary extension request be refused.**

It was agreed that the Chairman and Vice Chairman would draft a policy in relation to the Authority selling land.

2. **Onchan Park Update**

The following was discussed In Committee and transferred to the Public domain

The District Surveyor advised the Board that the Police had provided a copy of their Confidential Crime Reduction Survey in relation to Onchan Park, a copy of which was circulated to Members.

The Chairman and the District Surveyor had met with the Police Officer who carried out the Survey and some residents of Ridgeway Road at Onchan Park. The District Surveyor advised the Board that everyone who was in attendance were happy with the work that has been carried out.

The District Surveyor further advised the Board that all the proposed solutions recommended in the Crime Reduction Survey had been carried out.

It was agreed that the District Surveyor would contact St Anthony's Church in relation to their long term solutions regarding the security of the Grotto.

3. **Eastern Civic Amenity Site – Update**

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

A copy of the legal advice received from the Joint Committee's legal advisers having previously been circulated was noted.

The Chief Executive/Clerk confirmed the following:-

- The Land Registry have clarified that it is legal for multiple owners to purchase land and each owner's proportion of ownership can be recorded in the Title Deeds;
- The Local Government Unit had taken advice from the Attorney General's Chambers and they have advised that each Local Authority would be required to take out a loan with HSBC Bank and that they should consult with the Bank in advance.

The Chairman advised the Board that there is a Joint Committee Meeting on Thursday 3<sup>rd</sup> December 2020.



The Lead Member for Finance & General Purposes advised the Board that the details of the proposal will need to be agreed before a petition, after the petition has been agreed it will then go to the Bank.

A Member advised that they support the application in principle but it should only be used for domestic use and not for commercial waste.

After a discussion, it was proposed Mr C Quirk and seconded by Mr Macfarlane and **RESOLVED that the Authority support in principle the progression of a new Civic Amenity Site for the East in conjunction with the 4 other Local Authorities.**

**For: Mr Crellin, Mr Macfarlane, Mr C Quirk and Miss Williams**

**Against: Mr Allen, Mr D J Quirk and Mr Turton**

Mr Turton requested that it be noted that he is not against a new site for an Eastern Civic Amenity Site, but at this time the proposals which have been presented are too vague. Mr D J Quirk supported the comments of Mr Turton.

A Member commented that the Members did not bring a suitable alternative proposal to the table.

#### C20/11/03/21

#### HOUSING MATTERS

##### 1. Elderly Persons Housing – Tenancy Agreement

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

The Report of the Housing Manager dated 23<sup>rd</sup> November 2020, having previously been circulated was considered.

The Lead Member for Housing advised the Board, that he had not had the opportunity to speak with the Housing Manager due to annual leave. The Lead Member for Housing commented that the timing of the tenancy agreement is unfortunate and that the Department of Infrastructure are looking for answers by the 18<sup>th</sup> December 2020.

After a discussion, it was proposed by Mr Allen and seconded by Miss Williams and unanimously **RESOLVED that the authority follows the guidance and submit the Authority's agreement to the Department of Infrastructure by the required date.**<sup>[ODC21/12/2020]</sup>

#### C20/11/03/17

#### ANY OTHER BUSINESS

##### 1. Press Statements

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

The Chairman advised the Board that under standing orders if a Member makes a press statement on behalf of the Authority that it should be made in accordance with Standing Orders.

The Chairman further advised that if any Members is wishing to make a statement on behalf of the Authority they should consult the Chief Executive/Clerk or the Chairman to make sure that all facts are correct.

**2. Traffic Issues – Alberta Drive .**

The Chairman advised the Board that correspondence had been received from a resident of Alberta Drive in relation to the current traffic issues.

The Chairman advised the Board that he understands that the residents of Alberta Drive had held a meeting on the 1<sup>st</sup> November 2020 and that a Member had been in attendance. The Chairman asked the Member to confirm if this was correct and in what capacity he had <sup>[ODC 21/12/2020]</sup> attended the Meeting the Member confirmed as a Commissioner. The Commissioner then stated that he had attended in a personal capacity. <sup>[ODC 21/12/2020]</sup>

The Member advised the Board of the concerns and also advised that a Meeting had been held on Sunday 29<sup>th</sup> November 2020 in Onchan Park Café and that he <sup>ODC 21/12/2020]</sup> had been in attendance.

The Chairman reported that he only knew that meetings had been held when he received an e-mail on the 29<sup>th</sup> November 2020, and he wasn't sure if anyone from the Authority had been invited to attend.

The Chairman asked the Member why he <sup>[ ODC 21/2/2020]</sup> had not communicated this back to the Board.

The Chairman advised the Member that there is an Onchan 15 year Road Map, which includes the Authority's suggested traffic calming measures.

***There being no further business the meeting ended at 21:26 pm***