

ONCHAN DISTRICT COMMISSIONERS

*Hawthorn Villa,
79 Main Road, Onchan.*

ORDINARY MEETING

4th August 2022

Sir/Madam

You are hereby summoned to attend an **ORDINARY Meeting of the Authority** to be held in the Boardroom at **HAWTHORN VILLA, 79 MAIN ROAD, ONCHAN** to transact the undernoted business on:

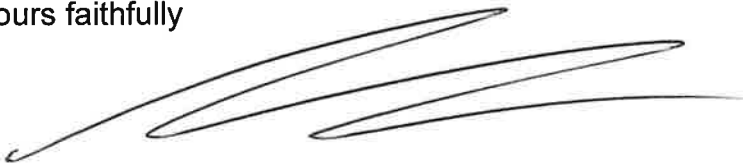
Monday 8th August 2022

7:00 pm - Board Meeting

which will be followed by a meeting of the Board sitting **IN COMMITTEE**. Items on this agenda marked **(P)** will be considered in private, and correspondence is circulated separately.

Please note that the minutes referred to in the agenda have yet to be confirmed by the Authority as a true and correct record of proceedings at the various meetings, and will be published after ratification.

Yours faithfully



**R. PHILLIPS
ACTING CHIEF EXECUTIVE/CLERK**

AGENDA

The order of business at every meeting of the authority shall be in accordance with that laid down in Standing Order No. 24 unless varied by the Chairman at his discretion (with the exception of items 1, 2, 3 or 4 which cannot be varied) or by a resolution duly moved and seconded and passed on a motion which shall be moved and put without discussion.

1. To choose a person to preside if the Chairman and Vice-Chairman be absent.
2. To deal with any business required by statute to be done before any other business.
3. To approve as a correct record and sign the Minutes of the:-
 - 3.1 Minutes of the Ordinary Meeting held on the 25th July 2022 (Appendix 3.1)
 - 3.2 (P) Minutes of the Extra Ordinary Meeting held on the 4th July 2022 (Appendix 3.2)
4. To dispose of any relevant business arising from such minutes if not referred to in the Minutes of any Special Committee:-

None.
5. To dispose of any relevant business adjourned from a previous meeting:-

None.
6. To deal with any business expressly required by statute to be done:-

None.
7. To consider any planning decisions/communications from the Department of Infrastructure Planning Committee:-

7.1 Plans for Consideration

(Appendix 7.1)

	PA Reference	Applicant/Address	Return Date
(a)	PA 22/00649	Miss K Quayle - 161 Royal Avenue	12 th August 2022
(b)	PA21/01245	Mr & Mrs P Swindale - The Gatehouse, Coutts House	12 th August 2022
(c)	PA 22/00737	Miss K Caley - 3 King Edward Park	12 th August 2022
(d)	PA 22/00824	Bittylicious (IOM) Ltd - The Chapel, Nursery Avenue	12 th August 2022
(e)	PA 22/00846	Mr B McManus - Upper Sulby Farmhouse	12 th August 2022
(f)	PA22/00871	Mr & Mrs M Osborn - Middle Ballacashin, Abbeylands	12 th August 2022
(g)	PA 22/00877	Mr G Dudley - 15 Central Drive	19 th August 2022

(h)	PA 22/00904	Miss C Goode - 29 Whitebridge Road	19 th August 2022
(i)	PA 22/00906	Mr P Peniata - 2 Wybourn Drive	19 th August 2022
(j)	PA 22/00938	Ms C L Craine - 1 Royal Drive	19 th August 2022
(k)	PA 22/00953	Mr T Arkoudogiannis - 13 Highfield Crescent	26 th August 2022
(l)	PA 22/00166	Mr S M Jagger - 37 Eskdale Road	19 th August 2022

7.2 Planning Communications

PA 22/00836/B – Field 534374, Creg Ny-Baa Back Road

(Appendix 7.2)

8. Finance & General Purpose Matters:-

None.

9. Consideration of any report from the Clerk or other Officer:-

9.1 (P) Existing Commercial Tenancies – Rent Review *(Appendix 9.1)*

9.2 (P) Commercial Tenancy – 25 Main Road *(Appendix 9.2)*

9.3 Future of Onchan Park *(Appendix 9.3)*

<https://www.onchan.org.im/uploads/the-future-of-onchan-park-consultation-report-august-2017.pdf>

10. Consideration of any relevant correspondence (already circulated unless indicated):-

10.1 Cabinet Office – Elections (Local Authorities) Regulations 2022 *(Appendix 10.1)*

10.2 Cabinet Office – Proactive Publication of Information Consultation *(Appendix 10.2)*

10.3 Manx Telecom – Phone Kiosk School Road *(Appendix 10.3)*

11. To answer questions asked under Standing Order 34:

To be confirmed.

12. To consider Motions in the order in which notice has been received:-

(Note: See Standing Order No. 26)

None.

13. Environmental & Technical Services Matters:-

None.

14. Housing Matters:-**14.1 Department of Infrastructure – 2023/24 Rent Setting***(Appendix 14.1)***15. Chairman's Announcements:-****Dates for Diary**

Date	Organisation	Event	Time
6 th August 2022	Onchan District Commissioners	Commissioners Surgery – The Hub Commissioners Logan and Lewin attending	10:00 am to 12 noon
8 th August 2022	Onchan District Commissioners	Board Meeting	7:00 pm
11 th August 2022	Onchan District Commissioners	Tour of District for His Excellency & Lady Lorimer	TBC
22 nd August 2022	Onchan District Commissioners	Board Meeting	7:00 pm
27 & 28 August 2022	Friends of Onchan Heritage	Molly Carrooin's Cottage – Open Days	1:30 pm to 4:30 pm
3 rd September 2022	Onchan District Commissioners	Commissioners Surgery The Hub – Commissioners Williams and Turton attending	10:00 am to 12 noon
3 rd September 2022	Onchan Methodist Church	Pointless & Puddings Evening	7:00 pm
5 th September 2022	Onchan District Commissioners	Board Meeting	7:00 pm
6 th September 2022	Onchan District Commissioners	Commissioners Surgery – Heywood Court – Commissioners Turton and Quirk attending	2:00 pm to 3:00 pm

16. Any other URGENT business as authorised by the Chairman for consideration:-

PLANS LIST

Board Meeting to be held on 8th August 2022

The Lead Member of Environmental and Technical Services and the Acting District Surveyor have viewed the applications and recommend the following:-

Planning Application	Applicant/Address	Description
PA 22/00649 Return Date 12/08/22	Miss K. Quayle 161 Royal Avenue	Installation of replacement roof tiles. (additional information)
	Recommendation - Approve	
PA21/01245 Return Date 12/08/22	Mr & Mrs P. Swindale The Gatehouse, Coutts House	Excavation works (retrospective), alterations and erection of 2 storey extension. (amended plans)
	Recommendation - Refuse	
PA 22/00737 Return Date 12/08/22	Miss K. Caley 3 King Edward Park	Erection of fencing (retrospective).
	Recommendation - Approve	
PA 22/00824 Return Date 12/08/22	Bittylicious (IOM) Ltd The Chapel, Nursery Avenue	Installation of illuminated and non-illuminated signage.
	Recommendation – Approve	
PA 22/00846 Return Date 12/08/22	Mr B. McManus Upper Sulby Farmhouse	Erection of polytunnel.
	Recommendation – Approve	
PA22/00871 Return Date 19/08/22	Mr & Mrs M. Osborn Middle Ballacashin, Abbeylands	3 Extensions: new living room to east of existing house; new double garage to west of existing outbuilding; new home-office to south of existing outbuilding.
	Recommendation – Approve	
PA 22/00877 Return Date 19/08/22	Mr G. Dudley 15 Central Drive	Single storey flat roof extension to rear, replace windows, rendering and remove both chimney stacks.
	Recommendation – Approve (notify 13 Central Drive)	
PA 22/00904 Return Date 19/08/22	Miss C. Goode 29 Whitebridge Road	Re-rendering from pebble dash to smooth render.
	Recommendation - Approve	

PLANS LIST

PA 22/00906 Return Date 19/08/22	Mr P. Peniata 2 Wybourn Drive	Replacement rear and side single storey extension, install bi-fold doors to rear, replacement windows and balustrade to terrace and widen vehicular access and dropped kerb.
	<i>For Members' consideration (notify 4 Wybourn Drive and 1, 3 & 5 Governors Road)</i>	
PA 22/00938 Return Date 19/08/22	Ms C.L. Craine 1 Royal Drive	Change of use of office space (class 2.1) to a residential flat (class 3.4)
	<i>Recommendation – Approve</i>	
PA 22/00953 Return Date 26/08/22	Mr T. Arkoudogiannis 13 Highfield Crescent	Alterations to front entrance porch.
	<i>Recommendation – Approve</i>	
PA 22/00166 Return Date 19/08/22	Mr S.M. Jagger 37 Eskdale Road	Alteration, erection of extension and widening of driveway. (amended plans/additional information)
	<i>Recommendation – Approve</i>	

Onchan District Commissioners
Main Road
Onchan
Isle of Man
IM3 1RD

Dear Sir,

Re: PA 22/00836/B – Creation of hardstanding in part of Field 534374 (retrospective), Field 534374, Creg-ny-Baa Back Road, Onchan

I refer to your letter dated 26th July 2022 ref: RF/AW where you advised me that Onchan Commission recommended the above planning application be refused on the following grounds:-

“There is insufficient justification and evidence of agricultural need demonstrated for this structure”.

I was disappointed that Onchan Commission refused the planning on the above grounds for the following reasons:-

1. The field is currently being used for agricultural sheep grazing. This is done on a field rotation system. I was surprised that the Commission stated there was “insufficient evidence of agricultural need” since when inspecting the field, the sheep would be clearly seen.
2. The hardstand is required for penning the sheep up for medical and injury, foot treatment and fly strike. This is sufficient justification for the hardstand since it is required for the wellbeing of the sheep.

I would appreciate receiving further correspondence from the Commission as to their reasoning. It may also be beneficial to have an onsite meeting with one of your surveyors who could see the sheep in the field but also inspect the hardstand which can only be seen when accessing the field.

Yours faithfully



MEMORANDUM

To:	Onchan District Commissioners
From:	Acting Chief Executive/Clerk
Ref:	Future of Onchan Park – Stakeholder Consultation
Date:	04/08/22

Following the report and business case submitted to the Board during 2020 and 2021 from officers requesting a budget allowance to engage a design team to produce feasibility and scheme drawings for the potential future of Onchan Park, the Board requested that the existing stakeholders at the Park were engaged with to obtain their opinions and ideas before progressing.

Please find enclosed the opinions and ideas received from the commercial tenants, sports clubs, Onchan District Commissioners (ODC) officers, and Commissioners who offered their time. Each meeting was carried out with the Acting Chief Executive/Clerk, the now Vice-Chair, and the Lead Member for Environmental and Technical Services.

Recommendations/Options:

- Use the information obtained to produce a client specification and allow ODC officers to obtain quotes from design teams to provide their services. Dependent on the cost the funding would need to be sought from the reserves account, or alternately included within next year's budget when setting the annual rate.
- Consult with the general public to obtain more opinions and ideas before progressing. A public consultation was previously undertaken during 2017, a copy of this is enclosed.
- Continue to maintain the current facilities with no investment or commitment to improving the Park.

It is noted that there are some infrastructure items within the Park that are overdue improvement such as resurfacing the footpaths and roads. It is proposed that these works be included as part of an overall improvement scheme for the Park, but should the Board not be minded to progress in this manner then the officers will provide a separate business and request for funding of these essential items that need to be addressed in the interest of safety.

For members consideration.



ROSS PHILLIPS
ACTING CHIEF EXECUTIVE/CLERK

The Future of Onchan Park - Considerations & Proposals



Consultation with all Stakeholders
Associated with Onchan Park
2021/22

Future of Onchan Park - Consultation of All Parties

John and Kerry Kinley - Ocean Views Restaurant, Café and Arcade

Meeting: Monday 6th December 2021

<i>Area for Consideration</i>	<i>Comments</i>
Café	Replacement of all windows - consider including a section of bi-folding doors Extend outdoor seating area - consider including glass balustrading and a canopy/pergola structure Heated outdoor seating
Restaurant	Replacement doors to both entrances Turn in to a private function room Provide level access
Arcade	Replacement roller shutter door Replacement windows and doors
Leisure Amenities	Install a splash park Arrange more events, including music/gigs - or alternatively allow others to organise events on the land Outdoor cinema
General	Busking/music acts Provide more picnic benches - some of the current benches need to be returned to the Grandstand prior to the TT Improved signage - consider an electronic advertising screen on the entrance to the Park including a calendar of events ODC park family passes to incorporate commercial business discounts i.e. restaurant and café goods, go-karts etc.
<u>R. Phillips Post Meeting</u> <u>Notes:</u>	
New benches have been purchased for the park for the 2022 season.	
ODC in talks to include business discounts within our advertising literature for family passes and wristbands	

Future of Onchan Park - Consultation of All Parties

Brian Callow - Onchan AFC

Meeting: Tuesday 8th February 2022

<i>Area for Consideration</i>	<i>Comments</i>
Football pitch	OAFC adults want to permanently have a presence/base at Onchan Park
	Consideration/approach from ODC to IOM FA and MSR regarding the potential to construct a G4 pitch. Note high cost of maintenance and upkeep
	Football and stock cars are an incompatible mixture when sharing the facility
	OAFC desire/aspiration to maintain the pitch themselves with the backing of FA grants. If a 25 lease term was provided OAFC would be eligible to obtain funding from the FA
	Disabled access needs improving to the main stadium and the outer areas
Stadium	Improvement/refurbishment required to the WCs and floor surfaces throughout. Potential that OAFC may contribute to funding
	Overall refurbishment required to the seating areas
	Potential to provide venue parking within the boundary of the stadium to free space in the public car parks
	Commented that extra provision surrounding OAFC will not increase fallout to the park
General	Continued improved communication between ODC as landlord and other tenants. Consider parks user group in future
	Car parks too small
	Disabled access needs improving
	Improved signage - consider an electronic advertising screen on the entrance to the Park including a calendar of events
	Promote the park as a venue for "walk and talk" and liaise with the café to provide refreshments
	Install outdoor fitness equipment similar to Ramsey Mooragh Park and Douglas Nobles Park
	Improve street lighting

R. Phillips Post Meeting *Contact Andy Wadsworth at the FA to discuss what potential grants would be available to OAFC and how this could be incorporated into a refurbishment scheme*

Notes: *Assess 2022/23 maintenance budget to ascertain if WCs can be upgraded*

Future of Onchan Park - Consultation of All Parties

David Quirk - Commissioner

Meeting: Tuesday 8th February 2022

<i>Area for Consideration</i>	<i>Comments</i>
Arcade	Re-let as a gym or fitness venue
Tennis Courts	Retain some of the tennis courts, well used throughout the year
	Consider installing a fitness area on the lower disused tennis courts
Leisure Amenities	Electric boats too slow, can they be speeded up
	Install outdoor fitness equipment similar to Ramsey Mooragh Park and Douglas Nobles Park
General	Promote the park as a venue for "walk and talk" and liaise with the café to provide refreshments
	Construct a designated walking path/route around the park and stadium

R. Phillips Post Meeting

Checked with manufacturers, electric boats cannot be altered to increase the speed

Notes:

Onchan Park - Consultation of All Parties

Sharon Rye - Fun Factory and Dance School

Declined to meet - telephone conversation Friday 15th March 2022

Onchan Park - Consultation of All Parties

Mike Thomas & Club Secretary - Crown Green

Meeting: Friday 29th April 2022

<u>Area for Consideration</u>	<u>Comments</u>
Crown Green	The club has no desire to maintain the green and facilities, ODC to continue the service
	Potential to provide more seating around the green as seating is limited when competitions are hosted
	Provide higher gates to discourage people entering the greens when they are not in use
	Provide easier access for those with mobility issues
	Larger clubhouse would be desirable but not essential
Tennis Courts	Erect an honesty box so that members of the public wanting to use the green when the pay kiosk is closed can still pay/donate to use the facility
	Consider turning one of the courts in to a multi-use/sport area i.e. basket ball, football, net ball, winter bowls
General	Increase car parking areas
	Provide disabled access to the entire park and buildings. Consider providing/storing a wheel chair on site
	Electric boats too slow
	Consider providing BBQ areas, similar to Douglas Head
	Install outdoor fitness equipment similar to Ramsey Mooragh Park and Douglas Nobles Park
	Install zip wire across the park and over the boating lake
	Provide bicycle storage
<u>R. Phillips Post Meeting</u>	
<u>Notes:</u>	
Property Maintenance Officer to assist the club find a contractor to carry out the new shelter roof coverings	
Property Maintenance Officer to look at areas that a wheel chair could be stored on site	

Onchan Park - Consultation of All Parties

Winn Kewley & Club Secretary - Flat Bowling Green

Meeting: Friday 25th February 2022

Area for Consideration	Comments
Flat Green	Aspiration to provide more welfare facilities purpose built for the green to assist when hosting games - larger club house, designated WCs
	More facilities to allow the club to increase membership and increase fees paid to ODC
	More facilities to allow progression of junior bowls
	More facilities to allow corporate events & increased revenue for the club
	Provide disabled/mobility impaired access to the green - removable step
	Club house hut window broken
	Request to have lawn green bowls included on Onchan Park entrance signage
	Permission to erect signage and sponsorship around the green, like the Crown Green
	If ODC invest in the green & provide license or lease then the club could approach the lottery for funding
	Green gutters to be improved to "World Bowls Standards"
General	ODC to purchase & provide the correct lawn green matts and bowls when allowing members of the public to use the green
	The club has no desire to maintain the green and facilities, ODC to continue the service
	Provide disabled access to the entire park and buildings, full assessment required
	More CCTV provision and re-instatement of a warden
	Increase car parking areas
	Improved signage
	Provide indoor/wet day activities such as an arcade, indoor golf, snooker/pool etc
R. Phillips Post Meeting <i>Property Maintenance Officer emailed to attend to the broken hut window, and to look at the current matts and bowls for issue</i>	
Notes: <i>to the public within the pay kiosk</i>	

Onchan Park - Consultation of All Parties

Kevin Hooper & Nigel Cannan - Onchan Raceway

Meeting: Monday 9th May 2022

<u>Area for Consideration</u>	<u>Comments</u>
Stadium	Refurbish WCs located adjacent the play ground and include the adjacent entrance structure
	Refurbishment of seating areas and canopies (incorporating disabled access)
	Provide disabled access
	Improve drainage from the football pitch that overflows on to the tarmac track
	Alter/improve track to be longer - utilise the areas behind the goal posts
General	The stadium is not normally in use at evenings/nights - prepared for others to use it for other activities i.e. cycling, walking, athletics
	Increase car parking areas
	Improved signage - consider an electronic advertising screen on the entrance to the Park including a calendar of events
	Extend CCTV provision throughout the Park
<u>R. Phillips Post Meeting Notes:</u>	
<i>Property Maintenance Officer has obtained quotes to improve the drainage surrounding the football pitch</i>	

Onchan Park - Consultation of All Parties

Onchan District Commissioners Staff

Meeting: Information obtained from 2021 feasibility proposal

<i>Area for Consideration</i>	<i>Comments</i>
Café	Install bi-fold doors & create/enhance outdoor seating and dining area
Arcade	Provide level access
Restaurant	Create a terraced elevated area, as previously considered by ODC
Stadium	Construction of a G4 pitch for football and multi-purpose use. Note high cost of maintenance and upkeep
	Refurbishment of seating areas and canopies (incorporating disabled access)
	Consideration regarding suitable use of outer track in conjunction with users/facilities on the inside of the track e.g. cycling, walking
Leisure Amenities	Replace timber safety fencing to boating lake with more aesthetically appealing design
	Enhance boating pool lighting
	Creation of an electric skid/drift cart track
	Install a splash park
	Install a jumping pillow similar to the Wildlife Park
	Utilisation of the existing golf course - reduce number of holes and create a private glamping area with welfare facilities
Tennis Courts	Install automated ticket machines instead of a pay kiosk and negating the need to hire a contractor to collect payments
	Relocate adjacent the Belgravia Road entrance to the park and re-direct the road accordingly and create additional parking
	Increase car parking areas
General	Provide more public seating
	Improve street lighting and incorporate decorative lighting enhancements
	Provide disabled access to the entire park and buildings, full assessment required
	Improved signage - consider an electronic advertising screen on the entrance to the Park including a calendar of events
	Enhance entrances to the park - consideration of archways
	Re-surfacing of car parks, roads and footpaths

	Utilise existing buildings for use as graffiti walls and mural space
	Tree planting throughout the park
	Upgrade electrical infrastructure to enhance existing events and to allow more provision for additional use events
	Provide additional recycling facilities
	Provide bicycle storage

Onchan Park - Consultation of All Parties		
Ross Phillips - Acting Chief Executive/Clerk		
Meeting: N/A		
Area for Consideration		Comments
Café	Install bi-fold doors & create/enhance outdoor seating and dining area	
	Replace aluminium windows and doors	
	Provide level access	
	Replace aluminium windows and doors	
Arcade	Install heating and hot water provision, in addition to WC/drainage facilities to allow the unit to be let separately in the future	
	Refurbish glazed link to bring up to the same standard as the rest of the building	
	Consideration to be given to creating a roof terrace and seating area	
	Externally refurbish building to bring up to the same standard as the other Park buildings	
Fun Factory	Consider creating a "living wall" of plants on the gable end of the building	
	Negotiate with OAFc to allow them to maintain the sports surface themselves. Consider arrangements to allow them to store maintenance equipment on site	
	Refurbishment of seating areas and canopies (incorporating disabled access)	
	Refurbish WCs located adjacent the play ground and include the adjacent entrance structure	
Stadium	Improve electrical infrastructure to allow the venue to be hired out for private events such as music concerts and weddings	
	Consideration regarding suitable use of outer track in conjunction with users/facilities on the inside of the track e.g. cycling, walking. ODC would need to provide a useable surface	
	Consideration to be given regarding the continued funding of this facility and what other activities could be utilised on this site	
	Replace timber safety fencing to boating lake with more aesthetically appealing design	
Leisure Amenities	Enhance boating pool lighting	
	Installation of more electric operated activities that are coin or token operated	
	Utilisation of the existing golf course - reduce number of holes and create a private glamping area with welfare facilities, alternatively provide a picnic/BBQ area overlooking Douglas bay	

Play Ground	Install a splash park - located at the bottom of the playground adjacent the Grotto as the infrastructure is already in existence
	Replace play equipment that was not replaced during the 2012 refurbishment
	Renew safety surfacing to all areas
	Remove the underutilised picnic area to allow for more equipment to be installed
	Replace fencing and gates to top courts
Tennis Courts	Re-purpose the lowers courts in to a multi-use/sport area i.e. basket ball, football, net ball, winter bowls. Consideration would need to be given to security of the site and how groups can book the venue and pay hire charges
	Increase car parking areas - extend the two existing car parks and incorporate electric car charging points
	Improve street lighting and incorporate decorative lighting enhancements
	In relation to the above, promote the Park as an area for use during the evening/night
	Provide disabled access to the entire park and buildings, full assessment required
General	Improved signage - consider notice boards on the entrances to the Park including a calendar of events
	Maps - provide signage with maps of the park identifying what activities and businesses are in each area
	Enhance entrances to the park - consideration of archways and lighting
	Re-surfacing and line marking of car parks, roads and footpaths
	Tree planting throughout the park to replace those lost to disease and apply for registration under the Tree Preservation Act
	Upgrade electrical infrastructure to enhance existing events and to allow more provision for additional use events
	Provide additional recycling facilities
	Provide bicycle and scooter storage
	Install a band stand for use by music performers and could be incorporated in to wedding events
	Arrange more events, including music/gigs - or alternatively allow others to organise events at the venue e.g. outdoor cinema
<u>R. Phillips Post Meeting Notes:</u>	Extend CCTV provision throughout the Park
	<i>MUA have provided details to install electric car charging points for free of charge to ODC</i>
	<i>Play ground safety flooring and new equipment could be considered separately as all the play grounds within the district require refurbishment</i>
	<i>Electrical infrastructure is already being improved/enhanced to allow the forthcoming Party in the Park event to take place</i>

SUMMARY

Onchan Park - Consultation of All Stakeholders

Reoccurring Proposals/Comments

Area for Consideration	Comments
Café	Install bi-fold doors & create/enhance outdoor seating and dining area Replace aluminium windows and doors
Arcade	Provide level access Replace aluminium windows and doors
Stadium	Consideration for OAFc to maintain the sports surface themselves Refurbishment of seating areas and canopies (incorporating disabled access) Refurbish WCs located adjacent the play ground and include the adjacent entrance structure Consideration regarding suitable use of outer track in conjunction with users/facilities on the inside of the track e.g. cycling, walking
Leisure Amenities	Replace timber safety fencing to boating lake with more aesthetically appealing design Enhance boating pool lighting Electric boats too slow Installation of more electric operated activities that are coin or token operated Utilisation of the existing golf course
Tennis Courts	Re-purpose the lowers courts in to a multi-use/sport area i.e. basket ball, football, net ball, winter bowls
General	Increase car parking areas
	Install a splash park
	Improve street lighting and incorporate decorative lighting enhancements
	In relation to the above, promote the Park as an area for use during the evening/night
	Provide disabled access to the entire park and buildings, full assessment required
	Improved signage - consider notice boards on the entrances to the Park including a calendar of events
	Improved signage - consider an electronic advertising screen on the entrance to the Park including a calendar of events
	Enhance entrances to the park - consideration of archways and lighting
	Re-surfacing and line marking of car parks, roads and footpaths
	Install outdoor fitness equipment similar to Ramsey Mooragh Park and Douglas Nobles Park
	Promote the park as a venue for "walk and talk" and liaise with the café to provide refreshments
	Tree planting throughout the park

	Upgrade electrical infrastructure to enhance existing events and to allow more provision for additional use events
	Provide additional recycling facilities
	Provide bicycle and scooter storage
	Arrange more events, including music/gigs - or alternatively allow others to organise events at the venue e.g. outdoor cinema
	Extend CCTV provision throughout the Park

Onchan District Commissioners



The Future of Onchan Park Public Consultation

24th February 2017

Commissioner's Office

Hawthorn Villa

Main Road

Onchan IM3 1RD

Tel. (01624) 675564 or e-mail admin@onchan.org.im

Find us on Facebook and on Twitter @OnchanDC

Introduction

The Board of Onchan District Commissioners is aware of their responsibility to provide community facilities and consider that Onchan Park provides a valuable facility to the community and visitors.

In order to ensure that this area continues to provide services which are valued by the community, the Board wishes to refresh their medium to long term view of how the Park should continue to develop to meet the needs to the community.

In order to achieve this they are seeking the views of the community and visitors in a public consultation which will run until the 30th March 2017. The Commissioners hope that this will give the community of Onchan time to consider the future of the park and to let their Commissioners know how they wish this area to develop.

Onchan District Commissioners will continue to exercise the highest standards of financial management and in doing so will balance any suggestions for the future of the Park against whether they can be afforded and will work to make sure there is no additional burden upon the rate payers of Onchan.

Onchan District Commissioners are seeking views regarding anything to do with Onchan Park and the facilities provided; they wish to ensure that it continues:-

- be a safe and attractive environment;
- be accessible to all members of the community;
- to meet the requirements of the community.

In order to provide a framework for this consultation this paper sets out a suggested view for the future of the Park so that this might stimulate ideas and suggestions from the community.

Consultation

There will be many ways in which you can express your views about the future of the Onchan Park:-

- talk to one of the Commissioners representing the community of Onchan;
- write or email to the Commissioners Offices at Hawthorn Villa;
- attend a fortnightly public meeting of the Commissioners;
- attend one of the Commissioners Surgeries;
- message the Commissioners via Facebook or Twitter @OnchanDC.

In providing a review of Onchan Park the area can be considered in four distinct parts –

1. Community Sports - Nivision Stadium, grandstands and changing facilities;
2. Pleasure Park - Recreation & leisure facilities;
3. Central Facilities - Restaurant, café, indoor play area & dance studios;
4. Children's Play Park – play equipment for children.

1) Community Sports

a) Current

This area currently consists of a football pitch, motorsport track, banked track, two grandstands and two equipment sheds. The football pitch is used for senior matches and training between September and May each year by Onchan AFC who also use the changing rooms situated in the main grandstand.

The motorsport track is used between May and September for go-carts and stock car racing by the tenant who also uses the banked track for vehicle rides. The grandstands and open areas surrounding the banked track are used as spectator areas for football and stock car racing.

b) Issues

The stadium has limited access points for the public with few entrances and exits only some of which are easily accessible. This limits the types of event which can be held in the stadium.

The use of the football pitch is restricted by the priority use of the motorsport track by the tenant. Some football games at the start and finish of the football season may be held at different locations.

The secondary grandstand requires work to be carried out to the roof to maintain structural integrity. The cost of this appears to exceed the value which would be gained from carrying out the work.

The banked track is not in a good state and therefore has limited uses.

The continued use of the motorsport track in its current location is a restriction on any development within this area.

The community football club have many junior members and are considering developing an alternative site for their activities including a clubhouse.

c) Potential Developments

Community Sport Facility

There is demand within the community for further sports facilities particularly for all-weather surfaces for football and other team sports. There is also interest in providing a community focussed facility for informal sport and recreation.

Successful examples of community sports facilities can be seen in other areas of the Island and are usually combined with a clubhouse facility. There is anecdotal evidence that there are insufficient facilities to meet current demand in the eastern area of the Island in the evening and weekends.

The Banked Track Area

The area of the former banked track places a restraint on the development of the stadium as it provides a physical boundary making the central area less assessable and it is also a little used area which is not attractive to users.

This area is used during the summer season however the surface has deteriorated and it is unlikely that it can be used for any other purpose except for providing a safe area between the spectators and the motorsport track

If the banked track area is removed it would improve accessibility to the facilities, allow additional sport facilities and possible extension to existing parking areas.

Main Grandstand

Consideration needs to be given to the future use of the main grandstand. The access to this facility is limited and it is perceived there are public safety issues.

The future of this facility should be considered in conjunction with future use of the stadium area for community sports and also together with the future of the central facilities. The grandstand is "back to back" with the restaurant and café facilities within the park and the main access is through this building, any potential development of these facilities would have to take into account the grandstand and in particular the access required.

Secondary Grandstand

If a decision is made to demolish this grandstand the site could be used for the extension of play or sports facilities and/or a community clubhouse.

Community Clubhouse

A number of parties have suggested that a community clubhouse facility would be an appropriate development in conjunction with the additional sport facilities. This facility would support all the sports which use the park providing a clubhouse, new changing and showering facilities, car parking, equipment storage and a base for the associated social clubs.

It is intended that such a facility would work alongside the family restaurant and café facilities which already exist in the park.



2) Central Facilities

a) Current

The central area of the park provides indoor facilities which are let to tenants including a ground floor café (open seasonally), first floor restaurant, an indoor play area and dance studio.

b) Issues

Access to the first floor restaurant is by a winding staircase which is not easily accessible.

The frontage of the ground level café is in need to replacement.

There is no central heating available in the ground floor café area and this may limit its use at certain times of the year.

The ground floor area of the building is split between the café and a storage area with a central stairwell of the grandstand. This detracts from the usability of this area and reduces the area available for the café and other facilities.

In spring, autumn and winter evenings the area from the car park to the indoor play area is quite dark and uninviting and it has been suggested that work needs to be undertaken to increase lighting in this area.

Level access needs to be created to the indoor play area and dance studio to make them more accessible.

c) Potential Developments

Consideration should be given to whether the central café and restaurant block should be redeveloped. With the possible removal of the banked track area of the stadium there may be an opportunity to build a replacement facility closer to the car park, nearer to the play park or at the rear of the current stadium.

Café

There is potential to refurbish the ground floor area to provide an improved layout amalgamating the store and café area and either incorporating the stairs to the grandstand or removing them and creating alternative access.

The public toilets could be accessible from within the ground floor café area.

Heating could be provided to the ground floor extending the length of the season where customers would be comfortable in using the area.

The ground floor café area could be provided with a new frontage.

Indoor Play Area

With the removal of the banked track there is a possibility to extend the area of the facility possibly providing a sheltered outdoor area with access to the play park.

New facilities

An extension to the existing building could be considered extending to the current car park the extension could contain community facilities (or it could be the new community clubhouse see above).



3) Pleasure Park

a) Current

Onchan Park has a boating lake, a flat green and crown green bowls, pitch and putt, crazy golf and tennis as "pay as you go" leisure facilities. All apart from tennis are situated within the main body of the park along with a "pay hut" where payments are made and equipment provided.

The "pay hut" is run by seasonal staff and who also assist users on the boating lake.

b) Issues

The tennis courts are outside the main body of the park and are therefore difficult to supervise and ensure all users have paid.

Retaining staff for the pay hut and boating lake is a significant expense and consequently the money raised by these attractions can be less than the cost of providing them.

There is a significant cost to maintain all these facilities which is not met entirely by income.

c) Potential Developments

Tennis Courts

The Board have recently considered other uses for the tennis court area, and have submitted an application for planning permission in principle for public and private car parking. The income from the parking would then pay for the development of replacement sport facilities elsewhere in the Park.

In the medium term this area could be used for house building with the income received being re-invested in the community sports facilities in the stadium area. Car parking could then be provided in other parts of the park area.



Putting

Green

The area in front of the café has been previously used as a putting green but would need considerable investment to return to this condition.

It has been used occasionally as a location for roller skating and other leisure event within a marquee.

Consideration could be given to creating a central area with a hard standing and possibly a marquee style roof. Together with improved power supplies this area could then be used as an outdoor extension to the café and also an area for use by third party organisations to hold events and attractions.

Another possibility is the creation of a wet play area for younger children.



Crazy Golf

Consideration could be given to purchase of new crazy golf facilities; this is a popular attraction for all ages.



Pitch & Putt

One of the possible locations for the replacement sports facilities following the relocation of the tennis courts would be to place all-weather courts at the top of the pitch and putt on the flat area opposite the crown green bowling.

If some of the existing pitch & putt course is removed than it can either be turned into a 9 hole course or enhanced to provide the new crazy golf facility with larger obstacles and a more interactive course in the same manner as urban golf in other countries.



4) Children's Play Park

The children's play park continues to well used and appreciated and it is suggested that little needs to be done in this area apart from continuing the maintenance and investment.

With the remodelling of the stadium and possible removal of the banked track it might be a good time to consider the access from the play area to other areas of the park.



5) Summary

An area such as Onchan Park does require on-going investment to ensure that the facilities provided continue to meet the needs of the community.

Whilst this type of facility will always require some support from the rates, investment to change the mix of facilities within the park will hopefully reduce support from the rates and make the whole area more sustainable for the future.

This document suggests the following substantive changes could be made within the park:

- The landscape of the stadium could be changed to increase accessibility and maximise the community use of the facility and allow the development to a community sports facility;
- The creation of a "clubhouse" with new changing facilities;
- Investment in the café and restaurant area to upgrade facilities or create a new building;
- Creation of a new area in front of the café / restaurant which can be used all year round;
- Relocation of the tennis courts;
- Creation of multi-sport all weather facilities in the main park area;

The Commissioners would now welcome ideas and suggestion from the community of Onchan on how their views for the future of the park.

Onchan District Commissioners

Hawthorn Villa, Main Road

Onchan IM3 1RD

Tel. (01624) 675564 or e-mail admin@onchan.org.im

Find us on Facebook and on Twitter @OnchanDC



Alyson Crellin

From: Admin
To: Admin
Subject: FW: Elections (Local Authorities) Regulations 2022
Attachments: Dated Elections(LocalAuthorities)Regulations2022.pdf

From: [REDACTED] **On Behalf Of** CO, Elections
Sent: 25 July 2022 16:26
Subject: Elections (Local Authorities) Regulations 2022

Dear Local Authority Colleagues,

Further to our previous communications about elections legislation we can now confirm that The Elections (Local Authorities) Regulations 2022 were approved during Tynwald's July sitting. These regulations will come into effect from 01 August 2022.

Prior to the 2021 House of Keys General Election, Mr Robert Jelski the Deputy Returning Officer for Ramsey, provided training in relation to the Elections (Keys) Regulations 2021 to all deputy returning officers. Mr Jelski has now kindly agreed to also provide training to all Local Authorities on the Elections (Local Authorities) Regulations 2022. The regulations introduce, for the first time in Local Authority elections, postal voting and proxy voting therefore training will include these newly introduced voting mechanisms.

We are aware that there are a number of Local Authorities who have been waiting for these regulations to come into force before running a by-election. We would suggest that training should be provided to these Authorities as a priority and to all other Authorities thereafter. I would therefore be most grateful if you could reply to this email as soon as possible, indicating if your Authority has current vacancies that you wish to fill by way of a by-election, or if you would be content to wait for the second round of training dates.

Once we have determined the numbers involved we will collate and circulate dates and times for delivering the aforementioned training.

As soon as they are finalised we will provide you with copies of the specified forms detailed in the regulations. However should you have any questions before training is provided or upon receipt of the forms, please do not hesitate to contact the team via elections@gov.im and we will be happy to assist.

Kind Regards

Crown & Elections Team

[REDACTED]
Election and Electoral Register Manager

Cabinet Office | Government Office, Bucks Road, Douglas, Isle of Man, IM1 3PN.



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RAAUE: S'preevaadjagh yn chaghteraght post-l shoh chammah's coadanyn erbee currit marish as ta shoh coadit ec y leigh. Cha nhegin diu coipal ny cur eh da peiagh erbee elley ny ymmydey yn chooid t'ayn er aght erbee dyn kied leayr veih'n choyrtagh. Mannagh nee shiu yn enmyssagh kiarit jeh'n phost-l shoh, doll-shiu magh eh, my sailliu, as cur-shiu fys da'n choyrtagh cha leah as oddys shiu.

Cha nel kied currit da failleydagh ny jantagh erbee conaant y yannoo rish peiagh ny possan erbee lesh post-l er son Rheyenn ny Boayrd Slattyssagh erbee jeh Reiltys Ellan Vannin dyn co-niartaghey scrut leayr veih Reireyder y Rheyenn ny Boayrd Slattyssagh t'eh bentyn rish.



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Elections (Keys and Local Authorities) Act 2020

ELECTIONS (LOCAL AUTHORITIES) REGULATIONS 2022

Approved by Tynwald: 21 JUNE 2022

Coming into Operation: 01 AUGUST 2022

The Council of Ministers makes the following Regulations under section 22 of the Elections (Keys and Local Authorities) Act 2020.

1 Title

These Regulations are the Elections (Local Authorities) Regulations 2022.

2 Commencement

If approved by Tynwald, these Regulations come into operation on 1st August 2022.

3 Interpretation

(1) In these Regulations—

“**the Act**” means the Elections (Keys and Local Authorities) Act 2020 and a reference to a numbered section (without more) is a reference to the section of the Act so numbered;

“**casual vacancy**” has the meaning assigned by section 3 of the Act;

“**the Department**” means the Cabinet Office;

“**elector**” means an eligible elector as defined in the Registration of Electors Act 2020;

“**electoral area**” means the district of an authority or, where the district is divided into wards, a ward of the district.

“**electoral number**” means a person’s number in the register to be used at the election;

“**list of postal votes**” has the meaning assigned by paragraph 4(1) of Schedule 2;

“**list of tendered votes**” has the meaning assigned by regulation 39(3);

“nomination day” means the final day for the delivery of nomination papers (day 13);

“Officer” means the Electoral Registration Officer appointed under section 18(1) of the Registration of Electors Act 2020 or, where that person is unavailable, the Deputy Electoral Registration Officer appointed under section 18(2) of that Act;

“postal vote” means a vote cast by a person who is allowed to vote in advance under section 85 of the Act and postal voter shall be construed accordingly.

“returning officer” means—

- (a) where no deputy returning officer has been appointed, the Chief Secretary;
- (b) where a deputy returning officer has been appointed for an electoral area, the deputy returning officer for that electoral area; or
- (c) where more than one deputy returning officer has been appointed for an electoral area, the deputy returning officer so appointed first or, if he or she is off the Island or otherwise unable to act, another deputy returning officer for that electoral area.

“spoilt ballot paper” has the meaning assigned by regulation 40;

“tendered ballot paper” has the meaning assigned by regulation 39.

- (2) In these Regulations, references to polling agents and counting agents are references to agents—
 - (a) who have been duly appointed by candidates,
 - (b) the appointments of whom have been duly notified; and
 - (c) who are within the permitted number (but this subparagraph applies only if the number of agents is limited).
- (3) For the purposes of these Regulations “day 0” is the day on which the notice of election is issued and corresponding references to “day n” are references to the day which falls the corresponding number of days after that day.
- (4) For the purposes of these Regulations wherever a signature is required it permits the request for a signature waiver and if a signature waiver has already been granted the requirement for a signature on that form or document is not required.

4 Forms specified under these Regulations

Any reference in these Regulations to a specified form is to the form specified, for that purpose, by the Chief Secretary.



5 Notice of election to fill a casual vacancy

- (1) In the case of an election to fill a casual vacancy, the Returning Officer must publish, in the form specified —
 - (a) a notice for electors, containing information on postal and proxy voting; and
 - (b) a notice for potential and prospective candidates, containing information about the nomination process.
- (2) The notice mentioned in paragraph (1)(b) must contain —
 - (a) a warning as to corrupt practices; and
 - (b) advice on obtaining a copy of the Act, a copy of these Regulations, and a copy of the register of electors.
- (3) The notice shall be published by —
 - (a) insertion in one or more newspapers published and circulating on the Island, and
 - (b) by display on an appropriate website in an appropriate manner and may be published by placard posted up in some public and conspicuous situation in the electoral area to which the notice refers.

6 Notice of election pursuant to section 24 of the Act

- (1) In the case of an election called pursuant to section 24 of the Act the Department must publish, in the form specified —
 - (a) a notice for electors, containing information on postal and proxy voting; and
 - (b) a notice for potential and prospective candidates, containing information about the nomination process.
- (2) The notice mentioned in paragraph (1)(b) must contain —
 - (a) a warning as to corrupt practices; and
 - (b) advice on obtaining a copy of the Act, a copy of these Regulations, and a copy of the register of electors.
- (3) The notice shall be published by —
 - (a) the Department by —
 - (i) insertion in one or more newspapers published and circulating in the Island, and
 - (ii) display on an appropriate website in an appropriate manner; and
 - (b) the Returning Officer by posting in one or more conspicuous places in the electoral area.

7 Nomination of candidates

- (1) Every candidate must be nominated by a separate nomination paper delivered in accordance with regulation 9.
- (2) The nomination paper must be in the form specified and must state—
 - (a) the full names, place of residence, telephone number (if any) and email address (if any) of the person named as the candidate; and
 - (b) whether the person named as the candidate meets the qualification requirements for membership of a Local Authority set out in section 19(1) of the Act.
- (3) Each person named as the candidate must produce (or cause to be produced) to the returning officer his or her passport, a certified copy of his or her passport or other evidence to the satisfaction of the returning officer as proof of compliance with section 19(1)(b) of the Act.

8 Subscription of nomination paper

- (1) A candidate's nomination paper must be subscribed by 2 electors for the electoral area as proposer and seconder, and by not fewer than 8 other electors for the electoral area assenting to the nomination.
- (2) Every person subscribing the nomination paper must include his or her electoral number.
- (3) The same elector may subscribe as many nomination papers as there are vacancies to be filled, but not more, and the elector's signature is invalid on any nomination paper duly delivered in excess of that number.

9 Delivery of nomination papers

- (1) Nomination papers and proof of compliance with section 19(1)(b) of the Act must be delivered to the returning officer—
 - (a) at a place specified by the returning officer;
 - (b) by the person named as a candidate personally or by his or her proposer or seconder; and
 - (c) at a time agreed between the returning officer and the person named as the candidate, being a time between 10.00am on day 6 and 1.00pm on nomination day (day 13).
- (2) The only persons who may attend at the delivery of a nomination paper are—
 - (a) the returning officer and any person assisting the returning officer;
 - (b) the person named as the candidate;
 - (c) the proposer or seconder of the person named as the candidate; and
 - (d) one other person selected by the person named as the candidate.



- (3) Where a person stands nominated by more than one nomination paper, only the person subscribing to, as proposer or seconder such one of those papers as he may select or, if none is selected, such one of those papers as it is first delivered, shall be entitled to attend as his proposer or seconder.

10 Consent to nomination

If a nomination paper is not delivered personally by the person named as the candidate, the returning officer may not hold the person validly nominated unless that person's written consent to the nomination, attested by a witness is delivered at a place and time agreed with the returning officer within the time appointed for the delivery of the nomination papers in accordance with Regulation 9.

11 Objections to nominations

- (1) The returning officer must attend and invite the persons standing nominated as a candidate to attend at a specified venue between 1.00pm and 2.00pm on nomination day (day 13) ("the period for objections").
- (2) The only persons who may attend the proceedings during the period for objections are—
 - (a) the returning officer and any person assisting the returning officer;
 - (b) a person standing nominated as a candidate;
 - (c) the proposer or seconder of a person standing nominated; and
 - (d) one other person selected by a person standing nominated.
- (3) The right to attend conferred by this regulation includes the right to inspect, and to object to the validity of, any nomination paper.

12 Decisions as to validity of nomination papers

- (1) This regulation applies when a nomination paper, and consent to a nomination paper (if required), has been delivered to a returning officer in accordance with these Regulations.
- (2) The returning officer must determine as soon as practicable whether the nomination paper of a person named as the candidate is valid.
- (3) Where the returning officer determines that a nomination paper is valid, the returning officer must notify the person named as the candidate.
- (4) The returning officer may only hold a nomination paper invalid for one of the following reasons—
 - (a) the person named as the candidate is, on the face of the nomination paper, ineligible for election;

- (b) the particulars of the person named as the candidate or the persons subscribing the paper are not as required by law;
 - (c) the paper is not subscribed as so required;
 - (d) proof is given, to the satisfaction of the returning officer, of the death of the person named as the candidate; or
 - (e) the candidate withdraws in accordance with regulation 16.
- (5) The returning officer may hold a nomination paper invalid at any time before the close of the period for objections to nominations under regulation 11.
- (6) The returning officer must give a decision on any objection to a nomination paper as soon as practicable after it is made.
- (7) If the returning officer decides that a nomination paper is invalid, the returning officer must as soon as practicable—
 - (a) notify the person named as the candidate in order to provide him or her with the opportunity to cure the invalidity, if appropriate; or
 - (b) endorse and sign on the paper the decision and the reasons for it and notify the person named as the candidate.
- (8) The returning officer's decision on the validity of a nomination paper may only be questioned in proceedings on an election petition. For the sake of clarity, this paragraph does not preclude the institution of proceedings for an offence under the Act.

13 Nomination for more than one ward

A candidate who is validly nominated for more than one ward must duly withdraw from his or her candidature in all those wards except one, and if he or she does not withdraw that candidate shall be deemed to have withdrawn from his or her candidature in all those electoral wards.

14 Appointment of election agent

- (1) The appointment of an election agent must be completed by the candidate in the form specified by the Chief Secretary and submitted to the returning officer.
- (2) The form of appointment must include the following particulars—
 - (a) the full name and address of the election agent; or
 - (b) where the candidate is acting as his or her own election agent, a statement to that effect; and
 - (c) a declaration by the election agent that he or she consents to act as such.



15 Role of election agent

The role and functions of the election agent include —

- (a) responsibility for the proper management of a candidate's election campaign; and
- (b) responsibility for the financial management of a candidate's election campaign.

16 Withdrawal of candidates

- (1) A candidate may, at any time before the close of the period for objections to nominations under regulation 11, but not afterwards, withdraw from the candidature by giving notice in writing to that effect to the returning officer.
- (2) A notice under this regulation must be —
 - (a) signed by the candidate or, if the candidate is unable to do so, by his or her proposer;
 - (b) if signed by the proposer, accompanied by a signed declaration by the proposer as to the candidate's inability to sign; and
 - (c) if delivered by any person other than the candidate, attested by a witness.

17 Method of election

- (1) If at the close of the period for objections to nominations under regulation 11, more candidates stand nominated than there are vacancies to be filled, a poll must be taken in accordance with Part 3.
- (2) If at that time no more candidates stand nominated than there are vacancies to be filled, the relevant provisions of Parts 4 and 5 apply.

PART 3 – CONTESTED ELECTIONS

DIVISION 1 – GENERAL PROVISIONS

18 Poll to be taken by ballot

The votes at the poll are to be given by ballot, the votes given to each candidate counted and the result determined in accordance with the following provisions of this part.

19 The ballot papers

- (1) The ballot of every voter is to consist of a ballot paper, and only the candidates standing nominated may have their names on the ballot paper.
- (2) Every ballot paper must —

- (a) be in the form specified;
 - (b) be printed in accordance with the returning officer's directions;
 - (c) contain the full names and place of residence as shown in their respective nomination papers;
 - (d) be capable of being folded up;
 - (e) have a number printed on the back; and
 - (f) have attached a counterfoil with the same number printed on the face.
- (3) The list of candidates on the ballot paper must be arranged alphabetically in the order of their surnames and, if there are 2 or more candidates of the same surname, in the order of their other names.

20 The official mark

- (1) Every ballot paper must be marked with an official mark in the manner specified by the returning officer so as to preclude false ballot papers being included in the count.
- (2) The official mark must be kept secret and an interval of not fewer than 7 years must intervene before the use of the same official mark at elections for the same electoral area.

21 Prohibition of disclosure of votes

A person who has voted at an election may not be required, in any legal proceedings in which the election or the return is being questioned, to state for whom he or she has voted.

DIVISION 2 – ACTION TO BE TAKEN BEFORE THE POLL

22 Notice of poll

The returning officer must, as soon as practicable after the close of the period for objections to nominations, give public notice of the poll in the form specified.

23 Death of a candidate

- (1) This regulation applies if, after publication of the notice of the poll and before the result of the election is declared, proof is given to the satisfaction of the returning officer of the death of one of the candidates.
- (2) Where this regulation applies, the returning officer must countermand notice of the poll, or if the poll or the count has begun, direct that such proceedings be abandoned, and all proceedings with reference to the election must be commenced afresh in all respects as if the notice of



election had been published on the day on which proof was given to the returning officer of the death.

- (3) No fresh nomination is necessary in the case of a person whose name has been published as a candidate.
- (4) If the poll is abandoned under this regulation and the proceedings at or consequent on that poll are interrupted, the presiding officer at each polling station for the relevant district or ward, as the case may be, must take like steps for delivery to the returning officer of ballot boxes, ballot papers and other documents as he or she is required to take on the close of the poll, and the returning officer must dispose of ballot papers and other documents in his or her possession as required on the completion of the counting of the votes.
- (5) However—
 - (a) it is not necessary for any ballot paper account to be prepared or verified; and
 - (b) the returning officer, without taking any step or further step for the counting of the ballot papers or of the votes, must seal up all the ballot papers, whether the votes on them have been counted or not, but it is not necessary to seal up counted and rejected ballot papers in separate packets.
- (6) If a poll is abandoned or countermanded after postal voter ballot papers have been issued by reason of the death of a candidate, the returning officer—
 - (a) must not take any step or further step to open covering envelopes or deal with the contents in accordance with Schedule 2; and
 - (b) must, despite paragraphs 16 and 17 of Schedule 2, treat all unopened covering envelopes and the contents of these that have been opened as if they were counted ballot papers.
- (7) The provisions of these Regulations as to the inspection, production, retention and destruction of ballot papers and other documents relating to a poll at an election apply to any such documents relating to a poll abandoned by reason of a candidate's death, with the following modifications—
 - (a) ballot papers on which the votes were neither counted nor rejected are treated as counted ballot papers; and
 - (b) no order, except one made by a court in connection with a prosecution, may be made for—
 - (a) the production or inspection of any ballot papers; or
 - (b) the opening of a sealed packet of counterfoils or of certificates of appointment.

24 Applications to vote by post

Schedule 2 has effect in respect of applications to vote in advance by post.

25 Proxy votes

Schedule 3 has effect in respect of applications to vote by proxy.

26 Provision of polling stations

- (1) The returning officer must provide one or more polling stations for each polling district.
- (2) If two or more polling stations are provided for a polling district, the returning officer must allot the electors to the polling stations in such manner as the returning officer thinks most expedient.
- (3) Two or more polling stations may be provided in the same room.
- (4) A polling station must be within the polling district that it is intended to serve, unless it is determined by the returning officer that there is no such suitable accommodation available, in which case he or she must make every effort to secure a polling station as close as possible to the polling district that it is intended to serve.

27 Appointment of presiding officers and clerks

- (1) The returning officer must appoint in writing and in the form specified, and pay the following officers and clerks—
 - (a) not more than 2 presiding officers to attend at each polling station;
 - (b) a chief counting clerk; and
 - (c) such poll clerks and counting clerks as may be necessary for the purposes of the election.
- (2) But no person who has been employed by or on behalf of a candidate in or about the election may be appointed under paragraph (1).
- (3) The presiding officer must be in possession at the polling station of the document of appointment in respect of his or her appointment together with those of the poll clerks and the returning officer must retain the documents of appointment of the chief counting officer and counting clerks.
- (4) If 2 presiding officers are appointed to attend at the same polling station, the returning officer must ensure that only one of them is on duty at the polling station at any one time.
- (5) On making the appointments under paragraph (1), the returning officer must immediately administer to each of the persons where mentioned an oath in the form set out in Part 2 to Schedule 1, and the certificate of the oath must be attached to each appointment.



- (6) The returning officer may, if he or she thinks fit, preside at a polling station, in which case the provisions of these Regulations relating to a presiding officer apply to the returning officer with any necessary modifications.
- (7) A presiding officer may delegate to any poll clerk any act (including the asking of questions) that the presiding officer is required or authorised by these Regulations to do at a polling station, except ordering —
 - (a) the arrest of any person; or
 - (b) the exclusion or removal of any person from the polling station.

28 Issue of official poll cards

- (1) As soon as is practicable the local authority must send an official poll card to each elector other than an elector whose application under section 85 of the Act to be treated as a postal voter has been allowed, by 5.00pm on day 28 according to the return delivered by the returning officer under paragraph 4(4) of Schedule 2.
- (2) An elector's official poll card must be sent or delivered to the elector's qualifying address.
- (3) The official poll card must be in the form specified and must set out —
 - (a) the name of the electoral area;
 - (b) the elector's name, qualifying address and number on the register of electors;
 - (c) the date and hours of the poll; and
 - (d) the location of the elector's polling station.

29 Equipment at polling stations

- (1) The returning officer must provide the presiding officer for each polling station with —
 - (a) such number of ballot boxes as the returning officer considers necessary, which must be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it without it being unlocked or the seal being broken;
 - (b) such number of ballot papers and tendered ballot papers as the returning officer considers necessary;
 - (c) sufficient compartments so that voters can mark their votes screened from observation; and
 - (d) materials to enable voters to mark the ballot papers.
- (2) The returning officer must provide the presiding officer for each polling station with —

- (a) copies of the register of electors, or such part of it as contains the names of the electors allotted to the station, but with the names ruled out of those electors whose applications to be treated as postal voters have been allowed; and
 - (b) a copy of the list of proxies, or such part of the list as contains the names of electors allotted to the station.
- (3) A notice in the form specified, giving directions for the guidance of the voters in voting, must be printed in conspicuous characters and exhibited in every compartment of every polling station.

30 Appointment of polling and counting agents

- (1) Each candidate may, before 5.00 p.m. on day 39, appoint —
 - (a) polling agents to attend at each polling station in the electoral area for the purpose of detecting personation, but not more than 2 may attend any one polling station at any one time, up to the maximum number permitted for each and every candidate by the returning officer.
 - (b) such other number of counting agents to attend at the counting of the votes as the candidate may wish, up to the maximum number permitted for each and every candidate by the returning officer.
- (2) The candidate must give notice in writing in the form specified of such appointments, stating the names and addresses of the persons appointed, to the returning officer before 5.00 p.m. on day 39.
- (3) If an agent dies, or becomes incapable of acting, the candidate may appoint another agent, and must as soon as practicable give notice in writing in the form specified of the name and address of the new agent appointed to the returning officer.
- (4) The returning officer must provide the presiding officer with a list of all polling agents appointed to attend the relevant polling station.
- (5) The returning officer must ensure a list of all counting agents appointed is available at the counting of the votes.
- (6) If no polling or counting agent has been appointed by a candidate, or such an agent is not present, that candidate may personally do any act or thing which the agent could have done under these Regulations.
- (7) Where by these Regulations any act or thing is required or authorised to be done in the presence of the polling or counting agents, the non-attendance of any agents or agent at the time and place appointed for the purposes does not, if the act or thing is otherwise duly done, invalidate the act or thing done.



31 Declaration of secrecy

- (1) Before the opening of the poll, a declaration of secrecy in the form set out in Part 4 of Schedule 1 must be signed by —
 - (a) every officer or clerk authorised to attend at a polling station;
 - (b) every accredited observer attending at a polling station;
 - (c) every candidate attending at a polling station; and
 - (d) every polling agent.
- (2) Before the counting of the votes, a declaration of secrecy in the form set out in Part 4 of Schedule 1 must be signed by —
 - (a) every officer or clerk authorised to attend at a polling station;
 - (b) every accredited observer attending at a polling station;
 - (c) every candidate attending at the counting of the votes;
 - (d) every counting agent;
 - (e) the individual, if any, nominated by a candidate attending the count other than as a counting agent; and
 - (f) every other individual permitted by the returning officer to attend at the counting of the votes, unless that person has already signed a declaration of secrecy under paragraph 1.
- (3) The declaration of secrecy must be signed in the presence of either the returning officer, a justice of the peace or a commissioner for oaths.

DIVISION 3 – THE POLL

32 Admission to polling station

The presiding officer must regulate the number of voters to be admitted to the polling station at the same time, and must exclude all other persons except —

- (a) the candidates;
- (b) the polling agents appointed to attend at the polling station;
- (c) the poll clerks;
- (d) the returning officer;
- (e) any constables on duty;
- (f) any accredited observer;
- (g) the companions of voters with disabilities at the discretion of the presiding officer; and
- (h) persons under the age of 16 who accompany voters at the discretion of the presiding officer.

33 Keeping of order in polling station

- (1) The presiding officer must keep order at the polling station.
- (2) If a person misconducts himself or herself in a polling station, or fails to obey the lawful orders of the presiding officer, the person may immediately, by order of the presiding officer be removed from the polling station by a constable, and the person so removed may not re-enter the polling station during that day without the permission of the presiding officer.
- (3) Any person so removed may, if charged with the commission of an offence in the polling station, be dealt with as a person taken into custody by a constable for an offence without a warrant.
- (4) Unless the interests of good order require it, the powers conferred by this regulation may not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

34 Sealing of ballot boxes

Immediately before the commencement of the poll, the presiding officer must —

- (a) show that the ballot box is empty to such persons, if any, as are present in the polling station;
- (b) lock it up or seal it and place his or her seal on it in such manner as to prevent it being opened without breaking the seal;
- (c) place it in his or her view for the receipt of ballot papers; and
- (d) keep it so locked and sealed.

35 Questions to be put to voters

- (1) The presiding officer may (or, if so required by a polling agent, must) put to any person applying for a ballot paper at the time of such application, but not afterwards, any of the following questions —
 - (a) in the case of a person applying as an elector —
 - (i) “Are you the person registered in the register of electors for this election as follows [read the whole entry from the register]?”;
 - (ii) “Have you already voted, here or elsewhere, at this election for the electoral area of [name the electoral area], otherwise than as proxy for another person?”;
 - (iii) “What is your date of birth?”;
 - (b) In the case of a person applying as a proxy —
 - (i) “Are you the person whose name appears as [name the proxy] in the list of proxies for this election as entitled to



- vote as proxy on behalf of [name the person who has appointed the proxy]?”;
- (ii) “Have you already voted, here or elsewhere, at this election for the electoral area of [name the electoral area] as proxy on behalf of [name the person who has appointed the proxy]?”.
- (2) In the case of a person applying as proxy, the presiding officer may and must if required by a polling agent, put the following additional questions —
- (a) “Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of [name the person who has appointed the proxy]?”, and if that question is not answered in the affirmative —
- (b) “Have you already voted, here or elsewhere, at this election for the electoral area of [name the electoral area] on behalf of 2 persons of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild?”.
- (3) Subject to sub-paragraph (4), a ballot paper must not be delivered to any person required to answer the above questions, or any of them, unless the person has given a satisfactory answer to the question or questions.
- (4) Nothing in this regulation prevents a presiding officer, on reasonable grounds, from asking any person applying for a ballot paper in accordance with regulation 35(1) for further information as to their identity.
- (5) No inquiry may be made into a person’s right to vote except in accordance with this regulation.

36 Challenge of voter

- (1) If, at the time or after a person applies for a ballot paper for the purpose of voting but before the person has left the polling station, a polling agent —
- (a) declares to the presiding officer that he or she has reasonable cause to believe that the applicant has committed an offence of personation; and
- (b) undertakes to substantiate the charge in a court of law, the presiding officer may order a constable to arrest the applicant, which order is sufficient authority for the constable to do so.
- (2) A person against whom a declaration is made under this regulation is not, by reason of that declaration, prevented from voting.
- (3) A person arrested under this regulation is to be dealt with as a person taken into custody by a constable for an offence without a warrant.

37 Voting procedure

- (1) A ballot paper, marked with the official mark, must be delivered to a voter who applies for it, and immediately before delivery —
 - (a) the number and name of the elector as stated in the copy of the register of electors must be called out;
 - (b) the number of the elector must be marked on the counterfoil; and
 - (c) a mark must be placed on the register of electors against the number of the elector to denote that a ballot paper has been received, but without showing the particular ballot paper which has been received.
- (2) Subject to regulation 38, the voter, on receiving the ballot paper, must proceed immediately and alone into one of the compartments in the polling station and there must —
 - (a) secretly mark the paper; and
 - (b) fold the paper so that the vote is concealed.
- (3) After leaving the compartment the voter must —
 - (a) return immediately to the presiding officer's table and show the back of the folded paper to the presiding officer so as to disclose the official mark; and
 - (b) put the folded ballot paper into the ballot box in the presence of the presiding officer.
- (4) The voter must leave the polling station immediately after putting the ballot paper into the ballot box.
- (5) The voter must not show the ballot paper after marking it to any person other than the presiding officer, and must show it to the presiding officer only if the voter wishes to prove that it has been spoilt.
- (6) In the case of a proxy voter, the procedure set out above is modified in accordance with paragraph 5 of Schedule 3.

38 Votes marked by a presiding officer

- (1) The presiding officer, on the application of a voter who declares orally that he or she is —
 - (a) incapacitated by blindness or other physical cause from voting in the manner directed by these Regulations; or
 - (b) unable to read,must, in the presence of the polling agents, cause the vote of the voter to be marked on a ballot paper in the manner directed by the voter, and the ballot paper to be placed in the ballot box.



- (2) The name and number on the register of electors of every voter whose vote is marked in pursuance of this regulation and the reason why it is so marked must be entered on a list of votes marked by the presiding officer.
- (3) In the case of a person voting as proxy for an elector, the number to be entered together with the voter's name is the elector's number.

39 Tendered ballot papers

- (1) If a person representing himself or herself to be —
 - (a) a particular elector named on the register, whose name has not been ruled out as a postal voter; or
 - (b) a particular person named in the list of proxies as proxy for an elector,

applies for a ballot paper after another person has voted either as the elector or as the elector's proxy as the case may be, the applicant must, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled to mark a ballot paper (a "tendered ballot paper") in the same manner as any other voter.
- (2) A tendered ballot paper must —
 - (a) be of a different colour from the other ballot papers; and
 - (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by the presiding officer with the name of the voter and the voter's number in the register of electors and set aside in a separate packet.
- (3) The name of the voter and his or her number on the register of electors must be entered on a list (the "list of tendered votes").
- (4) In the case of a person voting as proxy for an elector, the number to be endorsed or entered together with the voter's name is the elector's number.

40 Spoilt ballot papers

A voter who has inadvertently dealt with his or her ballot paper in such manner that it cannot conveniently be used as a ballot paper may, on delivering it to the presiding officer and proving to the presiding officer's satisfaction the fact of the inadvertence, obtain another ballot paper in the place of the ballot paper so delivered (a "spoilt ballot paper"), and the spoilt ballot paper must be immediately endorsed "spoilt" by the presiding officer and set aside in a separate packet.

41 Adjournment of poll in case of riot

- (1) If the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer must adjourn the proceedings until the following day and must immediately give notice to the returning officer.
- (2) Where the poll is adjourned at any polling station —
 - (a) the hours of polling on the day to which it is adjourned must be the same as for the original day; and
 - (b) references in these Regulations to the close of the poll are construed accordingly.

42 Procedure on close of poll

- (1) As soon as practicable after the close of the poll, the presiding officer must, in the presence of the polling agents (if any) —
 - (a) make up the items listed in paragraph (2) into separate packets, sealed with the presiding officer's own seal and the seals of any polling agents who wish to affix their seals; and
 - (b) deliver them to the returning officer to take charge of.
- (2) The items are —
 - (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened but with the key (if any) attached;
 - (b) any postal voter ballot envelopes delivered by hand to a polling station in accordance with paragraph 14 of Schedule 2;
 - (c) the unused ballot papers;
 - (d) the spoilt ballot papers;
 - (e) the tendered ballot papers;
 - (f) the ballot paper account;
 - (g) the marked copies of the register of electors;
 - (h) the list of proxies;
 - (i) the counterfoils of the used ballot papers;
 - (j) the list of tendered votes;
 - (k) the list of votes marked by the presiding officer, including the number of votes so marked under the heads "physical incapacity" and "unable to read"; and
 - (l) the appointments and certificates of oaths of the presiding officer and poll clerks.



DIVISION 4 – COUNTING OF VOTES

43 Attendance at count

- (1) The returning officer must make arrangements for counting the votes as soon as practicable after the close of the poll.
- (2) Only the following may be present at the counting of the votes —
 - (a) the returning officer, presiding officer, chief counting officer, poll clerks and counting clerks;
 - (b) any accredited observer;
 - (c) the candidates;
 - (d) the counting agents;
 - (e) one individual, if any, nominated by each candidate to attend; and
 - (f) any individual permitted by the returning officer to attend,and the returning officer must ensure that all such persons are informed of the arrangements for the counting of the votes.
- (3) The returning officer may impose conditions as to the conduct of persons permitted under paragraph (2) and may restrict the number of persons attending under sub-paragraph (e) of that paragraph.
- (4) The returning officer must keep order at the counting of the votes.
- (5) If a person misconducts himself or herself at the counting of the votes, or fails to obey the lawful orders of the returning officer, the person may immediately, by order of the returning officer, be removed from the place for the counting of the votes by a constable, and the person so removed may not re-enter the place for the counting of the votes during that day without the permission of the returning officer.
- (6) Any person so removed may, if charged with the commission of an offence in the place for the counting of the votes, be dealt with as a person taken into custody by a constable for an offence without a warrant.
- (7) The returning officer must give the counting agents —
 - (a) all such reasonable facilities for overseeing the proceedings (including, in particular, facilities for satisfying themselves that the ballot papers are correctly sorted); and
 - (b) all such information with respect to the proceedings as he or she can give them consistent with the orderly conduct of the proceedings and the discharge of his or her duties in connection with those proceedings.
- (8) In particular, if the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and counting the number of ballot papers for each candidate, the counting agents are entitled to satisfy themselves that the ballot papers are correctly sorted.

44 The count

- (1) Before the returning officer proceeds to count the votes, the returning officer must —
 - (a) in the presence of the counting agents open each ballot box, take out the ballot papers in it, count and record them and verify each ballot paper account in accordance with paragraph (2).
 - (b) count and record such of the postal voter ballot papers as have been duly returned in accordance with paragraph (3); and
 - (c) merge the ballot papers mentioned in sub-paragraphs (a) and (b).
- (2) The returning officer must —
 - (a) verify each ballot paper account by comparing it with the number of ballot papers recorded and opening, counting the contents and resealing the packets containing the unused ballot papers, spoilt ballot papers and the list of tendered votes and adding all but the tendered ballot papers to the total; and
 - (b) draw up a statement as to the result of the verification, which any counting agent may copy.
- (3) A postal voter ballot paper is not to be taken to be duly returned unless it meets the requirements of Schedule 2.
- (4) While counting and recording the number of ballot papers and counting the votes the returning officer must keep the ballot papers face up and take all proper precautions to prevent any person seeing the numbers printed on the back.
- (5) The returning officer must, so far as practicable, proceed continuously with counting the votes.

45 Re-count

- (1) When the count or any re-count of the votes is completed, a candidate, or in a candidate's absence, any of his or her counting agents, may request the returning officer to have the votes re-counted or again re-counted, and the returning officer may refuse to do so only if he or she considers the request unreasonable.
- (2) No step may be taken on the completion of the count or any re-count of votes until the candidates or, in a candidate's absence, any of his or her counting agents when present have been given a reasonable opportunity to exercise the right conferred by this regulation.

46 Rejected ballot papers

- (1) Any ballot paper —
 - (a) not bearing the official mark;



- (b) on which votes are given for more candidates than there are vacancies to be filled;
 - (c) on which anything is written or marked by which the voter can be identified except the printed number of the back; or
 - (d) that is unmarked or void for uncertainty,is void and must not be counted.
- (2) However, if the voter is entitled to vote for more than one candidate, a ballot paper is not void for reasons of uncertainty as respects any vote as to which no uncertainty arises and that vote must be counted.
- (3) A ballot paper on which the vote is marked —
 - (a) elsewhere than in the proper place;
 - (b) otherwise than by means of a cross; or
 - (c) by more than one mark against the same candidate's name,is not for that reason void if it is clear that the vote is for a particular candidate and the way the paper is marked cannot identify the voter.
- (4) The returning officer must endorse the words "rejected" on any ballot paper which under this regulation is not to be counted, and if a counting agent objects to that decision must add to the endorsement the words "rejection objected to".
- (5) The returning officer must draw up a statement showing the number of ballot papers rejected under the following heads —
 - (a) want of official mark;
 - (b) voting for more candidates than there are vacancies to be filled;
 - (c) writing or mark by which voter could be identified;
 - (d) unmarked or void for uncertainty,and any counting agent may copy the statement.

47 Decisions on ballot papers

The decision of the returning officer on any question arising in respect of a ballot paper is final, but is subject to review on an election petition.

48 Equality of votes

If, after the counting of the votes (including any re-count) is completed, an equality of votes is found to exist between any candidates and the addition of a vote would entitle any of those candidates to be declared elected, the returning officer must immediately decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

PART 4 – FINAL PROCEEDINGS IN CONTESTED AND UNCONTESTED ELECTIONS

49 Declaration of result

- (1) In an uncontested election the returning officer must immediately after the close of the period for objections to nominations —
 - (a) declare the candidate or candidates nominated to be elected; and
 - (b) give public notice of the candidate or candidates elected.
- (2) In a contested election, when the result of the poll has been ascertained, the returning officer must immediately and in public —
 - (a) declare inside, or if the returning officer considers it necessary or desirable to promote wider knowledge of the result, outside the place of the count the candidate or candidates to whom the majority of votes has been given to be elected; and
 - (b) give notice of —
 - (i) the candidate or candidates elected;
 - (ii) the total number of votes given for each candidate;
 - (iii) the total number of voters voting at the election (other than voters whose ballot papers have been rejected under regulation 46); and
 - (iv) the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.
- (3) The returning officer shall forthwith send a copy of the notice under paragraph (1)(b) or (2)(b) to the Department.

PART 5 – DISPOSAL OF DOCUMENTS

DIVISION 1 – UNCONTESTED ELECTIONS

50 Delivery of documents to Clerk of the Rolls

- (1) The returning officer must as soon as practicable and, in any event, within 7 days of nomination day (day 13) —
 - (a) endorse on each of the packets of documents listed in paragraph (2), a description of its contents, the date of the election to which it relates and the name of the electoral area for which the election was held; and
 - (b) forward the packets to the Clerk of the Rolls.
- (2) The packets of documents are —
 - (a) the oath of the returning officer;



- (b) the appointments attached to the oaths for each returning officer; and
 - (c) the nomination papers.
- (3) Any other documents in the returning officer's possession must be dealt with by the returning officer in a secure and appropriate manner.

DIVISION 2 – CONTESTED ELECTIONS

51 Sealing up of ballot papers

- (1) On the completion of the counting of the votes the returning officer must seal up in separate packets the counted and rejected ballot papers.
- (2) The returning officer must not open the sealed packets of tendered ballot papers or of counterfoils, or of the marked copies of the register of electors.

52 Delivery of documents to Clerk of the Rolls

- (1) The returning officer must as soon as practicable and in any event within 7 days of declaring the result of the poll —
 - (a) endorse on each of the packets of documents listed in paragraph (2) a description of its contents, the date of the election to which it relates, the name of the electoral area for which the election was held and whether the documents are available for public inspection under these Regulations or not; and
 - (b) forward the packets to the Clerk of the Rolls.
- (2) The packets of documents are —
 - (a) documents present or generated at the count —
 - (i) the ballot papers (including the postal voter ballot papers which will have been mixed in with the other ballot papers accepted at the polling station);
 - (ii) the rejected ballot papers;
 - (iii) the electoral area ballot paper account;
 - (iv) the statements of rejected ballot papers;
 - (v) the statements of the result of the verification of the ballot paper accounts;
 - (vi) the oath of the returning officer;
 - (vii) the rejected postal votes under paragraph 21 of Schedule 2;
 - (viii) the rejected postal voting statements under paragraph 21 of Schedule 2;
 - (ix) the rejected ballot paper envelopes under paragraph 21 of Schedule 2;

- (x) the lists of spoilt and lost postal voter ballot papers under paragraph 21 of Schedule 2;
- (xi) valid postal voting statements under paragraph 21 of Schedule 2; and
- (xii) the list of rejected postal voter ballot papers under paragraph 18 of Schedule 2;
- (b) documents in the returning officer's possession —
 - (i) the appointments attached to the oaths for each presiding officer, poll clerk, chief counting officer and counting clerk;
 - (ii) the nomination papers;
 - (iii) applications for a postal vote under paragraph 1 of Schedule 2;
 - (iv) counterfoils of issued postal voter ballot papers, unused postal voter ballot papers and list of postal voters under paragraph 13 of Schedule 2.
 - (v) the packet of spoilt postal voter ballot papers, postal voting statements and ballot paper envelopes under paragraph 11(7) of Schedule 2;
 - (vi) list of spoilt postal voter ballot papers under paragraph 11(9) of Schedule 2;
 - (vii) the postal voter ballot account;
 - (viii) the notifications of appointment of polling agents and counting agents; and
 - (ix) the declarations of secrecy.
- (c) documents from the presiding officers (keeping each item in a separate packet, but including all such items from all polling stations) —
 - (i) the unused ballot papers;
 - (ii) the spoilt ballot papers;
 - (iii) the tendered ballot papers;
 - (iv) the polling station ballot accounts;
 - (v) the marked copies of the registers of electors;
 - (vi) the list of proxies;
 - (vii) the counterfoils of the used ballot papers;
 - (viii) the list of tendered votes; and
 - (ix) the list of votes marked by the presiding officer, including the number of votes so marked under the heads "physical incapacity" and "unable to read".



- (3) If any covering envelopes are received by the returning officer after the close of the poll or any envelopes addressed to postal voters are returned as undelivered too late to be re-addressed, the returning officer must put them unopened into a separate packet, seal it up and forward it to the Clerk of the Rolls within 7 days of declaring the result of the poll or the receipt of the relevant envelope, whichever is later.
- (4) Any other documents in the returning officer's possession must be dealt with by the returning officer in a secure and appropriate manner.

53 Orders for production of documents

- (1) An order —
 - (a) for the inspection or production of any rejected ballot papers in the custody of the Clerk of the Rolls; or
 - (b) for the opening of a sealed packet of counterfoils or the inspection of any counted ballot papers in the custody of the Clerk of the Rolls,

may be made by the Keys, or if satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers or for the purpose of an election petition, by a Deemster.
- (2) An order under this regulation may be made subject to conditions as to persons, time, place and mode of inspection, production or opening as the Keys or the Deemster making the order thinks expedient.
- (3) In making and carrying into effect an order for the opening of a packet of counterfoils or for the inspection of counted ballot papers, care must be taken not to disclose the way in which the vote of any particular elector has been given until it has been proved that the vote was given and has been declared by a competent court to be invalid.
- (4) If an order is made for the production by the Clerk of the Rolls of any document in the possession of the Clerk of the Rolls relating to any specified election, the production of the document by the Clerk of the Rolls or an agent of the Clerk of the Rolls, in such manner as may be required by that order —
 - (a) is conclusive evidence that the document relates to the specified election; and
 - (b) any endorsement on a packet of ballot papers so produced is prima facie evidence that the ballot papers are what they are stated to be by the endorsement.
- (5) The production from proper custody of —

- (a) a ballot paper purporting to have been used at an election, and
- (b) a counterfoil marked with the same printed number and having a number marked on it in writing,

is prima facie evidence that the elector whose vote was given by that ballot paper was the person who at the time of the election had affixed to his or her name in the register of electors the same number as the number written on the counterfoil.

- (6) No person may —
 - (a) inspect any rejected or counted ballot papers in the possession of the Clerk of the Rolls; or
 - (b) open any sealed packets of counterfoils,except as provided in accordance with this regulation.

54 Retention and public inspection of documents

- (1) The Clerk of the Rolls must retain for a year all documents relating to an election received under regulation 50 or regulation 52 from a returning officer, and then, unless otherwise directed by order of the Keys or a Deemster and subject to (3) below, must cause them to be destroyed.
- (2) The documents, apart from ballot papers and counterfoils, must be open to public inspection at such time and subject to such conditions as the Clerk of the Rolls may decide.
- (3) All documents should be offered to the Public Record Office for consideration for permanent preservation prior to any destruction of documents.

55 Lower level complaints

- (1) Subject to subparagraph (2) if a complainant wishes to make a complaint relating to an election, he or she must direct the complaint to the returning officer as soon as practicable after the event giving rise to the complaint.
- (2) A complainant cannot make a complaint under this regulation if it is complaining of either —
 - (a) an undue election;
 - (b) an undue return; or
 - (c) no return.
- (3) The returning officer, upon receiving any complaint in accordance with (1) above must endeavour to resolve the matter with the complainant and should the matter not be able to be resolved the returning officer must advise the complainant accordingly along with the reasons why the complaint cannot be resolved.

PART 6 - REVOCATION

56 Revocation

The Elections (Keys and Local Authorities) Local Authorities Regulations 2022¹ are revoked.

MADE 1 JULY 2022

CALDRIC RANDALL
Acting Chief Secretary

¹ SD 2022/0206

SCHEDULE 1

[Regulation 5 and 27(5)]

OATHS OF OFFICE AND DECLARATION OF SECRECY**PART 1 – OATH OF OFFICE OF RETURNING OFFICER**

I, [full name] having been appointed Returning Officer for the electoral area of [electoral area] solemnly swear [or affirm] that I am qualified according to law to act as Returning Officer for the said electoral area and that I will act faithfully in that capacity, without partiality, fear, favour or affection.

Signature _____ Date _____

In the presence of _____ ([Justice of the Peace][Commissioner for Oaths]) Date _____

PART 2 – OATH OF OFFICE OF OTHER OFFICERS AND CLERKS

I, [full name] having been appointed *[Presiding Officer][Poll Clerk][Chief Counting Clerk][Counting Clerk] for the electoral area of [electoral area] do solemnly swear [or affirm] that I am qualified according to law to act as such for the said electoral area and that I will act faithfully in that capacity, without partiality, fear, favour or affection.

Signature _____ Date _____

In the presence of _____ (Returning Officer)
Date _____**PART 3 DECLARATION OF SECRECY OF RETURNING OFFICER**

I, [full name] having been appointed Returning Officer for the electoral area of [electoral area] solemnly promise and declare that I will not, except for any purpose authorised by law, communicate to any person any information as to —

- (a) the name or number on the register of electors of any person who has or has not applied for a postal vote ballot paper;
- (b) the candidate to whom any postal voter has given his or her vote;
or
- (c) The official mark for postal vote ballot papers,

and I will not do anything forbidden by section 107 of the Elections (Keys and Local Authorities) Act 2020, which reads —

“107 Requirement of Secrecy

- (1) This section applies equally to national elections and local elections.²
- (2) Every person to whom this subsection applies must maintain and aid in maintaining the secrecy of voting and must not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to —
 - (a) the name of any eligible elector or proxy for an eligible elector who has or has not applied for a ballot paper or voted at a polling station;
 - (b) the number on the register of electors of any eligible elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
 - (c) the official mark.
- (3) Subsection (2) applies to —
 - (a) a deputy returning officer;
 - (b) a teller;
 - (c) a presiding officer or clerk attending at a polling station; and
 - (d) every candidate or agent so attending.
- (4) A person attending at the counting of votes must maintain and aid in maintaining the secrecy of the voting and must not —
 - (a) ascertain at the counting of the votes the number on the back of any ballot paper; or
 - (b) communicate any information obtained at the counting of the votes as to the candidates for whom any vote is given in any particular ballot paper.
- (5) A person must not —
 - (a) interfere with a voter when recording his or her vote;
 - (b) otherwise obtain, or attempt to obtain, in a polling station information as to the candidate for whom a voter in that station is about to vote, or has voted;
 - (c) communicate at any time to any person any information obtained in any polling station as to the candidate for whom a voter in that station is about to vote or who has voted, or as to the number of the back of the ballot paper given to a voter at that station; or
 - (d) directly or indirectly induce a voter to display his or her ballot paper after he or she has marked it so as to make known to any person the name of the candidate for whom he or she has or has not voted.

² For the purposes of clarity these regulations are not applicable to local elections.



- (6) If any person acts in contravention of this section he or she commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale, or to custody for a term not exceeding six months or to both.
- (7) In this section “a teller” is a volunteer who, during an election, attends a polling station on behalf of a candidate to record the elector number of eligible electors who voted.
- (8) If convinced of the necessity of doing so in the interest of ensuring a free and fair election, the presiding officer at a polling station may lawfully evict any of the following persons for failure to abide by any provision of a code of conduct prepared and issued in accordance with section 63(3)(c)—
- (e) a teller;
 - (f) a volunteer;
 - (g) a person casually in attendance at the polling station.
- (9) A teller who refuses or otherwise fails to depart from the polling station after having been lawfully evicted by the presiding officer in accordance with subsection (8) commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale, or to custody for a term not exceeding 6 months, or to both.”.

Signature _____ Date _____

In the presence of _____ ([Justice of the Peace][Commissioner for Oaths]) Date _____

PART 4 – DECLARATION OF SECRECY OF OTHERS

I, [name], as [insert description of category under which declaration is being made] solemnly promise and declare that I will not do anything forbidden by section 107 of the Elections (Keys and Local Authorities) Act 2020, which reads —

“107 Requirement of Secrecy

- (1) This section applies equally to national elections and local elections.³
- (2) Every person to whom this subsection applies must maintain and aid in maintaining the secrecy of voting and must not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to —

³ For the purposes of clarity these regulations are not applicable to local elections.

- (a) the name of any eligible elector or proxy for an eligible elector who has or has not applied for a ballot paper or voted at a polling station;
 - (b) the number on the register of electors of any eligible elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
 - (c) the official mark.
- (3) Subsection (2) applies to —
 - (a) a deputy returning officer;
 - (b) a teller;
 - (c) a presiding officer or clerk attending at a polling station; and
 - (d) every candidate or agent so attending.
- (4) A person attending at the counting of votes must maintain and aid in maintaining the secrecy of the voting and must not —
 - (a) ascertain at the counting of the votes the number on the back of any ballot paper; or
 - (b) communicate any information obtained at the counting of the votes as to the candidates for whom any vote is given in any particular ballot paper.
- (5) A person must not —
 - (a) interfere with a voter when recording his or her vote;
 - (b) otherwise obtain, or attempt to obtain, in a polling station information as to the candidate for whom a voter in that station is about to vote, or has voted;
 - (c) communicate at any time to any person any information obtained in any polling station as to the candidate for whom a voter in that station is about to vote or who has voted, or as to the number of the back of the ballot paper given to a voter at that station; or
 - (d) directly or indirectly induce a voter to display his or her ballot paper after he or she has marked it so as to make known to any person the name of the candidate for whom he or she has or has not voted.
- (6) If any person acts in contravention of this section he or she commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale, or to custody for a term not exceeding six months or to both.
- (7) In this section “a teller” is a volunteer who, during an election, attends a polling station on behalf of a candidate to record the elector number of eligible electors who voted.
- (8) If convinced of the necessity of doing so in the interest of ensuring a free and fair election, the presiding officer at a polling station may lawfully evict any of the following persons for failure to abide by any provision of



a code of conduct prepared and issued in accordance with section 63(3)(c)—

- (e) a teller;
 - (f) a volunteer;
 - (g) a person casually in attendance at the polling station.
- (9) A teller who refuses or otherwise fails to depart from the polling station after having been lawfully evicted by the presiding officer in accordance with subsection (8) commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale, or to custody for a term not exceeding 6 months, or to both.”.

Signature_____ Date_____

In the presence of _____([Justice of the
Peace][Commissioner for Oaths][Returning Officer])

Date_____

SCHEDULE 2

[Regulation 27]

POSTAL VOTES**PART 1 – APPLICATIONS****1 General requirements for applications for a postal vote**

- (1) An application under section 85 must be made in writing on a form specified and be signed and dated by the elector, or if the elector has nominated one, the elector's proxy ("the applicant").
- (2) The application must include the following —
 - (a) the full name of the applicant, the applicant's date of birth and the address in respect of which the applicant is registered;
 - (b) an address to which a ballot paper is to be sent; and
 - (c) the elector's signature.

For the sake of clarity, this sub-paragraph does not prevent further information from being required.
- (3) The returning officer may take such steps as he or she deems necessary to ensure an application is from the person purporting to be that elector.

2 Closing date for applications

An application for a postal vote must be made to the returning officer so as to reach the returning officer —

- (a) where the postal voter's ballot paper is to be marked in the Island, by 5.00 p.m. on day 34; or
- (b) where the postal voter's ballot paper is to be marked in the British Islands but outside the Island, by 5.00 p.m. on day 28; or
- (c) where the postal voter's ballot paper is to be marked outside of the British Islands and outside the Island, by 5.00pm on day 19.

3 Grant or refusal of applications

- (1) Where the returning officer grants an application under section 85 to allow a postal vote, the returning officer must —
 - (a) enter the applicant's electoral number and name on the list of postal voters; and
 - (b) rule out, initial and place the letter "A" against the particulars of the elector on the register of electors to be used at the polling station.



- (2) When refusing an application, the returning officer must notify the applicant of the decision and of the reason for it.

4 List of postal voters

- (1) The returning officer must, in respect of each election, keep —
- (a) a list of those whose applications to be postal voters have been granted (the “list of postal voters”); and
 - (b) a list of the addresses provided in their applications as the addresses to which their ballot papers are to be sent.
- (2) A record of all communications sent to or by the returning officer in respect of postal votes must be kept, together with all such particulars as will enable the sender of incoming communications and the recipient of outgoing communications to be identified and the date and time of receipt of despatch (as the case requires).
- (3) The lists under sub-paragraph (1) and the record under sub-paragraph (2) may —
- (a) be held in electronic form; and
 - (b) in any event, be contained in a single document.
- (4) The returning officer must send a copy of the list of postal voters to the Local Authority by 5.00 pm on day 28.

PART 2 – ISSUE AND RECEIPT OF POSTAL VOTER BALLOT PAPERS

DIVISION 1 – ISSUE

5 Time when postal voter ballot papers are to be issued

If a returning officer is satisfied that the applicant is entitled to be treated as a postal voter the returning officer must issue a postal voter ballot paper —

- (a) where it is to be marked in the Island, by 5.00 p.m. on day 35; or
- (b) where it is to be marked in the British Islands but outside the Island, by 5.00 p.m. on day 29; or
- (c) where it is to be marked outside the British Islands and outside the Island by 5.00 p.m. on day 20.

6 Provision of postal voter ballot papers

- (1) The returning officer must issue a ballot paper, a postal voting statement and envelopes in accordance with paragraphs 8, 9 and 10 and these documents will be collated into a packet and delivered to the postal voter.
- (2) For the delivery of the packet mentioned in sub-paragraph (1), the returning officer may use —

- (a) Isle of Man Post Office; or
 - (b) a person designated to do so by the returning officer.
- (3) The funding of the cost of delivery is payable by the Local Authority.

7 Procedure on issue of postal ballot paper

- (1) No person may be present at the proceedings on the issue of postal voter ballot papers other than the returning officer and postal voter.
- (2) Every postal voter ballot paper issued must bear an official mark that is different from the official mark to be used in that electoral area on polling day.
- (3) The number of the elector as stated in the register must be marked on the counterfoil attached to the postal voter ballot paper.
- (4) A mark must be placed on the list of postal voters against the number of the elector to denote that a postal voter ballot paper has been issued to the elector, but without showing the particular ballot paper issued.
- (5) The number of a postal voter ballot paper must be marked on the postal voting statement issued with that paper.
- (6) The returning officer must take proper precautions for the security of the list of postal voters and the counterfoils of those ballot papers that have been issued until the packets containing them have been sealed.

8 Postal Voting Statement Form

The postal voting statement form accompanying the ballot paper provided to a postal voter must include the postal voter ballot paper number, space for the postal voter's signature and their date of birth and must be in the form specified.

9 Envelopes

- (1) For every postal vote, in addition to the ballot paper and postal voting statement, the returning officer must issue —
 - (a) an envelope for the ballot paper (a "ballot paper envelope") marked with —
 - (i) the letter "A";
 - (ii) the words "ballot paper envelope"; and
 - (iii) the number of the ballot paper;
 - (b) a larger "covering envelope" marked with the letter "B" for the postal voter's sealed ballot paper envelope and the postal voting statement.



- (2) The covering envelope must be marked "Postal Voter Ballot Paper" and addressed to the returning officer at such place as the returning officer thinks most convenient and expeditious.

10 Voting by postal voters

- (1) Before marking the ballot paper, the postal voter must complete and sign the postal voting statement form.
- (2) The postal voter must then vote secretly by marking the ballot paper in private, and insert the ballot paper into the envelope marked "A", seal the said envelope and place the said envelope and the postal voting statement in the envelope marked "B" and seal the envelope.
- (3) Once the postal voter ballot paper has been marked (whether in the Island or elsewhere) it may be delivered to the returning officer —
 - (a) at any time before 5.00pm on day 41 at an address specified by the returning officer; or
 - (b) on polling day (day 42) at any polling station in the postal voter's electoral area at any time before 8.00 p.m.

11 Spoilt postal ballot paper or postal voting statement

- (1) If a postal voter has inadvertently dealt with his or her ballot paper or postal voting statement in such a manner that it cannot be conveniently used as a ballot paper (a "spoilt postal voter ballot paper") or, as the case may be, a postal voting statement (a "spoilt postal voting statement") he or she may return (either by hand or by post) to the returning officer the spoilt postal voter ballot paper or, as the case may be, the spoilt postal voting statement.
- (2) Where a postal voter exercises the entitlement conferred by subparagraph (1), he or she must also return —
 - (a) the postal voter ballot paper or, as the case may be, the postal voting statement, whether spoilt or not; and
 - (b) any envelopes supplied for the return of the documents mentioned in sub-paragraph (1).
- (3) On receipt of the documents referred to in sub-paragraphs (1) and (2), the returning officer must issue a replacement postal voter ballot paper and postal voting statement.
- (4) However, if the returning officer considers that there is insufficient time to issue and re-send any replacement documents, the returning officer may issue another postal voter ballot paper and postal voting statement only if the postal voter returned the documents by hand.

- (5) The following apply to the issue of a replacement postal voter ballot paper under sub-paragraph (3) as they apply to the issue of a postal voter ballot paper —
 - (a) paragraph 7 (other than sub-paragraph 4);
 - (b) paragraph 9; and
 - (c) paragraph 6(2), but subject to sub-paragraph (8) of this paragraph.
- (6) The spoilt postal voter ballot paper, the postal voting statement and any ballot paper envelope must be immediately endorsed as spoilt.
- (7) As soon as practicable after endorsing the documents as mentioned in sub-paragraph (6) the returning officer must place them in a separate sealed packet and if on any subsequent occasion documents are cancelled as mentioned above, the returning officer must open the sealed packet and place the additional cancelled documents inside before re-sealing the packet.
- (8) If a postal voter applies in person, the returning officer may hand a replacement postal voter ballot paper to the voter instead of delivering it in accordance with 6(2).
- (9) The returning officer must enter on a list kept for the purposes of this paragraph ("list of spoilt postal votes") —
 - (a) the name and number of the elector as stated in the register; and
 - (b) the number of the replacement postal voter ballot paper issue under this paragraph.

12 Lost postal voter ballot papers

- (1) If a postal voter has not received or has lost his or her postal voter ballot he or she may request the returning officer to issue a replacement ballot paper. The request need not be made in person.
- (2) If the request is received by the returning officer before the deadline set in paragraph 2 and the returning officer —
 - (a) is satisfied as to the voter's identity; and
 - (b) has no reason to doubt that the postal voter did not receive or has not lost the original postal voter ballot paper,the returning officer must issue a replacement postal voter ballot paper.
- (3) The returning officer may issue a replacement postal voter ballot paper after the time specified in sub-paragraph (2) if he or she is satisfied that it is still possible for the paper to be completed and returned to the returning officer before 8.00 p.m. on polling day (day 42);
- (4) The returning officer must enter on a list kept for the purposes of this paragraph ("list of lost postal votes") —

- (a) the name and number of the elector as stated in the register; and
 - (b) the number of the replacement postal voter ballot paper issued.
- (5) The following apply to the issue of a replacement postal voter ballot paper under sub-paragraph (2) as they apply to the issue of a postal voter ballot paper —
 - (a) paragraph 7 (other than sub-paragraph 4);
 - (b) paragraph 9; and
 - (c) paragraph 6(2), but subject to sub-paragraph (6) of this paragraph.
- (6) If a postal voter applies in person, the returning officer may hand a replacement postal voter ballot paper to the postal voter instead of delivering it in accordance with paragraph 6(2).

13 Sealing up of counterfoils and list of postal voters

As soon as practicable after the issue of the last postal voter ballot paper the returning officer must —

- (a) note on the postal voter ballot paper account the total number of ballot papers issued to postal voters;
- (b) make up into separate packets —
 - (i) the counterfoils of those ballot papers that have been issued;
 - (ii) any unused ballot papers other than those to be used at a polling station; and
 - (iii) the list of postal voters, or a printed copy of the list if maintained electronically under paragraph 4(3)(a); and
- (c) seal the packets.

DIVISION 2 – RECEIPT

14 Receipt of postal voter ballot papers

- (1) The returning officer must provide separate ballot boxes for the receipt of covering envelopes returned by postal voters (marked “postal voters ballot box” and for the opened postal ballot papers marked “postal ballot box”). Each ballot box is to show the name of the electoral area or electoral area relating to the particular election.
- (2) Postal ballot paper envelopes may be returned either —
 - (a) to the returning officer by post or by hand to the address shown on the return envelope until 5.00pm on day 41; or
 - (b) by hand to any polling station within the electoral area to which the ballot paper relates during the hours of poll.

- (3) Subject to sub-paragraph (5), as soon as practicable after the close of the poll the presiding officer of the polling station must deliver any postal voter ballot envelopes returned to that station to the returning officer in the same manner and at the same time as the presiding officer delivers the packets referred to in regulation 42(2).
- (4) The returning officer may collect any postal voter ballot paper which by virtue of sub-paragraph (3) the presiding officer of a polling station would otherwise be required to deliver to him or her.
- (5) Where the returning officer collects any postal voter ballot paper in accordance with sub-paragraph (4) the presiding officer must first make those documents up into separate sealed packets.
- (6) The returning officer must ensure that any covering envelopes, ballot papers or postal voting statements in his or her possession under this paragraph are stored securely until the returning officer deals with them in accordance with Part 3 of this Schedule.

PART 3 – PROCESSING OF POSTAL VOTER BALLOT PAPERS AND POSTAL VOTING STATEMENT

15 Presence at opening of postal voter ballot papers

No person may be present at the opening of postal voter ballot papers other than those permitted to attend the counting of the votes under regulation 43(2).

16 Procedure in relation to postal voting statement

- (1) The returning officer must open the covering envelope for every postal voter ballot paper and, if no postal voting statement is included, mark the ballot paper envelope, or if there is no such envelope, the ballot paper “provisionally rejected” and, subject to sub-paragraph (4), place it in the receptacle for rejected votes.
- (2) The returning officer must then satisfy himself or herself that the postal voting statement has been duly completed by the voter (“a valid postal voting statement”).
- (3) If the returning officer is not so satisfied, the returning officer must mark the postal voting statement “rejected”, attach to it the ballot paper envelope, or if there is no such envelope, the ballot paper and, subject to sub-paragraph (5), place it in the receptacle for rejected votes.
- (4) Before placing the postal voting statement in the receptacle for rejected votes, the returning officer must show it to any agents present and, if any of them object to his or her decision, he or she must add the words “rejection objected to”.
- (5) The returning officer must then compare the number of the valid postal voting statement with the number on the ballot paper envelope and, if



they are the same, he or she must place the postal voting statement and the ballot paper envelope in the appropriate receptacles for those documents.

- (6) If there is a valid postal voting statement but no ballot paper envelope, the returning officer must place —
 - (a) in the receptacle for valid votes, any ballot paper the number on which is the same as the number on the postal voting statement;
 - (b) in the receptacle for rejected votes, any other ballot paper, to which must be attached the postal voting statement marked “provisionally rejected”; and
 - (c) in the receptacle for rejected postal voting statements, any postal voting statement not disposed of under head (a) or (b).
- (7) If the number on a valid postal voting statement does not match the number on the ballot paper envelope, or if that envelope has no number on it, the returning officer must open the envelope.
- (8) Where an envelope has been opened under sub-paragraph (1), the returning officer must —
 - (a) place in the receptacle for valid votes any ballot paper the number on which matches the number on the valid postal voting statement;
 - (b) place in the receptacle for valid postal voting statement any such statement relating to head (a);
 - (c) place in the receptacle for rejected ballot paper envelopes any postal voting statement marked “provisionally rejected” attached to a ballot paper envelope that does not contain a ballot paper.

17 Opening of ballot paper envelopes

The returning officer must open separately each ballot paper envelope placed in the receptacle for ballot paper envelopes and place —

- (a) in the receptacle for valid votes, any postal voter ballot paper the number on which matches the number of the ballot paper envelope;
- (b) in the receptacle for rejected votes, any other ballot paper which must be marked “provisionally rejected” and to which must be attached the ballot paper envelope; and
- (c) in the receptacle for rejected ballot paper envelopes, any ballot paper envelope which must be marked “provisionally rejected” because it does not contain a ballot paper.

18 Lists of rejected postal voter ballot papers

- (1) In respect of any election, the returning officer must keep a list of rejected postal voter ballot papers.

- (2) The list under sub-paragraph (1) must record the ballot paper number of any rejected postal voting statement or postal voter ballot paper and the reason for its rejection.

19 Checking of lists kept under paragraph 18

The returning officer must make every effort to reconcile any postal voting statement, ballot paper envelopes or ballot papers that do not immediately correspond but which the returning officer determines may be deemed duly returned.

20 Completion of postal voter ballot paper account

As soon as practicable after the completion of the procedure under paragraph 19, the returning officer must complete the postal voter ballot paper account by recording the number of returned voter ballot papers, rejected postal voter ballot papers and counted postal voter ballot papers.

21 Sealing of receptacles

- (1) As soon as practicable after the completion of the procedure under paragraph 20, the returning officer must make up into separate sealed packets the —
- (a) rejected votes;
 - (b) valid postal voting statements;
 - (c) rejected postal voting statements;
 - (d) rejected ballot paper envelopes; and
 - (e) the lists of spoilt and lost postal voter ballot papers.
- (2) Any document in those packets marked “provisionally rejected” is deemed to be marked “rejected”.

SCHEDULE 3

[Regulation 25]

PROXY VOTES**1 Application for the appointment of a proxy**

- (1) An application under section 86 must comply with the requirements of this paragraph and such further requirements in this Schedule as are relevant.
- (2) The application must be made on a form specified and include —
 - (a) the full name of the applicant;
 - (b) the address in respect of which the applicant is registered or has applied to be (or is treated as having applied to be) registered in the register;
 - (c) the full name and address of the person whom the applicant wishes to appoint as proxy, together with the person's family relationship, if any, with the applicant;
 - (d) the date of the election for which it is made;
 - (e) a statement by the applicant that he or she has consulted the person so named and that that person is capable of being and willing to be appointed to vote as the applicant's proxy; and
 - (f) the applicant's signature and the date the application is signed.

For the sake of clarity, this sub-paragraph does not prevent further information from being required.

- (3) Subject to sub-paragraph (4) an application for the appointment of a proxy must be disregarded for the purposes of any particular election unless it is received by the Officer by 5.00 p.m. on day 41.
- (4) Where a poll has been adjourned pursuant to Regulation 41 any eligible elector who —
 - (a) has not already cast their vote; and
 - (b) is unable to cast their vote the following day due to —
 - (i) injury attributable to the riot; or
 - (ii) inability to attend at the polling station to cast a vote in person as a result of the adjournment,

can apply to the Officer for the appointment of a proxy up to 5.00pm on Day 42.

2 Determination of applications

- (1) Where the Officer allows an application for the appointment of a proxy, the Officer must —
 - (a) appoint the proxy in the manner specified by the Chief Secretary; and
 - (b) confirm in writing to the elector that the proxy has been appointed, the proxy's name and address, and the election for which the proxy has been so appointed.
- (2) The Officer must keep a list of the electors in respect of whom appointment of proxies have been made, together with the names and addresses of their proxies (the "list of proxies").
- (3) Where the Officer disallows an application the Officer must notify the applicant and the proxy of his or her decision and the reasons for it.

3 Revocation of the appointment of a proxy

- (1) Where the appointment of a proxy is revoked by notice given to the Officer, by either the elector or the proxy, the Officer must —
 - (a) notify the elector that the appointment as proxy has been revoked and, if appropriate, replaced;
 - (b) notify the person whose appointment as proxy has been revoked; and
 - (c) remove the proxy's name and if appropriate, the applicant's name from the list of proxies.
- (2) Where the elector applies for another person to be appointed as proxy and that application is approved by the Officer, the Officer must —
 - (a) appoint the proxy in the manner specified by the Chief Secretary;
 - (b) confirm in writing to the elector that the appointment of the original proxy has been removed, that the new proxy has been appointed, the new proxy's name and address and the election for which the proxy has been so appointed;
 - (c) notify the person whose appointment as proxy has been revoked; and
 - (d) replace the name of the person originally appointed as proxy with the new appointment in the list of proxies.
- (3) The revocation of a proxy by written request or by replacement must be disregarded for the purposes of a particular election unless it is received by the Officer by 5.00 p.m. on day 41.



4 Issue of list of proxies

The Officer must, by 6.00 p.m. on day 41, issue to the returning officer where there is to be a contested election a copy of the list of proxies for that election.

5 Voting by proxy

- (1) A person entitled to vote as proxy may do so in person at the polling station allotted to the elector on production to the presiding officer of the document of appointment issued by the Officer.
- (2) The procedure to be followed is that laid down in regulation 37 except that the presiding officer must also delete the proxy from the list of proxies on the issue to him or her of a ballot paper.
- (3) The presiding officer may require the proxy to provide satisfactory evidence of identity before issuing a ballot paper.
- (4) The production of any of the following documents shall be considered to be satisfactory evidence for the purposes of sub-paragraph (3) —
 - (a) a valid passport;
 - (b) a valid full or provisional driving licence granted under the law for the time being in force in the Island or the United Kingdom;
 - (c) a valid proof of age card or bus pass issued by the relevant using authority in the Island; or
 - (d) any other document or combination of documents acceptable to the presiding officer is establishing the proxy's identity.

MADE 1 JULY 2022

C RANDALL
Chief Secretary

*EXPLANATORY NOTE**(This note is not part of the Regulations)*

These Regulations are made under the Elections (Keys and Local Authorities) Act 2020 (“the Act”) and apply to local authority elections from 01 August 2022 and to every local authority election thereafter.

The Elections (Keys and Local Authorities) Act 2020 repealed the Representation of the People Act 1995 and these regulations revoke and replace the Local Election Rules 2003 (as amended in 2008, 2012 and 2020) and the Local Election (Absent Voters) Regulations 2008 (as amended in 2012 and 2020).

These Regulations govern the conduct of Local Authority elections and deal with the following matters.

Part 1 is introductory.

Part 2 prescribes the stages of an election that apply to both contested and non-contested elections including, in particular, the process for the nomination of candidates.

Part 3 sets out the provisions that only apply to contested elections including, in particular, actions to be taken before the poll, the poll itself and the count.

Part 4 makes provision for the final proceedings in both contested and uncontested elections including the declaration of the result.

Part 5 prescribes the mechanisms by which election documents are disposed of through the Clerk of the Rolls, whether the election is contested or uncontested.

Part 6 revokes the Elections (Keys and Local Authorities) Local Authorities Regulations 2022 (SD 2022/0206), which contained errors.

Schedule 1 sets out the oath of office and the declarations of secrecy for various election officers.

Schedule 2 prescribes the mechanisms by which postal voting takes place including the application and the processing of a postal vote.

Schedule 3 specifies the manner in which an elector can appoint another person to vote on their behalf by casting a proxy vote. Only electors that cannot vote in person, either at the polling station or in advance, may appoint a proxy.

Alyson Crellin

From: Admin
To: Alyson Crellin
Subject: FW: Proactive Publication of Information Consultation

From: [REDACTED]
Sent: 03 August 2022 12:43
Subject: Proactive Publication of Information Consultation

Dear Sirs,

I am writing to make you aware of a consultation recently released on the proactive publication of information by Public Authorities. A draft Code of Practice has been produced and can be viewed as part of the consultation.

We are seeking your views on this draft Code of Practice, to ascertain whether it would be useful in supporting you to make more information publically available as a matter of course.

If you have any queries please do not hesitate to contact me.

[REDACTED]
Policy Development Officer

Cabinet Office
Government Office, Bucks Road, Douglas, IM1 3PN, Isle of Man
Tel: (01624) [REDACTED]
Email: [REDACTED]
Website: www.gov.im/co



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RAAUE: S'preevaadjagh yn chaghteraght post-l shoh chammah's coadanyn erbee currit marish as ta shoh coadit ec y leigh. Cha nhegin diu coipal ny cur eh da peiagh erbee elley ny ymmydey yn chooid t'ayn er agh erbee dyn kied leayr veih'n choyrtagh. Mannagh nee shiu yn enmyssagh kiarit jeh'n phost-l shoh, doll-shiu magh eh, my sailliu, as cur-shiu fys da'n choyrtagh cha leah as oddys shiu.

Cha nel kied currit da failleydaghy ny jantagh erbee conaant y yannoo rish peiagh ny possan erbee lesh post-l er son Rheyynn ny Boayrd Slattyssagh erbee jeh Reilitsy Ellan Vannin dyn co-niartaghey scrut leayr veih Reireyder y Rheyynn ny Boayrd Slattyssagh t'eh bentyn rish.

Proactive Publication Releases: Code of Practice for Public Sector Bodies in the Isle of Man

ISLE OF MAN GOVERNMENT

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Executive Summary

In efforts to raise transparency and openness across the public sector, an opportunity has been identified to proactively release certain information and data which public sector bodies produce and utilise.

This Code of Practice has been created to guide and advise Government Departments, Boards and Offices, and Local Authorities as to what information they may wish to consider releasing, which information should be redacted, and how and where they should publish them to ensure the public are aware of and engage with the data to support transparency and, to an extent, to manage expectations of government services.

This Code of Practice should be considered alongside Section 10 of the Freedom of Information Act Code of Practice, which provides further guidance on the proactive release of information by Public Authorities.¹

Whilst implementation of this Code of Practice is not compulsory, public authorities should consider the benefits this practice can provide to the general public. This is dependent upon the type and frequency at which information is released, but can include:

- Reducing the reliance on Freedom of Information (FOI) requests as a source of information, and the associated time taken to process FOIs;
- Improving the transparency and accountability of government processes;
- Highlighting the rationale and reasoning for some policy decisions;
- Encouraging greater meaningful participation with stakeholders by showing current issues and options considered to address them;

During stakeholder engagement, it became clear that a Code of Practice should be prescriptive as to which information should be included in a Publication Schedule. This included:

- Organogram (organisational structure chart);
- Accounts and/or financial information;
- Board meeting minutes (or equivalent);
- Expenses for Ministerial trips.

It is important to note, however, that public bodies are under no obligation to produce this information, and if one organisation chooses to release a certain document, or certain types of document, this does not compel others to follow.

There are a number of considerations which must be reflected upon which can influence the types, frequency, and detail of information released. This includes:

- Personal or identifiable information of employees;
- Politically or economically sensitive information;
- Personal views of Ministers or Political Members;

For full guidance on redaction of public documents, please view the Information Commissioner's page [here](#).

¹ <http://rheynnfys/Government/foi/Guidance/FOIA%20Code%20of%20Practice.pdf>

Overview

Introduction to the Document

Following the passing of the [Freedom of Information Act 2015](#), citizens of the Isle of Man can submit requests for information to all government departments, bodies, boards and publically-owned companies, as well as all Local Authorities, provided that information is not exempt. This highlights the wide variety of information which could be released into the public domain, and consideration should be given as to whether proactive release of this information would be in the public interest.

This document should be used to guide Public Bodies when deciding if, and how, to proactively release information which may be in the public interest. At present, the information released across the public sector varies greatly. Whilst some Public Bodies have a statutory obligation to produce annual reports and greater transparency for government departments is achieved through annual Department Plans, this is not consistent amongst all Public Sector Bodies, and can always be built upon to further enhance openness of the public sector, and its processes.

This document will outline the benefits of an Information Release Scheme to both the general public and Public Authorities, as well as highlighting information which would be suitable for release and information which should not be released. It shall also cover the accessibility of information, ensuring that information which is published is user-friendly and can be found easily.

Benefits of a Release Schedule

When considering whether to adopt a release schedule, the benefits that it may bring should be weighed against the potential issues which could arise from proactive release. The below SWOT analysis is not intended to be exhaustive, and it is recognised that different bodies will place varied importance on each factor. It does, however, provide some initial examples of the impacts of proactive release of documents by Public Bodies.

Strengths <ul style="list-style-type: none">• Improves transparency of public sector processes• Reduces the reliance on Freedom of Information requests as a source of information• Provides clearer reasoning as to why and how some policy decisions were agreed• Encourages cooperative engagement with the public sector• Encourages decision makers to act in the public interest at all times	Weaknesses <ul style="list-style-type: none">• Increased workload for those processing the information for release• Increased cost and public sector employees to manage and provide information to comply with release schedules• Higher risk of GDPR breaches with more information being released
Opportunities <ul style="list-style-type: none">• Potential to improve public confidence through enhanced transparency• More collaborative policymaking processes arising from increased public engagement	Threats <ul style="list-style-type: none">• Potential for sensitive information to be released inadvertently• Greater scrutiny could limit risk appetite amongst decision makers, hampering growth• Losing first mover advantage to rival jurisdictions, or facilitating fast followers

Preparing for Release

When preparing for a proactive release of information, it should be considered which information may be suitable public circulation. The following section is intended to guide and inform those considering proactive release of information, covering the types of information which may be suitable for release as well as constraints on what can and cannot be released that should be considered when preparing for a proactive release.

Information to be released

The information to be released is not expected to be consistent across all Public Bodies. In some cases, information will already be available elsewhere, whereas in others this information will not be produced in a format which would be suitable for public exposure. Nevertheless the below list aims to broadly set out the type and examples of information which may be suitable for release.

1. Authority Description

This is intended to provide the general public with a greater knowledge of a Public Body's internal structure, aims, and duties. Information to be released can include:

- Organogram;
- Legal framework for the Public Body, such as constitution, articles of association etc;
- Functions and services, and the statutory basis for them;
- Governance structure and policies;
- Mission Statement, Corporate Plans, Policies, and Strategies;
- Contact details for complaints, reporting of concerns, or requesting information.

2. The Decision-Making Process

This is intended to provide greater context around policy decisions, as well as highlighting issues which are currently being considered. Examples of this can include:

- Decision-making structure, including the structure of associated boards etc;
- Meeting documents, including agendas, minutes, and reports which have been considered;
- Public consultations and engagement strategies;
- Any externally-commissioned reports, once they have been considered appropriately
- Continual monitoring of policy decisions, including progress against KPIs etc.

3. Financial Accountability

Financial Accountability is often the primary tool used to determine good governance and responsible spending. Whilst the vast majority of public bodies must present their annual accounts to Tynwald this information is often difficult to access for those who are not aware of the statutory responsibilities of Public Bodies. Therefore, consideration should be given to the release of financial information by the Public Body themselves such as:

- Audited accounts
- Budget allocation across the organisation
- Travel expenses
- Funding awards made, and what is available

- Capital funding plans

Principles of Information Release

When deciding what data may be suitable for release, it is important to consider the principles of information release. For instance, it should be considered whether:

- The release of data would be in the public interest;
- Disclosure would harm the economic, commercial, external, or security interests of the body or the Island;
- Disclosure, or the threat of disclosure, may jeopardise the candour of debate on policy decisions or relate to ongoing policy decisions;
- Any information may prejudice legal proceedings, relates to ongoing legal proceedings, or is subject to legal professional privilege;
- Disclosure of information could endanger life or safety of a person, or disrupt public order;
- Disclosure of information could increase the likelihood of damage to the environment, protected species and/or their habitats;
- Such a release would be premature in the release of information for which an announcement was planned.

Additionally, all information released must be compliant with [General Data Protection Regulations](#) to ensure no personal or identifiable information would be contained in the releases. This includes but is not limited to:

- Any personal information, including a person's name, age, address, contact details, ethnicity, marital status, family members etc;
- A person's opinions and/or beliefs, including but not limited to political alignment, religion, and sexual orientation;
- Any personal identification numbers, including but not limited to medical and tax numbers and records;
- Any information with regards to a singular person's income, salary, or financial interests;
- A person's membership of any political group, trade union, or similar.

For full details and guidance for publishing information, please consult with your organisation's data protection officer (DPO), visit the [Office for the Information Commissioner](#), or email ask@inforights.im

Accessibility of information

Whilst, in some cases, information is already in the public domain, it is often not collated in a central place nor readily available to those who wish to access it. As a bare minimum, all public bodies should have a digital presence to provide ease of public access to documents and information and to simplify the publication process. Alongside this, opportunities for those who are not digitally literate should be made available, with physical copies readily accessible in locations convenient to the general public.

Publishing

When publishing information, it is important to consider and make clear on issues such as copyright or the use of an [Open Government License](#), any charging schedules, and the duration for which the information will be available.

An index of all information published which is relevant to the organisation that is clear and accessible can assist the public to quickly identify what they are looking for. Without a suitable index in place many of the benefits to proactive release, in particular reducing the reliance on Freedom of Information Requests, may not be realised.

An index can come in many forms, and can be used to link to information which is already available across a number of different sources from a single point, which can also contain information which the organisation themselves has chosen to publish. Essentially, the type of index is, to a certain extent, irrelevant, so long as users are able to find the information they require quickly and effectively.

Continual Monitoring

Continual monitoring of information which has already been published, as well as that which may become suitable for publishing in the future, is an inherent component of a proactive publication schedule. Some common good practice approaches taken by authorities to reviewing and maintaining their Guides include:

- Setting review dates as part of the approval process
- Maintaining a schedule of information due for publication
- Training staff to think about publication as they prepare information (“thinking FOI” as they write, marking information for redaction at publication)
- Making the decision to publish information a deliberate step when new information is approved
- Incorporating processes for checking and updating the Guide to Information as part of the procedures for updating and reviewing documents and records management procedures and systems.

Proactive Publication Code of Practice Consultation

Closes 19 Aug 2022

Opened 3 Aug 2022

Contact

Juan Bellando

(Policy Development Officer)

Policy Development

+44 1624 642614

Juan.bellando@gov.im (<mailto:Juan.bellando@gov.im>)

Overview

The Island Plan highlights the need to 'put people at the heart of service delivery and policy-making.' This can be achieved by enhancing transparency and openness, proactively publishing information that is suitable for release. To support this, a draft Code of Practice has been created which the Cabinet Office are now seeking views on this from Departments, Statutory Bodies, Local Authorities and the public.


Why your views matter

We are consulting to finalise the Code of Practice prior to issuing to Government Departments, Statutory Boards and Bodies, and Local Authorities.

Give us your views

[Online Survey > \(https://consult.gov.im/cabinet-office/proactive-publication-code-of-practice-consult/consultation/\)](https://consult.gov.im/cabinet-office/proactive-publication-code-of-practice-consult/consultation/)

Related

 [Draft Code of Practice \(https://consult.gov.im/cabinet-office/proactive-publication-code-of-practice-consult/supporting_documents/Draft%20Code%20of%20Practice_compressed.pdf\)](https://consult.gov.im/cabinet-office/proactive-publication-code-of-practice-consult/supporting_documents/Draft%20Code%20of%20Practice_compressed.pdf)
139.0 KB (PDF document)

Areas

All Areas

Audiences

All residents

Interests

Access to information Policies, strategies & plans

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[consult%2F&text=Have+a+look+at+this+consultation+from+%23citizenspace%3A](http://twitter.com/share?url=https%3A%2F%2Fconsult.gov.im%2Fcabinet-office%2Fproactive-publication-code-of-practice-consult%2F&text=Have+a+look+at+this+consultation+from+%23citizenspace%3A))



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Ross Phillips

From: [REDACTED]
Sent: 03 August 2022 16:09
To: Ross Phillips
Subject: RE: Proactive Publication of Information Consultation

Hi Ross,

We have extended the closing date to the 9th September. I trust this is sufficient?

If you have any further queries please do let me know.

Thanks,

From: Ross Phillips <rossphillips@onchan.org.im>
Sent: 03 August 2022 15:17
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Proactive Publication of Information Consultation

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Afternoon,

Please can we request an extension to the 16 day time period? 16 days will not provide sufficient time for inclusion within our agenda and for the Members to fully consider the draft before responding.

Kind regards

Ross Phillips
Acting Chief Executive/Clerk
Onchan District Commissioners

Hawthorn Villa, Main Road, Onchan, Isle of Man. IM3 1RD. Tel: (01624) 675564 or 624967.

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From: Admin <admin@onchan.org.im>
Sent: 03 August 2022 13:45
To: Ross Phillips <rossphillips@onchan.org.im>
Subject: FW: Proactive Publication of Information Consultation

Please see e-mail below.

Would you like this as an Agenda item?

Thanks
Aly

From: Bellando, Juan (CO) <Juan.Bellando2@gov.im>
Sent: 03 August 2022 12:43
Subject: Proactive Publication of Information Consultation

Dear Sirs,

I am writing to make you aware of a consultation recently released on the proactive publication of information by Public Authorities. A draft Code of Practice has been produced and can be viewed as part of the consultation.

We are seeking your views on this draft Code of Practice, to ascertain whether it would be useful in supporting you to make more information publically available as a matter of course.

If you have any queries please do not hesitate to contact me.

Juan Bellando
Policy Development Officer

Cabinet Office
Government Office, Bucks Road, Douglas, IM1 3PN, Isle of Man
Tel: (01624) 642614
Email: Juan.Bellando2@gov.im
Website: www.gov.im/co



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RAAUE: S'preevaadjagh yn çhaghteraght post-l shoh chammah's coadanyn erbee currit marish as ta shoh coadit ec y leigh. Cha nhegin diu coipal ny cur eh da peiagh erbee elley ny ymmydey yn chooid t'ayn er aght erbee dyn kied leayr veih'n choyrtagh. Mannagh nee shiu yn enmyssagh kiarit jeh'n phost-l shoh, doll-shiu magh eh, my sailliu, as cur-shiu fys da'n choyrtagh cha leah as oddys shiu.

Alyson Crellin

From: Admin
To: Alyson Crellin
Subject: FW: Phone kiosk School Road and Glencrutchery Road

From: [REDACTED]
Sent: 03 August 2022 15:11
To: Admin <admin@onchan.org.im>
Subject: FW: Phone kiosk School Road and Glencrutchery Road

Good afternoon

I am contacting you to see if you would be interested in adopting the decommissioned Public Telephone Kiosks on School Road, Onchan and Glencrutchery Road.

We are offering available kiosks to the relevant Commissioners for that area for £1. They come with a power cable connected but we can arrange for that to be capped off. If you would be interested please reply to my email and then we can arrange for our Facilities Department to provide you with more information.

Many Thanks

[REDACTED]

[REDACTED]
Purchasing Controller

Manx Telecom | Isle of Man Business Park | Cooil Road | Braddan | Isle of Man | IM99 1HX
 E: [REDACTED] | T: +44 (0)1624 636074 | M: | Website: www.manxtelecom.com

m: manx telecom      



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Alyson Crellin

To: Admin
Subject: FW: Annual Rental Setting 2023-24
Attachments: 20220726 Final Rental Setting 2023-24 Consultation letter v1.0.pdf

From: [REDACTED]
Sent: 26 July 2022 13:39

To: [REDACTED]
[REDACTED] <rossphillips@onchan.org.im>;
[REDACTED]
[REDACTED]
>

Subject: RE: Annual Rental Setting 2023-24

Dear All

Please use this slightly amended version of the letter to present to your Members.

Apologies for any inconvenience.

Kind regards

From: [REDACTED]
Sent: 26 July 2022 11:49
To: [REDACTED]

[REDACTED] 'Ross Phillips' <rossphillips@onchan.org.im>;
[REDACTED]
[REDACTED]
>

Subject: Annual Rental Setting 2023-24

Dear All

On behalf of the Director of Public Estates and Housing Division, please find attached correspondence seeking general and sheltered housing providers' views on public sector rent and allowances for the next financial year (2023-24).


As detailed in the letter, I would be grateful if you could forward your Members' views to me by **Friday 16th September 2022**.

Kind regards



Business Support Officer (Housing)

Public Estates and Housing Division | Department of Infrastructure | Isle of Man Government | Sea Terminal Building | Douglas | Isle of Man | IM1 2RF
Business Support Section

Tel: (01624) 

Email: 

Web: www.gov.im/infrastructure

Social: www.twitter.com/iominfra and www.facebook.com/iominfrastructure



infrastructure

public estates and housing division
fo-rheynn steatyn as thieys theayagh



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RAAUE: S'preevaadjagh yn çhaghteraght post-I shoh chammah's coadanyn erbee currit marish as ta shoh coadit ec y leigh. Cha nhegin diu coipal ny cur eh da peiagh erbee elley ny ymmydey yn chooid t'ayn er agh erbee dyn kied leayr veih'n choyrtagh. Mannagh nee shiu yn enmyssagh kiarit jeh'n phost-I shoh, doll-shiu magh eh, my sailliu, as cur-shiu fys da'n choyrtagh cha leah as oddys shiu.

Cha nel kied currit da failleydaghy ny jantagh erbee conaant y yannoo rish peiagh ny possan erbee lesh post-I er son Rheynn ny Boayrd Slattyssagh erbee jeh Reiltys Ellan Vannin dyn co-niartaghey scrut leayr veih Reireyder y Rheynn ny Boayrd Slattyssagh t'eh bentyn rish.

**To Local Housing Authority Clerks
(via email)**

Switchboard: (01624) 686600
Telephone: (01624) 687541
Our Ref: GK/RS
Your ref:
Date: 26/07/2022

Dear All

Rent Setting 2023/24

Customary to our annual process, the Public Estates and Housing Division would like to receive your formal views on any change to the rental levy and allowances for the 2023/24 financial year.

Despite the Covid 19 pandemic now being in the endemic phase there is no doubt that the economy is still struggling in the wake of the virus as well as other economic factors. This much has been discussed extensively at the Local Authority Housing Managers meetings and widely within the Department. Colleagues across the sector, and within the wider Department, are reporting significant increases to the costs of maintenance resources, and in some cases complete unavailability of certain essential materials.

In addition to the rising costs of service provision there are still significant rent arrears from the effects of the pandemic which in many cases are aggravating the financial pressures tenants are under as heating, petrol and childcare costs amongst others continue to rise with inflation.

In line with our usual procedures, and with these difficult circumstances in mind, the Division is seeking to gather your formal views on any change to the rental levy and allowances for the next financial year.

Please be aware that any proposal will have a direct influence on affordability, but also the income received from tenants and the contribution that makes will support the cost of administering and maintaining properties day to day and any capital investment needs.

For ease of reference we provide the following historical information:

Rent increases over previous 5 years:

April 2018	3.1% (with 1.1%, ring-fenced to assist with maintenance)
April 2019	2.1%
April 2020	1.9%
April 2021	1.0% (no uplift to allowances, instead, the total sum of the increased rent must be spent on maintenance activities only)
April 2022	2.0%

Allowances 2022/23:

Administration	6.0%
Maintenance	26.1%
Community	8.4% (Sheltered providers only)

For your further information, the inflationary index applied by the Government is CPI.

CPI over last 12 months:

21						22					
July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
4.5%	3.1%	5%	4.4%	4.6%	6%	6.4%	6.5%	6.7%	9%	8.1%	9.2%

(Source: IOM Inflation Report June 2022, Statistics Isle of Man)

Please progress this matter at your next Board or Committee meeting and provide your formal feedback to Rachel Smith via email racheldoi.smith@gov.im no later than Friday 16th September 2022 for collation. As in previous years, your views and supporting evidence will be considered by the Department when making its decision.

Yours sincerely

Director
Public Estates & Housing Division