

ONCHAN DISTRICT COMMISSIONERS

*Hawthorn Villa,
79 Main Road, Onchan.*

ORDINARY MEETING

7th August 2026

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:

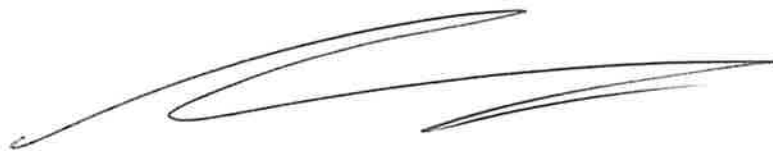
Monday 10th August 2026

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
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. 17 or by a resolution duly moved and seconded and passed on a motion which shall be moved and put without discussion.

Chief Executive/Clerk to provide emergency evacuation procedure for Hawthorn Villa at the commencement of the Meeting.

1. To choose a person to preside if the Chair and Vice-Chair be absent:

None.

2. Declarations of Interest of Members and Officers (in accordance with Standing Order 18):

None.

3. To deal with any business required by statute to be done before any other business:

None.

4. To approve as a correct record and sign the Minutes of the:

4.1 Minutes of the Ordinary Meeting held on Tuesday 27th July 2026

(Appendix 4.1)

5. To dispose of any relevant business arising from such minutes if not referred to in the Minutes of any Special Committee:

None.

6. To dispose of any relevant business adjourned from a previous meeting:

None.

7. To deal with any business expressly required by statute to be done:

None.

8. To consider any planning decisions/communications from the Department of Infrastructure Planning Committee:

8.1 Plans for Consideration

(Appendix 8.1)

	Planning Reference	Applicant/Address	Return Date
(a)	PA 26/00512/B	Mrs Kareem Moore – 24 Birch Hill Grove	21 st August 2026
(b)	PA 26/00558/B	Mr Hugh Cameron – 31 King Edward Park	21 st August 2026

9. Finance and General Purposes:

None.

10. Consideration of any Reports from the Clerk or other Officer:

- 10.1 Standing Orders – Review (Appendix 10.1)
- 10.2 Annual Health and Safety Report 2025/26 (Appendix 10.2)
- 10.3 (P) Centenary Park – Tenancy Renewal (Appendix 10.4)
- 10.4 (P) Ordinary Board Meeting held on Monday 27th July 2026 – Board Member Conduct (Appendix 10.5)
- 10.5 (P) Ordinary Board Meeting held on Monday 27th July 2026 – Governance Concerns raised regarding the Authority's Public Meetings (Appendix 10.6)

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

- 11.1 Invitation from Garff Parish Commissioners – Mooir Vannin Windfarm (Appendix 11.1)
- 11.2 Local Government (Amendment) Bill 2023 – Next Steps Invitation (Appendix 11.3)

12. To answer any questions asked under Standing Order 25:

None.

13. To answer any Motions in the order in which notice has been received:

None.

14. Environmental and Technical Services:

- 14.1 Onchan District Commissioners Covenants – Belgravia Road Request (Appendix 14.1)

15. Housing Matters:

- 15.1 Sheltered Social Housing Commissioner Surgeries – Review following Receipt of Complaints (Appendix 15.1)

16. Dates for the Diary:

Date	Organisation	Event	Time
10 th August 2026	Onchan District Commissioners	Board Meeting	7:00 pm
24 th August 2026	Onchan District Commissioners	Board Meeting	2:00 pm
29 th August 2026	Onchan District Commissioners	Party in the Park	12:00 noon until 6:00 pm

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

PLANS LIST

Board Meeting to be held on Monday 10th August 2026
The Lead Member of Environmental and Technical Services and the District
Surveyor have viewed the applications and recommend the following:

	Applicant/Address	Description
PA 26/00512/B Return Date 21 August 2026	Mrs Karen Moore 24 Birch Hill Grove Onchan IM3 4EB	Variation of condition 1 to PA 24/00562/A for the erection of a detached dwelling addressing means of access for a period of 4 years
	<i>Recommendation – APPROVE</i>	
PA 26/00558/B Return Date 21 August 2026	Mr Hugh Cameron 31 King Edward Park Onchan IM3 2AB	Construction of 0.6m high garden wall to southern boundary with public highway and infilling of section of garden to reduce slope
	<i>Recommendation –APPROVE</i>	



REPORT

Report to:	Board of Onchan District Commissioners
Reporting Officer:	Chief Executive/Clerk
Date of the Meeting:	10 th August 2026
Subject:	Standing Orders - Review
Public or Private Document:	Public

Introduction:

Following a recent review of the Authority's Standing Orders, it has been identified that the current wording of Standing Order 23 (Motions of No Confidence or Censure) contains an incorrect description of a motion of censure.

The Board is therefore requested to consider amending Standing Order 23 to ensure that it provides a correct explanation of a motion to censure that accurately reflects the Board's intended governance procedures.

Previously Considered by the Board:

Not applicable.

Recommendation/s or Action/s Taken:

Option 1

That the Board resolves to amend Standing Order 23 of the Authority's Standing Orders so that the third paragraph states the following wording:

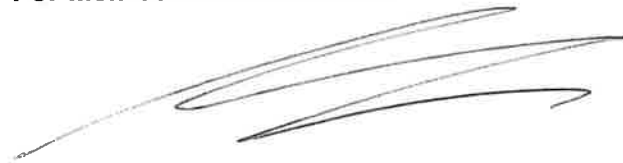
"In such a case a vote to censure a Member of the Board in his or her capacity as a Board Member shall be recorded and entered into the minutes. A resolution of censure shall constitute a formal expression of the Board's disapproval of the conduct or actions of the Board Member concerned but shall not remove the Board Member from office or affect their entitlement to continue serving as a Member of the Board."

Supporting Rationale:

The Authority's current Standing Order 23 includes an incorrect explanation of a motion of censure. Whilst a motion of no confidence may express that the Board no longer has confidence in a Board Member's ability to fulfil a particular role or responsibility, a motion of censure is a formal expression of disapproval by the Board in relation to a Board Member's conduct or actions.

The proposed amendment seeks to clarify this distinction and ensure that the Standing Orders accurately reflect the meaning and effect of a motion of censure. Adopting the revised wording will improve clarity, assist Board Members, officers, and members of the public in understanding the implications of such motions, and help ensure that the Authority's Standing Orders remain accurate and fit for purpose.
Alternatives Considered but not Recommended:
<u>Option 2</u> That the Board resolves to retain the existing wording of Standing Order 23.
Standing Orders:
23 (Motions of No Confidence or to Censure).
Resource Impact:
The Chief Executive/Clerk will be required to redraft the Authority's Standing Orders to amend the wording of Standing Order 23.
Financial Impact:
Not applicable.
Legal and/or Insurance Impact:
Not applicable.
Equality Impact:
Not Applicable.
Climate Change Impact:
Not Applicable.
Consultation with Others:
• Local Government Team – Department of Infrastructure. • Callin Wild – the Authority's legal advisor.
General Data Protection Regulations and/or Confidentiality Impact:
Not applicable.
Appendices:
None.

For Members Consideration

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a cursive-like shape.

**ROSS PHILLIPS
CHIEF EXECUTIVE/CLERK**



MEMORANDUM

Memorandum to:	Board of Onchan District Commissioners
Reporting Officer:	District Surveyor
Date of the Meeting:	10 th July 2026
Subject:	Annual Health and Safety Report 2025 - 26
Public or Private Document:	Public

Introduction:

The purpose of this report is to ensure that the Board are briefed on the health, safety and wellbeing of the organisation and understand how the Authority's responsibilities as an employer and to members of the public are met. The Health and Safety Committee, which consists of representatives from management and the Authority's external health and safety advisor, meets on a quarterly basis and provides an overview and a route for escalation of issues.

This report provides a summary of data regarding accident and near miss information data for the Authority's fiscal year 2025/26. Included in this report is a copy of training and inspection regimes during the period.

Previously Considered by the Board:

2024-25 Annual report presents at the Ordinary Meeting held on Monday 30th June 2025.

C25/06/03/14

Supporting Information:

The previous report recommended that the Authority begin work to achieve ISO 45001 accreditation.

ISO 45001 is the world's international standard for occupational health and safety, that aims to protect employees and visitors from work-related accidents and diseases. ISO 45001 certification was developed to mitigate any factors that can cause employees and businesses irreparable harm.

Over the course of the past year our external Health and Safety adviser SafetyNet Ltd have carried out an internal audit of the Authority's current health and safety management system, processes and controls.

The report concludes that the Authority is in a good position with some minor recommendations for improvement. It concludes that *"Taking the main findings of this audit into account, we are of the professional opinion that the commissioners will be able to secure ISO45001 accreditation should they decide to make an application"*

This report can be found as an appendix to this report for members review.

Inspections

Weekly and monthly site inspections are undertaken by the foreman or manager of the site including fire alarm and equipment checks, emergency lighting checks. The Chief Executive/Clerk and District Surveyor will carry out adhoc inspections alongside the site controller, it is aimed to complete this annually at each site however is not always feasible. Any actions raised from the inspections are sent to the appropriate manager for action.

Training

A range of Health and Safety related training is coordinated by the Health and Safety committee, in conjunction with line managers. This is provided to relevant employees and members where required. Course provision usually includes a variety of first aid training, including refresher and requalification training, manual handling, banksman/signaller, asbestos awareness and courses such as "Managing Safely" supported by the Institute of Occupational Safety and Health (IOSH). Table 1 is a list of all the training undertaken in 2025/26.

Table 1

Training	Date	No of Candidates
Emergency First Aid at Work	13/08/2025	1
	01/10/2025	2
	26/11/2025	1
	05/12/2025	1
	06/01/2026	1
	15/01/2026	1
	09/03/2026	1
Fire Warden	22/05/2025	6
Strimmer, Hedge Cutter, Ride on Mower and Mower Training	16/09/2025	8
Site Awareness Training	16/09/2026	8

Designated Safeguarding Lead Level 3	15/10/2025	2
Standing Orders:		
Not Applicable		
Resource Impact:		
Ensuring the Authority keeps up to date and competent with new and developing skills possible resource impacts are; • Downtime for staff training. • Downtime for inspections and testing. • Reduced absenteeism (following injuries). • Lower staff turnover.		
Financial Impact:		
Good governance and Health and Safety practices can have a significant positive impact such as; • Cost savings. • Increased productivity. • Lower insurance premiums. • Improved employee morale. • Enhanced reputation. • Operational efficiency.		
Legal and/or Insurance Impact:		
• Reducing legal claims by ensuring the Authority is compliant and at the forefront of protecting its employees and the public. • Potential reductions in insurance premiums with reduced claims. • Potential further reduction in insurance premiums achieving the ISO 45001 standard. • Activity relating to the summaries in this report contributes to ensuring that the Authority's statutory responsibilities as an employer are met.		
Equality Impact:		
Not Applicable.		
Climate Change Impact:		
Not Applicable.		
Consultation with Others:		

• Health and Safety Committee. • Chief Executive/Clerk.
General Data Protection Regulations and/or Confidentiality Impact:
Not Applicable.
Appendices:
Appendix A – Annual statistics Appendix B – Accident Details Appendix C – Internal Audit Report

For Members Attention.



**RYAN FORGIE
DISTRICT SURVEYOR**

Appendix A

Accident and Near miss statistics

Accident and near miss reports are recorded for all employees and for members of the public. This covers employees, contractors and members of the public who have an accident or have a near miss on the Authority's controlled premises or land. We can only record accidents or near misses that are reported, it is policy that all employees and contractors are to report these incidents as soon as possible but public accidents are reliant upon the members of the public.

Accident and incident reporting transferred to a digital platform on 13th February 2023. This process allows reports to be reviewed and actioned appropriately whilst maintaining accurate records and accounts of the accident and incident. It is recommended that a review of the process is undertaken to identify areas where improvements could be made.

The data in Table 2 includes events which have been reported under the Reporting of Injuries, Diseases, or Dangerous Occurrence Regulations (RIDDOR). These regulations require the employer to report certain categories of accident, injury, certain diseases, and certain types of dangerous occurrences to the Health and Safety at Work Inspectorate (HSWI). Also reportable are accidents where the injury results in the person being off work for more than 3 days. The HSWI may choose to further investigate these reports. There was one RIDDOR reportable accident recorded in 2024/25.

It is noted that there appears to be a trend with work related driving incidents. This appears to be a pattern emerging each year, mainly contributed by minor accidents with refuse wagons. It is noted that the overall accidents reported have increased by 48% since the previous year, this needs to be considered as a positive at this stage for employees awareness and recognising hazards and as they should and not ignoring the incidents. There are no other areas of concern in terms of trends or sites to bring to the members attention. Further accident data can be found in Appendix B.

Table 2

Housing/Admin/Finance	2022/23	2023/24	2024/25	2025/26
Accidents	2	2	4	3
Near Miss	0	1	4	6
RIDDOR Reportable	-	0	0	0
Parks	2022/23	2023/24	2024/25	2025/26
Accidents	2	4	4	11
Near Miss	0	4	3	0
RIDDOR Reportable	1	0	1	0
Refuse	2022/23	2023/24	2024/25	2025/26

Accidents	1	15	16	14
Near Miss	1	1	4	5
RIDDOR Reportable	-	0	0	0
Surveyors	2022/23	2023/24	2024/25	2025/26
Accidents	1	2	6	2
Near Miss	0	0	0	0
RIDDOR Reportable	-	0	0	0
Library	2022/23	2023/24	2024/25	2025/26
Accidents	1	0	0	2
Near Miss	0	2	0	2
RIDDOR Reportable	-	0	0	0
Public	2022/23	2023/24	2024/25	2025/26
Accidents	7	4	10	9
Near Miss	0	0	0	0
RIDDOR Reportable	-	0	0	0
Totals	2022/23	2023/24	2024/25	2025/26
Accidents	14	27	40	41
Near Miss	0	8	11	13
RIDDOR Reportable	1	0	1	0

Appendix B

Accidents

REF	Hazard Category	Department	Date	RIDDOR
AR6299	Slips, Trips & Falls – Kiddy Cars	Public	06/04/2025	No
AR6369	Property Damage	Parks	08/04/2025	No
AR6388	Cuts & Bruises	Parks	11/04/2025	No
AR6390	Slips, Trips & Falls – Kiddy Cars	Public	12/04/2025	No
AR6450	Property Damage	Refuse	17/04/2025	No
AR5275	Property Damage	Refuse	01/04/2025	No
AR6663	Property Damage	Parks	29/04/2025	No
AR7081	Property Damage	Refuse	21/05/2025	No
AR7212	Cuts & Bruises	Park Seasonal Public	31/05/2025	No
AR7240	Slips, Trips & Falls	Park Seasonal Public	02/06/2025	No
AR7274	Property Damage	Parks	03/06/2025	No
AR7372	Property Damage	Refuse	02/06/2025	No
AR7373	Property Damage	Refuse	03/06/2025	No
AR7465	Property Damage	Parks	13/06/2025	No
AR7471	Slips, Trips & Falls	Parks Seasonal	13/06/2025	No
AR7693	Slips, Trips & Falls	Library Public	23/06/2025	No
AR7797	Slips, Trips & Falls	Parks Seasonal Public	25/06/2025	No
AR7919	Slips, Trips & Falls	Parks Seasonal Public	29/06/2025	No
AR 10223	Muscle/Skeletal	Library	18/09/2025	No
AR 10237	Property Damage	Parks	23/09/2025	No
AR 10523	Property Damage	Surveyors	08/10/2025	No
AR 10791	Property Damage	Parks	20/10/2025	No
AR 10813	Cuts & Bruises	Refuse	24/10/2025	No
AR 10814	Property Damage	Refuse	24/10/2025	No
AR 10879	Property Damage	Refuse	29/10/2025	No
AR 10886	Property Damage	Refuse	30/10/2025	No
AR 8943	Cuts & Bruises	Public	05/08/2025	No
AR 9063	Cuts & Bruises	Public	14/08/2025	No
AR 9367	Property Damage	Parks	26/08/2025	No
AR 9631	Vehicle Movement	Refuse	03/09/2025	No
AR 9658	Property Damage	Refuse	11/08/2025	No
AR 9664	Vehicle Movement	Refuse	03/09/2025	No
AR 11392	Property Damage	Surveyors	21/11/2025	No
AR 11410	Cuts/Bruises	Library	24/11/2025	No
AR 12330	Property Damage	Refuse	07/01/2026	No
AR 12386	Cuts/Bruises	Parks	12/01/2026	No
AR 12989	Cuts/Bruises	Housing	29/01/2026	No
AR 12989	Slips, Trips & Falls	Housing	29/01/2026	No
AR 13333	Property Damage	Refuse	11/02/2026	No
AR 13629	Hazardous Substance	Parks	23/02/2026	No
AR 13705	Slips, Trips and Falls	Housing	25/02/2026	No

Near Miss

REF	Hazard Category	Department	Date
NM 6435	Defective	Refuse	15/04/2025
NM6667	Manual Handling	Refuse	29/04/2025
NM 10458	Storage & Security	Library	03/10/2025
NM 10982	COSHH	Library	04/11/2025
NM 9046	Slips, Trips & Falls	Housing	12/08/2025
NM 12023	Manual Handling	Refuse	16/12/2025
NM 12332	Slips, Trips & Falls	Refuse	06/01/2026
NM 12990	Slips, Trips & Falls	Housing	26/01/2026
NM 12991	Slips, Trips & Falls	Housing	26/01/2026
NM 12990	Slips, Trips and Falls	Housing	26/01/2026
NM 12991	Slips, Trips and Falls	Housing	27/01/2026
NM 13963	Cuts/Bruises	Housing	05/03/2026
NM 14289	Manual Handling	Refuse	10/03/2026



HEALTH & SAFETY AUDIT REPORT



International
Organization for
Standardization

ISO 45001:2018

ONCHAN COMMISSIONERS

CLIENT: ONCHAN DISTRICT COMMISSIONERS

DATE: 19 JUNE 2026

REF: P/060/RC/MT



HEALTH & SAFETY AUDIT REPORT

Controlled Copy No: ... 1

Client: ONCHAN COMMISSIONERS

Consultant: **SafetyNet** Ltd
SafetyNet Ltd
3rd Floor, St Thomas House
30 Victoria Street
Douglas
IM1 2LB

Record of Distribution

Copy Number	Issued to	Purpose of issue	Date issued
1	Client	For information	19 June 2026
2	SafetyNet Ltd	File copy	19 June 2026

1.0 EXECUTIVE SUMMARY

The Executive Summary provided below briefly describes the scope, type and extent of the Health and Safety Audit undertaken. Further, it summarises the most important information derived from the Audit.

1.1 SCOPE OF THE AUDIT:

Please note that the audit was undertaken to assess the current state of Health and Safety performance within the organisation. It was undertaken to establish a benchmark to assess the current Health and Safety management system and the prospect of gaining accreditation under ISO45001 in the future.

1.2 TYPE OF AUDIT: ISO45001/Health and Safety

1.3 MAIN FINDINGS OF THE AUDIT

The main findings of the audit are detailed below:

- (a) Awareness of Health and Safety amongst staff is generally good.
- (b) Communication with staff is generally good and face-to-face Health and Safety meetings regularly take place.
- (c) Awareness of risk assessments within the organisation is generally good.
- (d) Employees are briefed on risk assessments and risk assessments are reviewed regularly.
- (e) The level and frequency of Health and Safety training is generally good.
- (f) The awareness of the importance of near miss reporting could be improved.
- (g) Areas for improvement have been identified for specific issues described in the report.
- (h) Overall, we are of the opinion that ISO45001 accreditation is achievable.

CONTENTS

SECTION	PAGE
1.0 Executive Summary	3
2.0 Introduction	5
3.0 Methodology	5
4.0 Results of the Audit	6
5.0 Conclusions & Recommendations	8

2.0 INTRODUCTION

- 2.1 Onchan District Commissioners (the Commissioners) already has systems in place for the management of Health and Safety. However, the Commissioners are considering the prospect of gaining accreditation to the standards set out in ISO 45001. SafetyNet Ltd was commissioned to assist in this process and as part of this support, we have carried out an internal audit to assess the general awareness of Health and Safety/Health and Safety Performance.

AIMS & OBJECTIVES

- 2.2 The aims and objectives of the audit was to gather information from staff so that an assessment can be made on the general awareness and performance in relation to Health and Safety within the authority.
- 2.3 Having gathered information, we are able to form an opinion and advise the Commissioners on whether the authority is able to seek accreditation under the ISO45001 standard. This step is not to be taken lightly. An application for accreditation should only be made if there is likelihood of success.
- 2.4 Should the authority gain ISO45001 accreditation, then it would be the first local authority on the Isle of Man to be awarded this status we understand.
- 2.5 Should ISO45001 be awarded to the authority, then the main aims and objectives are to maintain the accreditation. Again, this is not an easy task, as the standard requires Health and Safety to be actively managed and audited to maintain the accreditation.

The results of this audit are provided within this report.

3.0 METHODOLOGY

3.1 To undertake the audit, we visited the Commissioners a number of times in late 2025 / early 2026. During our visits we interviewed the following staff members:

- (a) Mr Will Costain
- (b) Mr Michael Joyce
- (c) Mr Andy McGhee
- (d) Mr Kevin Cringle
- (e) Ms Andrea Gale
- (f) Ms Mel Jones
- (g) Ms Sue Yule

3.2 During the interviews we asked several Health and Safety questions on a range of topics to assess general awareness and to assess whether Health and Safety is being adequately managed.

This Report summarises the main findings of the Audit.

4.0 RESULTS OF THE AUDIT

Basic Information

Name of Company: Onchan District Commissioners

Address: Hawthorn Villa, Main Rd, Onchan IM3 1RD.

Internal Auditor: SafetyNet Ltd (Dr Peter Slinger)

Results of the Audit

The results of the audit are detailed below.

4.1 Following interviews with staff we found that the main hazards that the Commissioners have to manage are as follows:

- Biological hazards
- Bumper Boats (Use of)(Parks)
- Chemicals
- Contractors
- Display Screen Equipment
- Driving
- Drugs & alcohol
- Electrical Installations (Buildings)
- Fire Safety (Buildings)
- First Aid
- Fuel (use and storage)
- Ladders & Step Ladders
- Lifting Operations & Lifting Equipment
- Lone working
- Manual Handling
- Mowers & strimmers
- New & Expectant Mothers
- Noise and Vibration
- Power tools
- Property Clearances (Chemical & Biological Hazards)
- Refuse vehicles
- Refuse Collection (General)
- Refuse Collection (Special Collection)(Large Items)
- Saws
- Security
- Slips/Trips
- Sharps
- Storage & Stacking
- Stress at Work
- Traffic Management / Work on Highways
- Vacant Properties
- Vehicles
- Violence & Aggression
- Weather (Ice on Access Routes)
- Woodchipper
- Work at height
- Young Persons / Vulnerable Workers

- 4.1 It should be noted that the above does not form a definitive list of hazards. Rather, the list identifies the main hazards identified and raised by the staff.

Health and Safety Policy

- 4.2 During the interview we found that the awareness of the Health and Safety Policy amongst staff is generally good. The policy is available to staff on laserfish. We recommend that hard paper copies of the policy are provided at key locations within the authority.
- 4.3 We recommend that all staff are advised of the location(s) of the Health and Safety Policy to ensure they have ready access to it. We also recommend that all staff read the policy and sign acknowledgement. This helps to demonstrate that staff understand their duties and responsibilities for Health and Safety.

Communications

- 4.4 Staff advised us that communications on Health and Safety are generally good. Regular Health and Safety meetings are held and these meetings are minuted.
- 4.5 Action items are recorded following the Health and Safety meetings, and these are followed-up at subsequent meetings.
- 4.6 Staff are confident that team members feel comfortable sharing their opinions and raising concerns relating to health and safety.

Risk Assessments

- 4.7 We were advised that staff are aware of the risk assessments that have been developed and that risk assessments were available to relevant staff members.
- 4.8 Employees are briefed on risk assessments regularly.
- 4.9 We were advised that the Commissioners have a bank of generic risk assessments relevant to their activities which are reviewed at regular intervals.

- 4.10 One member of staff recommended that all risk assessments should be in electronic format and should automatically be flagged for annual reviews. We recommend that this system should be progressed.

Health and Safety Training

- 4.11 We were advised that Health and safety training is well provided for by the authority and that a training schedule is generally established.
- 4.12 Regular training sessions have been delivered year-on-year on numerous Health and Safety topics. Certificates are issued following training, and these are available for the auditor to inspect.
- 4.13 Refresher training is ongoing year-on-year, and this is very positive. A well-trained and well-educated workforce is a safer workforce.

Accidents & Near Miss Reporting

- 4.14 The accident/incident rate within the authority is very low. This is an indicator that Health and Safety is generally well-managed. However, there have been a few incidents and accidents that have occurred each year. The overall aim would be to reduce accidents to zero and near miss reporting to be significantly higher.
- 4.15 We were advised that near miss reporting does occur within the authority. However, the general view was that reporting could be improved.
- 4.16 The awareness of the importance of near miss reporting within the authority could be improved. We recommend that staff undergo near miss / safety concern training.

Specific Issues

- 4.17 During the interviews, staff raised specific issues that are worthy of mention. One member of staff raised concerns about hand and vibration syndrome (HAVS) risks associated with the use of vibrating tools and equipment. The risk of significant noise exposures was also raised because of such activities.

- 4.18 We recommend arranging for health surveillance to be carried out for staff at risk from the use of noisy/vibrating tools and equipment. Health surveillance will help produce baseline data on the health of staff and prevent the risk of long-term health conditions such as vibration white finger (VWF) or noise induced hearing loss (NIHL).
- 4.19 Another area of concern raised by staff related to house inspections. Such inspections could be improved by provided a “check sheet” or a phone App that records inspections and ensures that any issues identified are formally recorded. We recommend that this is further progressed.
- 4.20 Another area of concern raised by staff related to the use of work equipment. All work equipment must be regularly inspected and maintained. Staff thought inspections and maintenance could be better programmed with an electronic system that flags up when the dates when inspections and maintenance should take place. A colour coded tagging system was also thought to be a good idea to ensure all work equipment was “in-date” and fit for use.
- 4.21 Another area of concern raised by staff related to the use of chemicals. It was noted that safety data sheets (SDS’s) were generally available for chemicals being used. However, COSHH assessments were needed in many cases. This is an area for improvement.

5.0 CONCLUSIONS & RECOMMENDATIONS

From the results of the audit, we can draw the following conclusions:

- 5.1 During the interview we found that the awareness of the Health and Safety Policy amongst staff is generally good but to improve in this area, we recommend that hard paper copies of the policy are provided at key locations within the authority.
- 5.2 We recommend that all staff are advised of the location(s) of the Health and Safety Policy to ensure they have ready access to it. We also recommend that all staff read the policy and sign acknowledgement. This helps to demonstrate that staff understand their duties and responsibilities for Health and Safety.

- 5.3 Communication on Health and Safety is generally good, and staff feel comfortable sharing their opinions and raising concerns related to Health and Safety.
- 5.4 The awareness of risk assessments is generally good. One member of staff recommended that all risk assessments should be in electronic format and should automatically be flagged for annual reviews. We recommend that this system should be progressed.
- 5.5 The level of Health and Safety training provided is generally good. A training schedule should be established and maintained.
- 5.6 The accident/incident rate within the authority is very low. This is an indicator that Health and Safety is generally well-managed. We were advised that near miss reporting does occur within the authority. However, the general view was that reporting could be improved.
- 5.7 The awareness of the importance of near miss reporting within the authority could be improved. We recommend that staff undergo near miss / safety concern training.
- 5.8 We recommend arranging health surveillance to be carried out for staff at risk from the use of noisy/vibrating tools and equipment.
- 5.9 We recommend that a "check sheet" or a phone App that records house inspections is developed.
- 5.10 In relation to the use of work equipment, we recommend that an electronic system that flags up when the dates when inspections and maintenance should take place is developed. A colour coded tagging system was also thought to be a good idea to ensure all work equipment was "in-date" and fit for use.
- 5.11 In relation to the use of chemicals. It was noted that safety data sheets (SDS's) were generally available for chemicals being used. However, COSHH assessments were needed in many cases. This is an area for improvement.
- 5.12 Overall, the interviews with staff provided a level of comfort that Health and Safety is being well-managed within the authority. However, as always, there are areas where improvements can be made, as identified within this report.

- 5.13 External auditors will always look for evidence that the Health and Safety management system is fit for purpose and that the authority is taking appropriate corrective action where this is needed. External auditors will look for evidence of a good policy, robust risk assessments, good communications with staff, regular training, systems to ensure the Health and Safety management system is working. They will also wish to see corrective action where this is needed.
- 5.14 Taking the main findings of this audit into account, we are of the professional opinion that the Commissioners will be able to secure ISO45001 accreditation should they decide to make an application; albeit that little bit more work is needed in the areas highlighted above, before making the application.
- 5.15 The potential benefits of securing ISO45001 accreditation are significant. Accreditation often results in reduced insurance premiums but more importantly, accreditation helps to “drive” Health and Safety forward and ensures a high standard of Health and Safety is achieved and maintained year-on-year.



Audit Record: SafetyNet Ltd

Job Number: D/062/RC/ONCH

Date: 19 June 2026

Signed: 

Dr Peter Slinger
For and on behalf of
SafetyNet Ltd
3RD Floor
St Thomas House
30 Victoria Street
Douglas
IM1 2LB
T: (01624) 624646
E: info@safetynet.co.im
W: www.safetynet.im

Ross Phillips

From: Ross Phillips
Sent: 06 August 2026 14:37
To: Ross Phillips
Subject: FW: Invitation to Local Authorities from Garff Commissioners
Attachments: Garff Invitation to Local Authorities - Mooir Vannin.docx

From: Ross Phillips <rossphillips@onchan.org.im>
Sent: 06 August 2026 14:28
To: Ross Phillips <rossphillips@onchan.org.im>
Subject: FW: Invitation to Local Authorities from Garff Commissioners

From: Admin <Admin@Garff.im>
Sent: 06 August 2026 14:08

To: [REDACTED]

Subject: Invitation to Local Authorities from Garff Commissioners

Dear Clerks, please could you circulate the email below to all your Member. Many thanks, Martin, Garff Commissioners

Invitation from Garff to Local Authority Members and Tynwald Election Candidates

Meeting at the Manx Legion Club in Douglas to discuss Governance and Due Diligence matters in relation to Mooir Vannin and any future Wind Farm proposals – 20.08.26

Dear Member,

The proposed Mooir Vannin Offshore Wind Farm is one of the largest commercial agreements ever contemplated by the Isle of Man. Similar projects are being discussed for other locations around the Island, so the Commissioners believe that this is becoming a much wider issue for all Local Authorities and their coastlines. Whatever individual views may be on offshore wind generation, Garff District Commissioners believe there is a separate and equally important question that deserves careful public discussion: *'does the Isle of Man have the commercial expertise, independent scrutiny and governance arrangements necessary to negotiate the strongest possible outcome on behalf of the Manx people?'* With evidence presented during the MIMA Inquiry indicating that further offshore wind developments may be considered elsewhere around the Island, the commercial framework established now could set the benchmark for future agreements for decades to come.

We are therefore inviting local authority members and House of Keys election candidates to an informal discussion on Thursday 20th August, 7.00pm at the Manx Legion Club in Douglas. This is not a meeting about the planning merits of the wind farm itself. Instead, it will explore the due diligence, commercial oversight and financial governance that should underpin projects of this scale, asking whether sufficient independent scrutiny, benchmarking and safeguards are in place to ensure that the Isle of Man secures the best possible outcome for its residents. We hope you will be able to join us for what we intend to be a constructive, informative and forward-looking discussion. Please find the invitation attached and, if you are able to attend, we would be grateful if you could confirm your attendance by replying to this email.

Please see the attached letter for your attention which sets out the concerns the Commissioner have about the due diligence process regarding Mooir Vannin and any future wind farm projects be pursued by Government. The Government's handling of much smaller infrastructure projects carried out in previous years has been called into question on at least several occasions. The Commissioners are keen to see that wind farm projects do not give grounds for attracting such criticism in the future – we owe it to our ratepayers to ensure they are not impacted negatively by poor due diligence and detriment to the nation's economy.

Many thanks

Martin

Martin Royle
Clerk
Clerks' Office
Garff District Commissioners
Commissioners' Offices
35 New Road
Laxey
IM4 7BG

Tel 861241/ [REDACTED]

Garff Commissioners

Delivering Services in the Sheading of Garff

- Laxey - Lonan - Maughold -

This email message and any files transmitted with it are confidential and may be subject to legal privilege. You must not copy it to any other person or use its contents in any unauthorised manner without the permission of the sender. If you are not the intended addressee of this e-mail, please delete it and notify the sender as soon as possible.

Wind Farm Projects: Who Protects the Manx Taxpayer? Governance and Commercial Oversight of Major Infrastructure Projects

Invitation to Local Authority Members and Tynwald Election Candidates

Discussion Evening – Governance, Commercial Negotiation and Public Interest

7.00pm, Thursday 20th August, Manx Legion Club

Dear Local Authority Member,

Garff District Commissioners wish to invite all local authority members and candidates standing in the forthcoming House of Keys election to an informal discussion concerning an important aspect of the proposed Mooir Vannin Offshore Wind Farm project.

Purpose

This is not a meeting about the planning merits or environmental impacts of the wind farm itself.

Instead, the discussion will focus on a separate but equally important question:

How can the Isle of Man ensure that any agreement negotiated on behalf of the public delivers the best possible outcome for the Island while protecting future generations from unnecessary financial risk?

Why This Matters

The proposal represents one of the largest commercial agreements ever contemplated by the Isle of Man. Regardless of individual views about offshore wind generation, we believe there is value in considering whether the arrangements for negotiating, scrutinising and managing such a significant project are sufficiently robust.

Looking Beyond Mooir Vannin

This is no longer just an issue for Garff and the Eastern Authorities. Dr Allinson gave evidence at the MIMA Inquiry that clearly indicated that Government has been seriously considering further large windfarms around the Island [1]. If this is the case, it is essential that the commercial framework established for Mooir Vannin is robust, transparent and demonstrably in the best interests of the Manx people, as it will set the benchmark for future agreements.

Governance and Commercial Oversight

For more than a year, Garff Commissioners have devoted considerable time and resources to examining the Mooir Vannin proposal. Throughout that period, the Commissioners have engaged extensively with the MIMA process, reviewing thousands of pages of application documents and supporting evidence, commissioning independent professional advice, submitting detailed written representations,

participating fully in the Public Inquiry, questioning witnesses, presenting evidence on behalf of residents and carefully analysing the information placed before the Examining Body. This level of engagement reflects the Commissioners' belief that proposals of such significance demand rigorous scrutiny and informed public debate.

As a consequence of that work, the Commissioners believe that a number of important questions remain unanswered. In particular, the publicly available information provides only limited evidence of the independent commercial due diligence, financial benchmarking and external assurance that might reasonably be expected for a project of this scale and complexity. Evidence presented during the Inquiry has also prompted legitimate questions about the extent to which key commercial assumptions, projected economic benefits and financial modelling have been independently tested and verified, as distinct from being based principally upon information provided by the project developer.

The Commissioners do not necessarily suggest that such scrutiny has not been undertaken. Rather, they believe there is presently insufficient public evidence to demonstrate its scope, methodology and conclusions. Where Government is negotiating one of the largest and longest-term commercial agreements ever contemplated by the Isle of Man—one that could influence future offshore wind developments and have financial implications extending for generations—it is both reasonable and necessary for elected representatives to seek assurance that the Island is negotiating from the strongest possible position.

The Commissioners therefore believe that local authorities have not only the right, but the responsibility, to ask whether sufficient independent expertise, commercial challenge and governance safeguards are informing the negotiations; whether the proposed arrangements have been independently benchmarked against comparable developments elsewhere; and whether every reasonable step is being taken to secure the strongest possible outcome for the Manx people. Asking these questions is not to prejudge the outcome of the project; it is to ensure that decisions of exceptional importance are supported by exceptional standards of transparency, due diligence and public accountability.

Securing Best Value for the Isle of Man

The questions being raised are not without foundation. Evidence presented during the MIMA Inquiry suggested that the total option payments received by the Manx Government for the seabed agreement since 2015 amount to approximately £70,000. If accurate, this contrasts markedly with the substantially higher option fees commonly reported for comparable offshore wind developments in UK Crown Estate waters, where payments can extend into many millions of pounds.[2] This comparison, raises legitimate questions regarding the negotiating strategies of our Government. There are very practical and

reasonable questions to ask: whether the commercial terms have been independently assessed? Whether the negotiations are achieving best value for the Island? Whether every available safeguard has been exercised to secure an outcome that is truly in the long-term interests of the Manx people.

While public statements have suggested that the project would involve no direct cost to the Isle of Man Government, the Commissioners note that the planning and examination process has already required a significant commitment of public resources. Should the project proceed, it is reasonable to anticipate that ongoing regulation, monitoring, compliance, environmental oversight and contract management may also require continuing expenditure on officers, specialist advisers and external consultants. The cost of these is likely to be substantial. Greater transparency regarding these anticipated public costs would assist informed public debate.

The Role of Local Authorities

These questions are not intended to prejudge the outcome of the project. Rather, they reflect what many members of the public have asked us as elected representatives.

The Commissioners believe it is both reasonable and responsible to ask whether the Isle of Man possesses the commercial resources, independent advice and governance arrangements necessary to negotiate on equal terms with a highly sophisticated and experienced developer in a project of this scale and complexity.

Join the Discussion

The evening will provide an opportunity to hear different perspectives, exchange views and discuss what information should be available to the public before long-term commitments are entered into on behalf of the Island.

We hope you will be able to join us for what we intend to be a constructive and informative discussion.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'R. Henthorn', with a long horizontal stroke extending to the right.

Richard Henthorn

Chair, Garff Commissioners

6th August 2026

References:

[1] <https://www.manxradio.com/news/isle-of-man-news/mooir-vannin-could-be-first-of-many/>

[2] <https://www.iomtoday.co.im/news/offshore-windfarm-opponents-highlight-massive-discrepancy-in-option-fee-payments-927179>

Appendix

Questions which Garff Commissioners suggest could be discussed at the meeting

Discussion Topics

Among the questions we hope to explore at the meeting are:

- What ‘*independent*’ commercial, legal and financial expertise is supporting Government throughout the negotiations?
- To what extent has the Island relied upon information provided by the project developer, and what “independent” verification has been undertaken?
- Have the projected economic benefits been subjected to “independent” financial scrutiny?
- How are risks being identified, quantified and managed over the lifetime of the project?
- What protections are proposed should ownership of the project change during its lifetime?
- Are proposed decommissioning arrangements sufficient to ensure that future taxpayers cannot become exposed to significant liabilities?
- Has Government CRITICALLY benchmarked the proposed commercial arrangements(MAYBE ADD “AND REALISTIC RETURNS”) against comparable offshore wind agreements elsewhere?
- What lessons can be learned from previous major public sector projects and commercial partnerships, both on and off the Island, where outcomes differed significantly from original expectations?
- How can transparency and public confidence be strengthened throughout the negotiation process?

- To discuss how local authorities can help ensure that negotiations in regard to Moir Vannin are conducted analytically and robustly by Government officers; that proper safeguards, commercial expertise and the negotiating framework necessary to secure the best possible outcome for the Manx public are fully in place.

Ross Phillips

From: Ross Phillips
Sent: 04 August 2026 15:38
To: Ross Phillips
Subject: FW: Local Government (Amendment) Bill - next steps

From: [REDACTED]
Sent: 29 July 2026 09:55
To: [REDACTED]
Cc: [REDACTED]
Subject: Local Government (Amendment) Bill - next steps

Dear Local Authority Clerks,

As you will hopefully be aware at the Tuesday 21st July Tynwald session the Tynwald Members signed the Local Government (Amendment) Bill 2023 which has recently been sent to the Ministry of Justice seeking Royal Assent.

Whilst it is not expected that the final Royal Assent will be received until October or November 2026 the Local Government Team have been preparing the next steps in relation to the implementation of the changes brought about by the Bill.

To support the work in relation to the Local Government (Amendment) Bill, I am writing to invite you to a special Clerks Forum to engage and discuss the next steps and provide an opportunity for authorities to share views and raise any questions ahead of the Bill's final progression to Act.

In this regard I propose a Clerks Forum meeting to take place at the Sea Terminal , Douglas on **Wednesday 12th August 2026 between 1:00pm and 4.00pm.**

The purpose of the meeting will be to:

Discuss the current position of the Local Government Amendment Bill.

Consider the implications for local authorities.
To set up workgroups around the relevant topics

Outline anticipated next steps and implementation planning.

Gather feedback and identify any areas requiring further clarification or support.

At this stage, I would be grateful if you could indicate your availability for the proposed date and time. Please advise whether you are able to attend, or if there are any significant clashes that would prevent your participation.

A formal agenda and more detail will be circulated once arrangements have been confirmed. However, in the meantime please see a summary of the post Local Government (Amendment) Bill work programme.

Thank you in advance for your response, and I look forward to hearing from you.

Kind regards

[Redacted]

[Redacted]

Central Support and Change Division | Department of Infrastructure
Sea Terminal Building | Douglas | IM1 2RF | [Redacted]



infrastructure

bun-troggalys

WARNING: This email message and any files transmitted with it are confidential and may be subject to legal privilege. You must not copy or deliver it to any other person or use the contents in any unauthorised manner without the express permission of the sender. If you are not the intended addressee of this email, please delete it and notify the sender as soon as possible.

WARNING: This email message and any files transmitted with it are confidential and may be subject to legal privilege. You must not copy or deliver it to any other person or use the contents in any unauthorised manner without the express permission of the sender. If you are not the intended addressee of this e-mail, please delete it and notify the sender as soon as possible.

Ryan Forgie

From: Ryan Forgie
Sent: 05 August 2026 09:44
To: Ryan Forgie
Subject: FW: 25 Belgravia Road, Onchan - request for confirmation under 1961 covenants (Deed recorded April 1961/131)
Attachments: Deeds - 25 Belgravia Road.pdf

From: [REDACTED] >
Sent: 14 July 2026 20:20
To: Ross Phillips <rossphillips@onchan.org.im>; Admin <admin@onchan.org.im>
Cc: [REDACTED]
Subject: 25 Belgravia Road, Onchan - request for confirmation under 1961 covenants (Deed recorded April 1961/131)

You don't often get email from [REDACTED] [Learn why this is important](#)
 Dear Mr Phillips,

I am the joint registered owner, with my [REDACTED]
 (Land Registry title 53-12832). I am writing to the Commissioners as successors to the Commissioners of the Village District of Onchan, the original Vendors under a Deed of Conveyance dated 22 April 1961 (recorded as April 1961/131), whose restrictive covenants are registered as Burden 2 on our title.

We are carrying out much needed routine external maintenance and improvements and, given the covenants name the Commissioners as the approving party, I would like the authority's written confirmation on three points. As we have contractors on site, an early response would be greatly appreciated.

1. **Painting of the front boundary walls.** We are repainting the existing rendered and pebble-dashed dwarf boundary walls on our Bay View Road frontage, adjacent to 3 Bay View Road, in a single uniform colour (Jasmine White exterior masonry paint & slate grey/Anthracite accents). The curved pebble-dashed wall within our own property has already been painted; this enquiry concerns the corner and centre dwarf walls that define the boundary between our land and the pavement (3 Bay View Road). Completing these walls will match the existing colour and look of the house at both entrances. The render and dash finish required by Clause 1 of the Second Schedule is retained in full, and no alteration is made to the height, position or construction of the walls. Our advocate has reviewed the registered covenants and confirmed that nothing expressly prohibits painting. Separately, we have an enquiry with Planning and Building Control, and our reading of the Town and Country Planning (Definition of Development) Order 2025 is that this painting falls outside the definition of development. To the extent Clause 4 of the Second Schedule is engaged at all, I note that approval shall not be unreasonably withheld, and I would ask the Commissioners to confirm they have no objection. The walls proposed for painting are shown in photos 1 to 4.
2. **Roof cleaning and painting.** The existing roof tiles are grey/brown and show marked age-related weathering and discolouration. We intend to have the roof professionally cleaned and professionally painted in a single uniform colour, anthracite grey. This involves no alteration to

the roof structure, form or tiles, only the restoration and recolouring of the existing surface. I would ask the Commissioners to confirm they have no objection. The current condition of the roof is shown in photo 5.

3. Boundary treatment with our neighbours, and the question of privacy and openness.

There is a difference of view with a neighbouring owner as to what the 1961 covenants require along the divisional boundary between our properties, and references have been made by the neighbours to a principle of openness. The boundary concerned is shown in photos 6 and 7. I would be grateful for the Commissioners' confirmation of the following:

- What the covenants permit and require along the divisional boundary between our two properties, both between the front boundary and the building line, and to the rear of the building line, under Clause 1 of the Second Schedule.
- Whether the Commissioners have any objection to the erection of composite privacy screens along that divisional boundary to the rear of the building line, in place of, or alongside, the fence types described in Clause 1.
- Where any applicable height requirement is measured from in circumstances where the two properties sit at different ground levels. The neighbouring land is approximately 0.5 metres higher than ours, and it makes a material difference whether any height limit is taken from our ground level or from theirs.
- The scope of any openness provision the neighbours may be relying on. Our reading is that Clause 6 concerns the space between the building line and the roadway, and restricts trees, plants and shrubs from obstructing the view from the ground floor windows of the adjoining house. We do not read it as governing boundary treatments to the rear of the building line, and confirmation of the Commissioners' view would be appreciated.

For completeness, I also attach the relevant pages of the registered title and an annotated plan identifying the boundary sections concerned.

I would be grateful for a written response. If it would be simpler to discuss any of the above first, I am happy to call the office or attend Hawthorn Villa at a convenient time.

Kind regards,


25 Belgravia Road
Onchan,
IM3 1HN












Sent from my iPhone

Isle of Man

Burden 2:

Covenants (Created: 22-Apr-1961 Registered: 08-Apr-2025 Amended: 08-Apr-2025)

A Deed of Conveyance dated 22nd April 1961 and recorded as April 1961/131 between (1) The Commissioners of the Village District of Onchan (the Commissioners) and (2) Robert Taggart (the Purchaser) created the following: "AND the Purchaser DOTH HEREBY covenant with the Vendors and the persons deriving title under them that he will at all times hereafter observe and perform ALL and SINGULAR the restrictive and other covenants contained in the Second Schedule hereto . . . SECOND SCHEDULE WITHIN REFERRED TO 1. The Purchaser shall (not less than three months after being called upon by the Vendors so to do) at his own expense and to the satisfaction of the Vendors erect and forever afterward maintain good and sufficient walls or fences dividing the Scheduled Property" [edged red on the Filed Plan] "from the roads and lanes abutting on the Scheduled Property The front boundary walls and the divisional or party walls from the front boundary wall to the building line or front elevation to be of nine inch brickwork not exceeding two feet six inches in height or four and one half inch brickwork with nine inch pillars not exceeding eight feet apart (rendered and dashed to the satisfaction of the Vendors or their Surveyor) the divisional or party fences between the front elevation or building line and in the rear of the plot including the fences at the rear of the plot to be a concrete post and wire fence or close bordered fence with vertical posts not more than nine feet apart 2. No building shall be erected upon the Scheduled Property except a bungalow dwelling with the usual outoffices and with or without a Summer House Greenhouse and Private Motor Garage or other outoffices appurtenant thereto 3. The building to be erected on the Scheduled Property shall not be of one less rateable value than £40 (Forty Pounds) 4. The erection of any bungalow or other building and/or any alteration and/or addition thereto shall not commence on the Scheduled Property or any part thereof until the plans and drawing showing the position elevation description of materials and their colour have been previously submitted to and approved of by the Vendors and /or the Architect for the time being of the Vendors but such approval shall not be unreasonably withheld The submission of such plans is additional to the normal deposit of plans with the Vendors as required by the Local Government 5. Nothing shall be erected nearer to the roads in front of the building line shown on the plan" [undefined on source deed] "referred to in the First Schedule hereto except as follows: (i) Bay windows balconies porches oriel windows front hanging eaves and other architectural projections none of which shall project more than four feet in advance of the building line (ii) The fences or other enclosures as described in Clause 1 of this Schedule 6. The space between the building line and the roadway shall be used only for an ornamental garden and no tree plant or shrub shall be suffered to grow to such a height or in such a manner as to obstruct the view the be otherwise obtained from the ground floor windows of the adjoining house and no clothes or linen shall be dried or aired outside unless they are property screened from view from the roads 8. No trade manufactory or business shall be carried on upon the Scheduled Property or any part thereof no shall anything be done or permitted to be done and/or placed on the Scheduled Property that will cause or become a nuisance or annoyance to the Vendors or the adjoining owners or tenants nor shall any building upon the Scheduled Property be erected for or used for any other purpose than that of a private dwelling house and appurtenances thereto but nothing herein contained shall be deemed to prevent the carrying on upon the Scheduled Property of the practice of a Physician Surgeon or Dentist or other profession or the placing of plates of approved design on the front door or gate of such house and the use thereof for such other purpose as may be approved in writing by the Vendors 9. No hut shed caravan house on wheels or other chattel adapted or intended for use as a sleeping apartment nor any show booth swing roundabout or hoarding not any advertising station nor any pigsty poultry house nor hen pens shall be erected made placed or used or be allowed to remain upon the Scheduled Property or any part thereof nor shall the same be used for a storage of rubbish or building materials 10. The Purchaser shall not obstruct any portion of the roadway or footpath abutting on the Scheduled Property by the deposit of materials or otherwise or disturb the surface of any such roadway or such footpath except for making connection at their own expense to the sewers drains or mains (gas water and electric) thereunder and any such disturbance shall be made good by the Purchaser with all due dispatch 11. No sand gravel or stone shall be excavated by or on behalf of the Purchaser out of the Scheduled Property except for digging the foundations of any building or buildings or for the use of the Purchaser on the Scheduled Property 12. That the Purchaser and the persons deriving title under him shall not be entitled to any right of access of light or air to buildings to be erected on the Scheduled Property or any part thereof which would restrict or interfere with the free user of any part of the said estate for building or any other purpose"

This Official Copy shows the edition of title registered on **08-Apr-2025 at 3:17 pm**. An Official Copy indicates those interests which have been registered in accordance with the Land Registration Act 1982 and subsist at the date and time of the issue of the edition of title. This edition does not take account of any applications (if any) made after this copy was issued. Any person intending to purchase or deal with the land is advised to inspect the land to determine if any overriding interests not requiring registration exist; the position of the boundaries; the existence of unregistered burdens; the identity of persons in occupation of the land, and to check to see if a later edition of title exists.

PROPOSED RESPONSE

Our Ref: RF/ls

11th August 2026

[REDACTED]
25 Belgravia Road
Onchan,
IM3 1HN

Dear [REDACTED],

Thank you for your email regarding 25 Belgravia Road, Onchan IM3 1HN and the restrictive covenants contained within the Deed of Conveyance dated 22 April 1961, now registered as Burden 2 against Title Number 53-12832.

Having reviewed the covenant wording provided, the Commissioners offer the following observations. Please note that these comments are provided without prejudice, are not intended to constitute legal advice, and do not amount to any determination of private legal rights between neighbouring landowners. Any party requiring a definitive interpretation of the covenants should seek independent legal advice

Clause 1 requires the front boundary walls and divisional walls between the front boundary and building line to be of the specified construction and finish, namely rendered and dashed to the satisfaction of the Vendors or their Surveyor. Based on the information provided, the proposed works comprise the painting of existing rendered and dashed walls without alteration to their position, height, construction or finish. As the walls would remain rendered and dashed, the Commissioners have no objection in principle to the application of paint in the colour scheme described, namely Jasmine White masonry paint with slate grey/anthracite accents.

The proposed roof works appear to comprise of maintenance and refurbishment of the existing roof covering, including cleaning and repainting the existing tiles in a uniform anthracite grey colour, without alteration to the roof structure, profile or materials. On the basis of the information supplied, the Commissioners have no objection in principle to these works, however it is noted that consultation with Planning may be required to see if changing the appearance of the tiles will not require planning permission.

The Commissioners note the questions raised regarding the interpretation of Clause 1 and Clause 6 of the restrictive covenants.

Clause 1 specifies the form of boundary treatment originally required for:

Continued.../

Continued.../2

- front boundary walls and divisional walls between the front boundary and the building line/front elevation; and
- divisional and rear boundaries located to the rear of the building line.

The covenant wording refers to brick walls to the front portions of plots and concrete post and wire fencing or close-boarded fencing to side and rear boundaries.

The Commissioners do not consider it appropriate to provide a binding legal interpretation of the extent to which alternative boundary treatments may satisfy or supersede those original requirements some 65 years after the covenant was imposed. Any such interpretation would ultimately be a matter of law.

Without prejudice to any private rights that may exist between neighbouring owners, the Commissioners have no objection in principle to the installation of composite privacy screening along the divisional boundary to the rear of the building line, subject to compliance with any applicable planning, building control or other statutory requirements.

The covenant itself does not appear to specify how any height measurement is to be taken where adjoining land levels differ. The Commissioners are therefore unable to provide a definitive interpretation of the covenant on this point. Should the issue become material to a dispute between adjoining owners, independent legal advice would be required.

The Commissioners note your interpretation of Clause 6. The covenant states that the space between the building line and the roadway shall be used only as an ornamental garden and contains restrictions on trees, plants and shrubs growing in a manner that obstructs views from the ground floor windows of the adjoining house.

On the face of the covenant wording, Clause 6 relates specifically to the area between the building line and the roadway. The Commissioners do not read the clause as expressly regulating boundary treatments situated to the rear of the building line. However, as above, the Commissioners do not purport to give a legally binding interpretation of the covenant and any dispute regarding its meaning would ultimately be a matter for the parties concerned and their legal advisers.

I trust the above is helpful. Should you wish to discuss any of these matters further, please do not hesitate to contact the office.

Yours sincerely

RYAN FORGIE
DISTRICT SURVEYOR
ON BEHALF OF THE BOARD OF ONCHAN DISTRICT COMMISSIONERS



REPORT

Report to:	Board of Onchan District Commissioners
Reporting Officer:	Chief Executive/Clerk
Date of the Meeting:	10 th August 2026
Subject:	Sheltered Social Housing Commissioners Surgeries – Review Following Receipt of Complaints
Public or Private Document:	Public

Introduction:

Following the most recent surgery held at Heywood Court, the Authority has received two complaints from tenants, one written and one verbal. The complaints relate to the manner in which the surgery was conducted, the conduct of certain tenants in attendance, and perceived shortcomings in the actions of Authority officers present.

Over time, these surgeries have evolved beyond the format and objectives originally established by the Authority in 1975. As a result, governance concerns have arisen, including a lack of clearly defined procedures, roles, responsibilities and expectations. It is therefore appropriate for the Board to review and determine the intended function, governance arrangements and operating parameters of the surgeries.

Previously Considered by the Board:

Not applicable.

Recommendation/s or Action/s Taken:

Option 1

That the Board resolves to continue holding Commissioners' surgeries at the Authority's sheltered social housing complexes, subject to the adoption of agreed procedures governing the conduct and management of such surgeries.

Option 2

That the Board resolves to continue holding Commissioners' surgeries at the Authority's sheltered social housing complexes, but to discontinue the open forum format. Future surgeries shall operate as drop-in sessions, with tenants meeting privately with Commissioners in a designated meeting room on an individual basis, consistent with the original format of the Commissioners' surgeries when they were first established in 1975.

Option 3

The Board resolves to cease the current practice of sheltered social housing surgeries and instead rely upon the alternative mechanisms already in place to enable residents throughout the District, and not just sheltered housing tenants, to engage directly with Board Members. These mechanisms being the:

- Public availability of Board Members' contact details; and
- Submission of questions to the Board in accordance with the Authority's Standing Order 25.

Option 4

The Board resolves to adopt Option 3, and in addition, to recommencing public community surgeries, open to all residents of the District regardless of housing status, or place of residence.

Supporting Rationale:

History and Evolution of Surgeries

- The first monthly Commissioners' Surgery was held in February 1975.

The surgeries were hosted during the evening at Hawthorn Villa and were established to provide all residents of the District with an opportunity to meet Commissioners face-to-face without the need for prior appointment.

The surgeries were conducted on a one-to-one basis between Board Members and individual residents, rather than as an open forum or public meeting.

No Authority officers were present or involved in the discussions or administration.

All administration relating to the surgeries was managed by the Board Members, including the creation of a rota.

- In 2012, additional afternoon surgeries were introduced at Springfield Court, then later at Heywood Court to provide an opportunity for all residents of the District who could not attend an evening session.

These sessions continued to be on a one-to-one basis.

- In 2018, following refurbishment of the Onchan Youth and Community Centre (now The HUB), the Hawthorn Villa evening surgeries were relocated to the Meeting Room, being held on the first Saturday of each month.

These surgeries continued to be hosted and administered by two Board Members until recently, when the arrangement was temporarily suspended due to consistently low or non-existent attendance levels of members of the public.

- During this period the afternoon surgeries hosted at Springfield Court and Heywood Court evolved from one-to-one public sessions open to all Onchan residents to meetings focussed specifically on the residents at the complexes in an open meeting setting.

- In 2019 the Lead Member for Housing at that time requested that the Authority's officers start accompanying the Board Members to provide assistance in the form of note taking and to answer queries that the Board Members could not answer.
- The afternoon surgeries currently hosted at the complexes have developed incrementally over time without being subject to formal governance or review processes. As a consequence, concerns and complaints have recently been raised by some residents regarding the operation of these arrangements.

Consultation

- Consultation has been undertaken with other local authorities that provide sheltered social housing. It has been confirmed that none of these providers currently offer resident surgeries hosted in the same manner as those operated by the Authority.

Procedural Governance

- It is important that clear and agreed procedures are in place to govern the conduct of open meetings where Board Members are chairing a discussion, and officers are in attendance to represent the Authority.
- Such procedures provide clarity regarding the respective roles and responsibilities of Board Members and officers, the standards of behaviour expected of participants, and the appropriate management of disruptive or inappropriate conduct. In doing so, they help to promote transparency, accountability and consistency in decision-making and engagement.

Alternatives Considered but not Recommended:

Option 5

That the Board resolves to continue the current practice of holding Commissioners' Surgeries at the Authority's sheltered social housing complexes, notwithstanding the complaints received, and without introducing any formal procedural safeguards.

Option 6

That the Board resolves to discontinue all surgeries, including those currently held at the Authority's sheltered housing complexes and any surgeries conducted at alternative venues, on the basis that the existing arrangements no longer align with the original purpose of the initiative.

Standing Orders:

Not applicable.

Resource Impact:

There are currently eight surgeries per annum hosted across the Authority's sheltered housing complexes. On average, two officers attend each session, with the surgeries ordinarily lasting approximately two hours.

Financial Impact:
If they wish to do so, the Board Members can claim an allowance for attendance at a surgery under the provision of the Board Members Allowance Policy and Procedure.
Legal and/or Insurance Impact:
Not applicable.
Equality Impact:
The sheltered housing surgeries currently benefit residents of Heywood Court and Springfield Court only, rather than serving all residents of the District as was originally intended when the surgeries commenced in 1975. Restricting access to a specific group of residents raises considerations of fairness and equality, as it provides a direct and regular opportunity for engagement with Board Members that is not available to other residents. The current arrangement may create a perception that certain sections of the community receive preferential access to the Authority and its decision-makers.
Climate Change Impact:
Not applicable.
Consultation with Others:
• Vice Chairman and Lead Member for Housing – Onchan District Commissioners. • Housing Manager and Officer, Property Maintenance Manager and Officer, and the District Surveyor – Onchan District Commissioners. • Local authority sheltered social housing providers – Garff Parish Commissioners, Douglas City Council, Peel and Western District Housing Committee, Ramsey and Northern Districts Committee, Southern Sheltered Housing Board.
General Data Protection Regulations and/or Confidentiality Impact:
The written complaint and supporting correspondence received from a tenant residing at one of the Authority's sheltered housing complexes has been circulated to Board Members only, as it contains personal data and confidential information. The complainant has requested that their details are not redacted. A copy of the written complaint and supporting correspondence has not been made publicly available and should be treated as private and confidential. Board Members are reminded of their obligations to handle this information appropriately and to ensure that its contents are not disclosed outside of the Board's consideration of this matter.

Appendices:

See enclosed the written complaint and supporting correspondence received from a tenant residing at one of the Authority's sheltered housing complexes (not circulated as part of the publicly available agenda).

For Members Consideration.

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name Ross Phillips.

**ROSS PHILLIPS
CHIEF EXECUTIVE/CLERK**

