

Minutes of the Ordinary Meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 13th November 2023 at 7:08 pm

Present: Mr A Allen
 Mr D Crellin
 Ms F Logan (Lead Member for Finance and General Purposes)
 Mr R Turton (Lead Member for Housing)
 Mr D Quirk (Lead Member for Environmental and Technical Services)

Apologies: Miss Z Lewin (Chair)
 Miss K Williams (Vice Chair)

In attendance: Mr R Phillips (Chief Executive/Clerk)

C23/11/01/01

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

1. In the absence of both the Chair and Vice Chair, the Chief Executive/Clerk requested that under the provision of Standing Order 4 the Members present chose a Member to Chair the meeting.

The following nominations were received:

Mr Turton – proposed by Mr Quirk and seconded by Ms Logan

Mr Quirk – proposed by Mr Crellin no seconder received

The Chief Executive/Clerk advised that Mr Turton had been elected to Chair the meeting in the absence of the Chair and Vice Chair.

For: Mr Turton, Mr Quirk and Ms Logan
Against: Mr Allen and Mr Crellin

C23/11/01/02

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

None.

C23/11/01/03

MINUTES

1. Ordinary Meeting held on Monday 30th October 2023

The Minutes of the Ordinary Meeting held on Monday 30th October 2023, copies of which having previously been circulated were considered.

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and **RESOLVED that the minutes be agreed as a correct record of the proceedings and be signed by the Chair.**

Mr Allen did not cast a vote as he was not present at the meeting.

2. Staff Minutes of the Ordinary Meeting held on Monday 30th October 2023

To be considered In Committee.

C23/11/01/04**TO DISPOSE OF ANY BUSINESS ARISING FROM SUCH MINUTES****1. Start time of the Public Meetings:**

Mr Allen wished that it be highlighted that for some time the public meetings of the Authority have not commenced on time in line with the provision of Standing Order 1.3. It is expected that all Members be ready to commence the Meeting at 7:00 pm and if a Member cannot attend the Meeting or if they will be late that they inform the Chief Executive/Clerk in advance of 7:00 pm.

Mr Turton stated that he agrees with Mr Allen's comments and requested that all Members endeavour to be on time for future meetings.

Page 5 – Any Other Business:

Mr Crellin queried how can, Onchan Football Association Club Limited be identified as a limited company as well as a charity as stated by Mr Quirk during previous Meetings of the Authority.

Mr Quirk advised Mr Crellin to contact the Club's secretary for an answer and gave the secretary's name and address as Mr Quirk was unable to answer the question.^[ODC 27/11/2023]

A discussion took place between Mr Crellin and Mr Quirk.

Mr Turton requested that to resolve the matter the Chief Executive/Clerk be asked to write to the Club's secretary regarding the matter.

C23/11/01/05**TO DISPOSE OF ANY BUSINESS ADJOURNED FROM A PREVIOUS MEETING**

None.

C23/11/01/06**TO DEAL WITH ANY BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE**

None.

C23/11/01/07**PLANNING DECISIONS/COMMUNICATIONS FROM THE DEPARTMENT OF INFRASTRUCTURE PLANNING COMMITTEE****(i) PA 23/01102/B Mr Tomasz Dziardziel – “Corner Stones”, 5 Howe Road**

Members were advised that the application is for the creation of additional vehicular access and driveway.

In answer to questions, the Chief Executive/Clerk advised that:

- Comments had been received from the Department of Infrastructure; and
- The return date for the application is the 24th November 2023.

After a discussion, it was proposed by Mr Quirk and seconded by Mr Crellin and **RESOLVED** that PA 23/01102/B – “Corner Stones”, 5 Howe Road be recommended for approval.

For: Mr Turton, Mr Crellin, Ms Logan and Mr Quirk

Against: Mr Allen

(ii) **PA 23/01177/C Adorn Properties Limited – 17 The Park**

Members were advised that the application is for additional use as tourist accommodation.

In answer to questions, the Chief Executive/Clerk advised that:

- No comments had been received; and
- The return date for the application is the 24th November 2023.

After a discussion, it was proposed by Mr Quirk and seconded by Mr Crellin and **RESOLVED that PA 23/01177/C - 17 The Park be refused due to the lack of information contained within the application the Authority has concerns that the property will be in use at the same time by both those ordinarily occupying the property for residential use, in addition to additional persons using the property as tourist accommodation. If this were to occur the Authority is of the opinion that currently there is insufficient parking provision available.**

***For: Mr Quirk, Mr Crellin and Mr Turton
Against: Mr Allen and Ms Logan***

(iii) **PA 23/01184/B Sure Mobile - King Edward Golf Course**

Members were advised that the application is for the redevelopment of an existing mobile mast.

In answer to questions, the Chief Executive/Clerk advised that:

- No comments had been received; and
- The return date for the application is the 17th November 2023.

After a discussion, it was proposed by Ms Logan and seconded by Mr Turton and **RESOLVED that PA 23/01184/B – King Edward Golf Course be recommended for approval.**

***For: Mr Turton, Ms Logan and Mr Allen
Against: Mr Crellin and Mr Quirk***

C23/11/01/08

FINANCE AND GENERAL PURPOSES

None.

C23/11/01/09

REPORT FROM THE CLERK OR OTHER OFFICER

1. Data Protection Officer Services

To be considered In Committee.

2. Retained Contractors – Tender Submissions

To be considered In Committee.

3. Street Lighting Policy

The Authority's draft Street Lighting Policy, a copy of which having previously been circulated was discussed.

The Chief Executive/Clerk provided the Board with an overview of the policy.

Mr Allen noted that street lighting has been an area of concern for the Authority during the entirety of his time as an elected Member and that the Board had strived to improve the situation by making efforts via additional funding to remove and replace street lights that were in a potentially unsafe condition.

It was noted that previously employed Officers of the Authority did not share the same concerns as the Members and that this new policy is welcomed as this will allow the Authority to continue to improve street lights throughout the District and provide clarity to members of the public and any newly elected members of the service provision which is expected.

All Members discussed their support for the document and gave thanks to the Officers involved with compiling the information.

After a discussion, it was proposed by Mr Allen and seconded by Mr Quirk and unanimously **RESOLVED that the Street Lighting Policy is hereby approved and that it be adopted with immediate effect.**

C23/11/01/10

CONSIDERATION OF ANY RELEVANT CORRESPONDENCE

1. Isle of Man Lawn Tennis Association

To be considered In Committee.

2. Consultation – Principles, Tynwald for Administration (Amendment Bill)

A copy of the consultation in relation to the above, having previously been circulated was discussed.

The Chief Executive/Clerk provided the Board with an overview in relation to the Consultation.

After a discussion, it was agreed that the Consultation be brought back to the next Board Meeting for consideration.

3. Royal Artillery Association

A copy of the invitation received on the 6th November 2023 from the Royal Artillery Association inviting the Chair to attend their St Barbara's Day Service to celebrate their regimental day on Sunday 3rd December 2023 at St Thomas's Church at 11:00 am, a copy of which having previously been circulated was noted.

It was requested that the Chief Executive/Clerk contact the Chair for her to confirm if she would be attending on behalf of the Authority.

4. Kenyon's Youth Café

A copy of the invitation received from Kenyon's Youth Café inviting Members to attend the celebration of the refurbishment on Friday 24th October 2023 at 5:00 pm at The Hub, a copy of which having previously been circulated was noted.

Mr Crellin asked thanks be given to the Officers and Contractors who completed the construction works at The Hub on behalf of the Authority.

C23/11/01/11**TO ANSWER ANY QUESTIONS ASKED UNDER STANDING ORDER 34**

Mr Turton advised that questions had been received from Mr Allen and that he wishes for them not to be heard during the meeting as he has not had time to consider them and recommended that they be heard and answered by Miss Lewin at the next meeting.

Mr Allen requested that Mr Turton reconsiders his recommendation and to obtain advice from the Chief Executive/Clerk.

The Chief Executive/Clerk advised that Standing Order 34 states that every question shall be put so the questions are to be heard, but due to the questions relating to legal matters that have previously been considered in private and minuted as staffing minutes it is advised that the questions be heard in private.

Mr Turton agreed to move the questions submitted by Mr Allen into private.

C23/11/01/12**TO CONSIDER ANY MOTIONS**

None.

C23/11/01/13**ENVIRONMENTAL AND TECHNICAL SERVICES****1. Enforcement Considerations**

To be considered In Committee.

C23/11/01/14**HOUSING MATTERS**

None.

C23/11/01/15**CHAIR'S ANNOUNCEMENTS****1. Chair's Attendances**

Mr Turton confirmed that he had attended the Children's Poppies Service on Saturday 11th November 2023 along with the short service at the War Memorial and that he had also attend Remembrance Sunday.

2. Dates for the Diary

Date	Organisation	Event	Time
13 th November 2023	Onchan District Commissioners	Board Meeting	7:00 pm
27 th November 2023	Onchan District Commissioners	Board Meeting	7:00 pm
29 th November 2023	Onchan District Commissioners	Night of Light – Onchan Park	5:30 pm

C23/11/01/16
ANY OTHER BUSINESS

1. Remembrance Events

It was requested that thanks be given to all the staff involved with arranging the Remembrance events held on Saturday 11th November and Sunday 12th November 2023.

In the absence of the Chair and Vice Chair it was noted that Mr Crellin represented the Authority at the following Remembrance Events:

- Saturday 11th November 2023 – Children's Poppies Service;
- Saturday 11th November 2023 – Short Service at the War Memorial; and
- Sunday 12th November 2023 – Remembrance Sunday. ^{9ODC 13/11/2023)}

The Public session of the Meeting ended at 7:50 pm

C23/11/01/17
MINUTES

1. Staff Minutes Ordinary Meeting held on Monday 30th October 2023

See Staff Minute Book.

C23/11/01/18
REPORT FROM THE CLERK OR OTHER OFFICER

1. Data Protection Officer Services

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

The report of the Chief Executive/Clerk dated 26th October 2023, a copy of which having previously been circulated was considered.

The Chief Executive/Clerk provided the Board with an overview in relation to the above.

After a discussion, it was proposed by Mr Quirk and seconded by Mr Allen and unanimously **RESOLVED that Impact Professional Services Limited be appointed as the Authority's Data Protection Officer for a period of 3 years with effect from the 1st December 2023.**

2. Retained Contractors – Tender Submissions

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

The report of the District Surveyor dated 8th November 2023, a copy of which having previously been circulated was considered.

2.1 Street Lighting Maintenance:

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED that Electrical Design Solutions Limited be retained as the Authority's street lighting contractor for the period from the 1st April 2024 to the 31st March 2027.**

Thanks was given to the current contractor Swales Electrical Limited for their long service to the Authority.

2.2 Vehicle Maintenance & Servicing

After a discussion, it was proposed by Mr Allen and seconded by Mr Crellin and unanimously **RESOLVED that Outdoor Power and Plant Limited be retained as the Authority's vehicle maintenance and servicing contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.3 Hedge Cutting

After a discussion, it was proposed by Mr Quirk and seconded by Mr Allen and unanimously **RESOLVED that Equi-Ag be retained as the Authority's hedge cutting contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.4 Window Cleaning

After a discussion, it was proposed by Mr Quirk and seconded by Mr Crellin and unanimously **RESOLVED that RD Windows be retained as the Authority's window cleaning contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.5 Cleaning General

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED that G4S Secure Solutions (Isle of Man) Limited be retained as the Authority's general cleaning contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.6 Cleaning Public Conveniences

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED that G4S Secure Solutions (Isle of Man) Limited be retained as the Authority's public conveniences cleaning contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.7 Plumbing

After a discussion, it was proposed by Mr Allen and seconded by Mr Quirk and unanimously **RESOLVED that JC Plumbing (Empire Plumbing) be retained as the Authority's plumbing contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.8 General Building

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED that Bell Bros Limited be retained as the Authority's general building contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.9 Gas Boiler Servicing & Maintenance (Domestic)

After a discussion, it was proposed by Mr Quirk and seconded by Mr Allen and unanimously **RESOLVED that Gas Services Limited be retained as the Authority's domestic gas boiler servicing and maintenance contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.10 Gas Boiler Servicing & Maintenance (Commercial)

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED** that **Coulters Commercial Gas Limited be retained as the Authority's commercial gas boiler servicing and maintenance contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.11 Alarm Maintenance and Monitoring

After a discussion, it was proposed by Mr Quirk and seconded by Mr Allen and unanimously **RESOLVED** that **Electrical Design Solutions Ltd be retained as the Authority's alarm maintenance and monitoring contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.12 Painting & Decorating

After a discussion, it was proposed by Mr Quirk and seconded by Mr Allen and unanimously **RESOLVED** that **Stephen O'Hare Painters and Decorators be retained as the Authority's painting and decorating contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.13 Electrical General

After a discussion, it was proposed by Mr Crellin and seconded by Ms Logan and unanimously **RESOLVED** that **Electrical Design Solutions Limited be retained as the Authority's general electrical contractor for a period of 3 years from the 1st April 2024 to the 31st March 2027.**

2.14 Oil Boiler Services & Maintenance

After a discussion, it was proposed by Mr Quirk and seconded by Mr Crellin and unanimously **RESOLVED** that **due to the estimated expenditure of the contract being less than £5,000 that the Property Maintenance Manager have the discretion to negotiate a suitable contractor to undertake the works in line with the provision Standing Order 21 (d) exemptions from tendering requirements.**

2.15 Grass Cutting – Open Spaces

It was agreed that this matter be brought back to the next Board Meeting for further consideration.

2.16 Grass Cutting & Gardening – Social Housing

It was agreed that this matter be brought back to the next Board Meeting for further consideration.

C23/11/01/19

CONSIDERATION OF ANY RELEVANT CORRESPONDENCE

1. Isle of Man Lawn Tennis Association

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

The correspondence received from the Isle of Man Lawn Tennis Association dated 24th October 2023, a copy of which having previously been circulated was considered.

The Chief Executive/Clerk provided the Board with an overview in relation to the above.

Following a discussion, it was agreed that the Board are in favour of the District Surveyor investigating the proposals with the Isle of Man Lawn Tennis Association regarding working together to enhance the current courts at Onchan Pleasure Park, and that the matter be brought back to the Board for further consideration.

C23/11/01/20

ENVIRONMENTAL AND TECHNICAL SERVICES

1. Enforcement Considerations

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

The report of the District Surveyor dated, a copy of which having previously been circulated as considered.

After a discussion, it was proposed by Mr Quirk and seconded by Mr Allen and unanimously **RESOLVED that the Authority issue a notice to the occupier of the property in relation to the external defects under the provision of the Building Control Act 1994, Section 24 (Ruinous Buildings).**

It was noted that the Board would further consider issuing notices in relation to the internal defects under the following legislation:

- The Public Health Act 1990, Section 1 (Statutory Nuisances); and
- The Housing Act 1955, Section 4 (Power of Local Authority to Require Repair for Insanitary House).

C23/11/01/21

ANY OTHER URGENT BUSINESS

Mr Allen and Mr Quirk discussed unsightly properties within the District.

The Chief Executive/Clerk advised that he and the District Surveyor are due to present a report to the Board in relation to this matter, including formally agreeing the process to be used and the approval or non-approval of delegated authority to Officers to act on behalf of the Local Authority.

Mr Quirk requested for hedges to be cut back to two properties within the District and to remove the obstructions to the adjacent public footpath.

The Chief Executive/Clerk confirmed that he would instruction the District Surveyor to progress the request.

There being no further business the meeting was declared closed at 9:00 pm