

Minutes of the Ordinary Meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 25th July 2022 at 7:00 pm

Present:	Miss K Williams	(Chair)
	Miss Z Lewin	(Vice Chair)
	Mr A Allen	From 8:30 pm
	Mr D Crellin	
	Mr D Quirk	(Lead Member for Finance & General Purposes)
	Mr R Turton	(Lead Member for Housing)
Apologies:	Ms F Logan	(Lead Member for Environmental and Technical Services)
In attendance:	Mr R Phillips	(Acting Chief Executive/Clerk)

The Chair confirmed to the Board that apologies had been received from Ms Logan. Mr Allen had advised that they would be late attending.

C22/07/03/01

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

Not necessary.

C22/07/03/02

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

Not necessary.

C22/07/03/03

MINUTES

1. Ordinary Meeting held on Monday 11th July 2022

The minutes of the Ordinary Meeting held on Monday 11th July 2022, copies of which having previously been circulated, were considered.

Amendments:

Page 8 understanding matter amend “the next Board Meeting of the 8th August 2022” to the next Board Meeting of the 25th July 2022.

Subject to the above mentioned amendment, it was proposed by Miss Lewin and seconded by Mr Quirk and **RESOLVED** that the minutes be agreed as a correct record of the proceedings and be signed by the Chair.

C22/07/03/04

TO DISPOSE OF ANY RELEVANT BUSINESS ARISING FROM SUCH MINUTES

C22/07/03/05

TO DISPOSE OF ANY BUSINESS ADJOURNED FROM A PREVIOUS MEETING

1. Staff Minutes of the Ordinary Meeting of the 13th June 2022

To be considered In Committee.

2. Purchase of Land Request

To be considered In Committee.

C22/07/03/06TO DEAL WITH ANY BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C22/07/03/07PLANNING DECISIONS/COMMUNICATIONS FROM THE DEPARTMENT OF INFRASTRUCTURE PLANNING COMMITTEE

1. Plans to the Board

(a) The following plans were considered by the Board.

(i) **PA 22/00217 Mr M Williams – 33 Summerhill Road**

Members were advised that the application is for an extension, installation of pitched roof to garage and widening of existing driveway and vehicular access (amended plan)

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

- Comments had been received; and
- The return date for the application is the 15th July 2022.

After Members consideration, it was proposed by Miss Lewin and seconded by Mr Quirk and unanimously **RESOLVED that PA 22/00217 – 33 Summerhill Road be recommended for approval.**

(ii) **PA 22/00682 Mr L Raybould – Former Howstrake Holiday Camp**

Members were advised that the planning is a reserved matters Application PA 21/01435/B for the erection of a dwelling and associated ancillary accommodation.

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

- Comments had been received; and
- The return date for the application is the 22nd July 2022.

After Members consideration, it was proposed by Mr Quirk and seconded by Miss Lewin and **RESOLVED that PA 22/00682 – Former Howstrake Holiday Camp be recommended for approval subject to the recommendations requested by the Department of Environment, Fisheries and Agriculture Ecosystem policy team.**

For: Miss Williams, Miss Lewin, Mr Turton and Mr Quirk

Against: Mr Crellin

(iii) **PA 22/00728 Mrs M Fyles – 9 Langdale Close**

Members were advised that the planning application is to block up the existing kitchen window.

In answers, to questions, the Acting Chief Executive/Clerk advised that:-

- No comments had been received from neighbouring properties; and
- The return date to the application is the 29th July 2022.

After a discussion, it was proposed by Miss Lewin and seconded by Mr Turton and unanimously **RESOLVED that PA 22/00728 – 9 Langdale Close be recommended for approval.**

(iv) PA 22/00767 Rowany Limited – 104 Summerhill Road

Members were advised that the planning application is for the conversion of 4 apartments into a single residential dwelling and the erection of a new terraced residential dwelling.

In answers, to questions, the Acting Chief Executive/Clerk advised that:-

- Neighbouring properties have been notified; and
- The return date to the application is the 5th August 2022.

After a discussion it was proposed by Miss Lewin and seconded by Mr Quirk and unanimously **RESOLVED that PA 22/00767 – 104 Summerhill Road be recommended for approval.**

(v) PA 22/00802 Mr & Mrs A Burke – 1 Eskdale Road

Members were advised that the planning application is for the erection of a rear single storey flat roof extension with bi-fold doors and installation of raised patio and extension to existing driveway hardstanding to the side elevation.

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

- Neighbouring properties have been notified; and
- The return date for the application is the 12th August 2022.

After a discussion, it was proposed by Mr Quirk and seconded by Mr Turton and unanimously **RESOLVED that PA/00802 – 1 Eskdale Road be recommended for approval.**

(vi) PA 22/00816 Mr C Corkill – “Southwinds”, Church Road

Members were advised that the planning application is for a second floor extension to the front and rear with a balcony to the front, erect a single storey extension to the front and side with glazed balcony and installed replacement doors, windows and roof.

In answers, to questions, the Acting Chief Executive/Clerk advised that:-

- Neighbouring properties have been notified; and
- The return date to the application is the 29th July 2022.

After a discussion, it was proposed by Miss Lewin and seconded by Mr Quirk and unanimously **RESOLVED that PA 22/00816 – “Southwinds”, Church Road be recommended for approval.**

(vii) PA 22/00836 Mr J Grose – Field 534374, Creg-Ny-Baa Back Road

Members were advised that the planning application is for creation of hardstanding in part of Field 534374 (retrospective).

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

- No comments had been received from neighbouring properties; and
- The return date to the application is the 29th July 2022.

After a discussion, it was proposed by Mr Turton and seconded by Mr Quirk and **RESOLVED that PA 22/00836 – Field 534374 Creg-Ny-Baa Back Road be recommended for refusal on the grounds there is insufficient justification and evidence of agricultural need demonstrated for this structure.**

***For: Miss Williams, Mr Crellin, Mr Turton and Mr Quirk
Against: Miss Lewin***

(viii) PA 22/00845 Ms L Broadhurst – 46 Main Road

Members were advised that the planning application is the installation of replacement front door (retrospective)

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

- No comments have been received from neighbouring properties; and
- The return date for the application is the 5th August 2022.

Mr Crellin declared an interest.

After Members consideration, it was proposed by Miss Lewin and seconded by Mr Turton and **RESOLVED that PA 22/00845 – 46 Main Road be recommended for approval.**

C22/07/03/09

FINANCE AND GENERAL PURPOSES

1. Amendment & Restatement Agreement

To be considered In Committee.

C22/07/03/10

REPORT FROM THE CLERK OR OTHER OFFICER

None.

C22/07/03/11**CONSIDERATION OF ANY RELEVANT CORRESPONDENCE****1. Cabinet Office – Housing & Communities Board**

A copy of the correspondence received from the Cabinet Office in relation to the Housing and Communities Boards having previously been circulated was considered and noted.

The Acting Chief Executive/Clerk requested that Members contact the Cabinet Office direct to advise if they will be attending any of the regional sessions.

C22/07/03/12**TO ANSWER ANY QUESTIONS ASKED UNDER STANDING ORDER 34**

The Chair advised the Board that the following question had been received in accordance with Standing Order 34 from Commissioner Quirk:-

1. Question:

What date was the transfer of functions from the Department of Infrastructure to Onchan District Commissioners signed?

Answer:

The delegated functions agreement was signed by Onchan District Commissioners on the 8th April 2015 and by the then Minister on behalf of the Department of Infrastructure on the 10th April 2015. A copy of the full agreement can be provided to Members if requested.

2. Question:

What functions were transferred?

Answer:

As per the agreement, the functions transferred were as follows:

- Under Section 51 of the Act – allow nominated Officers on behalf of the Authority to issue notices to property and land owners to remove or cut back vegetation that is considered an obstruction or could cause a danger to adopted highway users, and any street light furniture.
- Under Section 124 of the Act – exercise functions to adopted highways for road sweeping, gulley emptying, removal of weeds and maintenance of highway verges.

3. Question:

How much has this cost the rate payers over the past 2 years?

Answer:

- Per annum the approximate cost to provide the above mentioned functions is £75,000. This figure includes subcontractor labour, materials and plant costs, hire of a sweeper vehicle including all running costs, and driver salary.
- No allowance has been made to cover Officer salaries' who manage the works, in addition to issuing notices under Section 51.

The Lead Member for Finance and General Purposed thanked the Acting Chief Executive/Clerk for providing the information.

C22/07/03/13

TO CONSIDER ANY MOTIONS

12.1 Motion 65 – Under Standing Order Number 26

Mr Quirk tabled Motion Numbered 65:

A Member stated that the wording of the proposed motion is not clear. The Chair requested that the Member submit an amended motion with clearer wording.

C22/07/03/14

ENVIRONMENTAL AND TECHNICAL SERVICES

None.

C22/07/03/15

HOUSING MATTERS

1. HA 4033 – General Housing Application

To be considered In Committee.

2. Quarterly Standards of Performance Data

To be considered In Committee.

C22/07/03/16

CHAIRMAN'S ANNOUNCEMENTS

1. Dates for the Diary

The Chair advised that they had attended Ashley Hill Primary School leaver's assembly on Thursday 21st July 2022 and had presented awards.

Date	Organisation	Event	Time
30 th & 31 st July 2022	Friends of Onchan Heritage	Molly Carrooin's Open Day	1:30 pm to 4:30 pm
2 nd August 2022	Onchan District Commissioners	Commissioners Surgery – Springfield Court – Commissioners Turton and Quirk attending	2:00 pm to 3:00 pm
6 th August 2022	Onchan District Commissioners	Commissioners Surgery – The Hub	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 and Lady Lorimer	TBC
22 nd August 2022	Onchan District Commissioners	Board Meeting	7:00 pm

27 th & 28 th August 2022	Friends of Onchan Heritage	Molly Carrooin's Open day	1:30 pm to 4:30 pm
3 rd September 2022	Onchan Methodist Church	Pointless & Puddings Evening	7:00 pm

2. **Tour of the District – Draft Itinerary**

The Acting Chief Executive/Clerk provided Members with a copy of the proposed itinerary for the tour of the District for His Excellency Lieutenant Governor Sir John Lorimer and Lady Lorimer on Thursday 11th August 2022.

All Members agreed with the proposed itinerary.

C22/07/03/17

ANY OTHER BUSINESS

1. **Lakeside Gardens – Repairs to Roads**

A Member stated that the Department of Infrastructure - Highways Division are currently undertaking repairs to the roads around Lakeside Gardens and that no advisory letters had been sent to residents.

It was agreed that the Acting Chief Executive/Clerk would contact the Department of Infrastructure in relation to this.

2. **Belgravia Road – Camper Van Parking**

A Member raised the issue of camper vans parking on Belgravia Road.

It was agreed that the Acting Chief Executive/Clerk would look in to this matter and bring it back to the Board.

3. **Department of Infrastructure – Meeting**

A Member requested that a full meeting be arranged with the Department of Infrastructure to discuss all concerns throughout the District and not just those relating to Mount View Road.

A Member requested that a day time meeting be arranged.

The Public session of the Meeting ended at 20:25 pm

C22/07/03/18

TO DISPOSE OF ANY BUSINESS ADJOURNED FROM A PREVIOUS MEETING

1. **Staff Minutes of the Ordinary Meeting of the 13th June 2022**

Deferred to the end of the Meeting.

2. **Purchase of Land Request**

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

The Acting Chief Executive/Clerk reported to the Board that there was no resolution in place in relation to sale of land and that Section 25 of the Local Government Act 1985 does allow for Local Authorities to sell land and assets furthermore the land was formally adopted at part of the Groudle View housing development.

A Member stated that it takes up unnecessary Officer's time and is of no benefit to the Authority.

Miss Williams declared an interest.

After a discussion, it was proposed by Mr Quirk and seconded by Mr Crellin and **RESOLVED that the Authority do not sell the parcel of Land to the resident.**

For: Mr Allen, Mr Crellin, Mr Turton and Mr Quirk

Against: Miss Lewin

C22/07/03/19

FINANCE AND GENERAL PURPOSES**1. Amendment and Restatement Agreement**

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

The following documents were produced to the meeting:

1. An Amendment and Restatement Agreement between The Treasury (acting as Guarantor), HSBC Bank Plc (acting as Lender) and Others (as Borrowers) to amend and restate a facility agreement originally dated the 27th July 2015 as amended and restated on the 27 July 2020 and as further amended on the 30th September 2021 (the "Agreement"); and
2. A Facility Agreement as amended and restated by the Agreement ("the Facility Agreement") between the same parties

A Member asked the Lead Member for Finance and General Purpose to confirm that the Amendment and Restatement Agreement is the same as the previous agreement. The Lead Member for Finance and General Purposes stated that they were unsure but assumed that it was and that the Finance Manager will have checked.

A Member asked if the documents have been reviewed. The Acting Chief Executive/Clerk confirm that they and the Finance Manager had reviewed the documents

After a discussion, it was proposed by Mr Quirk and seconded by Miss Lewin and **RESOLVED that:**

1. The Authority has the power to borrow and the purpose for which it will borrow under the Facility Agreement as amended and restated by the Agreement is consistent with the power in section 51 of the Local Government Act 1985.
2. It is in the best interest of, and to the advantage and further benefit of the Authority, for the Authority to enter into the Agreement and the terms of both the Agreement and the Facility Agreement as amended and restated were hereby approved and that the Authority will comply with the obligations set out in the Agreement and the Facility Agreement (as amended and restated by the Agreement).
3. **Mr Ross Phillips, Acting Chief Executive/Clerk and Mrs Stephanie Johnson, Finance Manager** are hereby authorised to sign the Agreement and any other documents that may be considered by such signatory necessary or desirable for the purposes of carrying into effect any of the foregoing resolutions or the transactions contemplated thereby; and
4. the Authority takes such steps and execute such further documents as required by the Treasury and/or the Bank in order to give full effect to the Agreement and the Facility Agreement as amended and restated by the Agreement.

C22/07/03/19
HOUSING MATTERS

1. HA4033 – General Housing Application

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

The Report of the Housing Manager dated 15th July 2022, having previously been circulated was considered and discussed.

The Lead Member for Housing explained the circumstances of the applicant to the Board and asked the Board if they wished to wavier the 3 month residency requirement.

After a discussion, it was proposed by Mr Turton and seconded by Mr Quirk and **RESOLVED that the Authority continue with the current policy and not wavier the agreement.**

For: Miss Williams, Mr Allen, Mr Crellin, Mr Turton and Mr Quirk

Against: Miss Lewin

2 Quarterly Standards of Performance Data

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

The Report of the Housing Manager dated 20th July 2022, having previously been circulated was considered, discussed and noted.

C22/07/03/20
ANY OTHER URGENT BUSINESS AS AUTHORISED BY THE CHAIRMAN FOR CONSIDERATION

None.

C22/07/03/22
STAFFING MATTERS

1. Staffing Minutes of the Ordinary Meeting of Monday 13th June 2022

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

Subject to the proposed amendments, it was proposed by Mr Allen and seconded by Miss Lewin and **RESOLVED that the minutes be agreed as a correct record of the proceedings and be signed by the Chair.**

For: Miss Williams, Miss Lewin, Mr Allen and Mr Turton

Against: Mr Crellin and Mr Quirk

There being no further business the meeting closed at 21:40 pm