

Minutes of the Ordinary Meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Tuesday 29th August 2023 at 7:05 pm

Present: Miss K Williams (Vice Chair)
 Mr A Allen
 Mr D Crellin
 Ms F Logan (Lead Member for Finance and General Purposes) (From 7:35 pm)
 Mr R Turton (Lead Member for Housing)
 Mr D Quirk (Lead Member for Environmental and Technical Services)

Apologies: Miss Z Lewin (Chair)

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

Miss Williams advised the Board that Miss Lewin had given her apologies for tonight's meeting, and that she would be chairing the meeting in Miss Lewin's absence.

Miss Williams also advised the Board that Ms Logan would be late attending the meeting.

Miss Williams requested that members of the public who were present at the meeting, refrain from partaking in the proceedings of the meeting as they are there to observe only.

C23/08/02/01

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

Not necessary.

C23/08/02/02

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

None.

C23/08/02/03

MINUTES

1. Ordinary Meeting held on Monday 7th August 2023

The Minutes of the Ordinary Meeting held on Monday 7th August 2023, copies of which having previously been circulated were considered.

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

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

Against: Mr Quirk

Ms Logan did not cast vote as she was not present at the meeting.

2. Staff Minutes of the Ordinary Meeting held on Monday 7th August 2023

To be considered In Committee.

C23/08/02/04**TO DISPOSE OF ANY BUSINESS ARISING FROM SUCH MINUTES****1. Ordinary Meeting held on Monday 7th August 2023****Page 2 – Complaint made against a Member:**

Mr Allen asked the Chief Executive/Clerk to clarify what the protocol or procedure is if a complaint from a member of the public is made against a Member of the Board.

The Chief Executive/Clerk advised the Board that currently there is no formal protocol or procedure in place within the Authority's Standing Orders or Corporate Governance Principles and Code of Conduct regarding complaints received from members of the public against Members of the Board.

Page 9 – Conduct:

Mr Allen highlighted that to date he had not received any correspondence from Mr Quirk as was referenced within the Minutes.

Mr Quirk confirmed that Mr Allen is correct but advised that he will be issuing correspondence to Mr Allen.

Page 2 – Paragraph 5:

Mr Crellin stated that page 2 of the Minutes makes reference to Mr Turton commenting that Mr Crellin had not provided any details in relation to the proposal received regarding the creation of a potential off road parking area within the District.

A discussion took place between Mr Crellin and Mr Turton regarding progressing the matter and the involvement of the Chief Executive/Clerk

The Chief Executive/Clerk commented that he had previously advised that the Board should not consider supporting any proposals regarding a potential planning application prior to an application being submitted to the Planning Department.

It was noted that the Board have previously shown support in principal to a prospective planning applicant but later withdraw their support following opposition from members of the public when the application was considered formally.

Ms Logan arrived at the meeting at 7:35 pm

Page 9 – Car Parking

Mr Crellin commented that he was disappointed to learn that a Member had contacted the Department of Infrastructure to enquire about parking restrictions adjacent to the War Memorial rather than liaising with the Officers of the Authority.

The Chief Executive/Clerk advised the Board that the query had now been resolved.

Page 10 – Motion:

Mr Crellin highlighted that the Chair was going to bring forward a Motion in relation to changing some of the content of the minutes of the Board Meeting held on Monday 10th July 2023.

Mr Crellin asked the Vice Chair to provide an update in relation to this matter.

Miss Williams commented that as the Chair was not present at tonight's meeting it would need to be discussed at the next Board Meeting when the Chair will be in attendance.

C23/08/02/05**TO DISPOSE OF ANY BUSINESS ADJOURNED FROM A PREVIOUS MEETING**

None.

C23/08/02/06**TO DEAL WITH ANY BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE**

None.

C23/08/02/07**PLANNING DECISIONS/COMMUNICATIONS FROM THE DEPARTMENT OF INFRASTRUCTURE PLANNING COMMITTEE****1. Plans to the Board**

(a) The following plans were considered by the Board:-

(i) PA23/00229/B Mr G Rothwell – 21 Church Road

Members were advised that the planning application is for the of single glazed timber windows with UPVC double glazed windows and the replacement of the timber front door with a UPVC door (amended plans)

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

- No comments had been received from neighbouring properties; and
- The return date for the application is the 21st August 2023.

It was noted that the Authority would not be making any further comment in relation to PA23/00229/B – 21 Church Road.

(ii) PA23/00758/B Mr K. Pankovoski - 6 Royal Avenue

Members were advised that the planning application is for the application of cork spray exterior render.

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

- Comments had been received from the Friends of Onchan Heritage; and
- The return date for the application is the 25th August 2023.

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and **RESOLVED that PA23/00758/B – 6 Royal Avenue be recommended for approval.**

Mr Crellin declared and interest and did not vote.

(iii) PA23/00846/B Mr M Lambourne – 27 Majestic Drive

Members were advised that the planning application is the removal of a defective chimney stack above the roof line (retrospective).

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

- No comments had been received from neighbouring properties; and
- The return date for the application is the 1st September 2023.

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED that PA23/00846/B – 27 Majestic Drive be recommended for approval.**

(v) PA23/00863/B Mr G Whithead – 33 Birch Hill Avenue

Members were advised that the planning application is for the demolition of the existing structure to the rear of the property and the construction of a new extension (retrospective).

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

- No comments had been received from neighbouring properties; and
- The return date for the application is the 8th September 2023.

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED that PA23/00863/B – 33 Birch Hill Avenue be recommended for approval.**

(vi) PA23/00868/B Mr & Mrs B. Cartmell - Kerrowdhoo Farm, Little Mill Road

Members were advised that the planning application is for the removal of the existing uPVC conservatory and the replacement of a new sun room

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

- No comments had been received from neighbouring properties; and
- The return date for the application is the 9th September 2023.

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED that PA23/00868/B – Kerrowdhoo Farm, Little Mill Road be recommended for approval.**

C23/08/02/08

FINANCE AND GENERAL PURPOSES

1. Draft Financial Statements for the Year Ended 31st March 2023

To be considered In Committee.

2. 2022/23 Internal Audit Report

To be considered In Committee.

C23/08/02/09

REPORT/T FROM THE CLERK OR OTHER OFFICER

1. Grievance Policy and Procedure

The Chief Executive/Clerk provided the Board with an overview in relation to the Authority's updated Grievance Policy and Procedure a copy of which having previously been circulated.

The updated Grievance Policy and Procedure was considered and noted.

2. Disciplinary Policy and Procedure

The Chief Executive/Clerk provided the Board with an overview in relation to the Authority's updated Disciplinary Policy and Procedure a copy of which having previously been circulated.

The updated Grievance Policy and Procedure was considered and noted.

3. Ocean Views

To be considered In Committee.

C23/08/02/10

CONSIDERATION OF ANY RELEVANT CORRESPONDENCE

1. Lezayre Parish Commissioners – Civic Sunday

A copy of the invitation received to attend Lezayre Parish Commissioner's Civic Sunday service on Sunday 10th September 2023 at 11:00 am at St Stephen's Church having previously been circulated was considered.

It was noted that Miss Lewin would need to confirm if she would be attending on behalf of the Authority.

C23/08/02/11

TO ANSWER ANY QUESTIONS ASKED UNDER STANDING ORDER 34

Miss Williams advised the Board that 2 questions had been submitted by Commissioner Crellin under Standing Order 34 and that she would be answering them on behalf of the Chair.

1. Question

Is it a criminal offence under the Local Government Act 1985 for a Member of a Local Authority to release information into the public domain from a Local Authority Private/Confidential meeting?

Answer

Miss Williams read out Section 65 of the Local Government Act 1985:

Disclosure of Information

Any member or former member of a local authority who, without the consent of the authority, divulges any information communicated to him in confidence as such member shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.

Question 2:

Miss Williams proposed that this matter be discussed In Committee or that the question not be heard.

The Chief Executive/Clerk advised the Board in relation to the provisions of the Authority's Standing Orders 34.3, 34.4 and 34.5.

Following a discussion it was agreed the question be discussed In Committee.

C23/08/02/12

TO CONSIDER ANY MOTIONS

None.

C23/08/02/13

ENVIRONMENTAL AND TECHNICAL SERVICES

None.

C23/08/02/14

HOUSING MATTERS**1. Housing Allocations Update**

A copy of the report of the Housing Manager dated 3rd August 2023, a copy of which having previously been circulated was considered.

Mr Turton provided the Board with an overview in relation to the recent housing allocations.

C23/08/02/15

CHAIR'S ANNOUNCEMENTS**1. Chair's Attendances**

Mr Crellin advised that he had presented the Commissioners trophy for the Crown Green Bowls.

Ms Logan provided the Board with an overview in relation to the 2023 Mural Fest which had taken place at the Hub during the 19th and 20th August.

Mr Turton stated that some Members had missed these events due to an oversight.

It was noted that the Chief Executive/Clerk would send out meeting invites to all Members regarding future events.

2. Dates for the Diary

| Date | Organisation | Event | Time |
|--------------------------------|--------------------------------|--|---------|
| 4 th September 2023 | Onchan District Commissioners | Board Meeting | 7:00 pm |
| 6 th September 2023 | The Friends of Onchan Heritage | The Lost Farms and Railway of West Baldwin Reservoir – Parish Hall, Royal Avenue | 7:30 pm |

| | | | |
|---------------------------------|-------------------------------|--|---------------------|
| 18 th September 2023 | Onchan District Commissioners | Board Meeting | 7:00 pm |
| 29 th September 2023 | The Rotary Club of Onchan | Coffee Morning – Onchan Pensioners Social Club | 10:00 am to 12 noon |

C23/08/02/16**ANY OTHER BUSINESS****1. Springfield Court**

Ms Logan raised that she had received reports regarding a hole on Kaighens Lane outside Springfield Court which may need attending to.

The Chief Executive/Clerk confirmed that he would investigate and report the issue to the Department of Infrastructure if required.

2. Kaighens Lane

Ms Logan raised there had been further requests for the installation of a ramp and handrails at Kaighens Lane adjacent to Shoprite Car Park.

The Chief Executive/Clerk is to request an update from the Authority's District Surveyor.

3. Radio Comments

Mr Crellin stated that Mr Quirk had recently made comments on local radio that he had submitted a Data Subject Access Request ("DSAR") to the Authority and that the Authority had responded.

Mr Crellin asked the Chief Executive/Clerk why were the Board not advised that a DSAR had been received and answered.

Mr Quirk confirmed that he had submitted a DSAR and questioned why this was being raised.

A discussion between Mr Crellin and Mr Quirk to place regarding the matter.

The Chief Executive/Clerk provided the Board with an overview in relation to the DSAR process, undertaken by the Authority and the Data Protection Officer.

Mr Crellin commented that the Board should have been made aware out of courtesy. The Chief Executive/Clerk agreed to review the process.

4. Willow House

Mr Quirk requested that the Chief Executive/Clerk investigate the option that the road to the rear of Willow House be adopted by the Department of Infrastructure.

It was noted that the Chief Executive/Clerk is to report back to the Board.

The Public session of the Meeting ended at 8:20 pm

C23/08/02/17
MINUTES

1. Staff Minutes Ordinary Meeting held on Monday 7th August 2023

See Staff Minute Book.

C23/08/02/18
FINANCE AND GENERAL PURPOSES

1. Draft Financial Statements for the Year Ended 31st March 2023

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

The report of the Chief Finance Officer dated 15th August 2023, having previously been circulated was considered.

The Lead Member for Finance and General Purposes and the Chief Executive/Clerk provided the Board with an overview in relation to the Authority's draft Financial Statements for the year ended 31st March 2023.

2. 2022/23 Internal Audit Report

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

The report of the Chief Finance Officer dated 15th August 2023, having previously been circulated was considered and noted.

Ms Logan left the meeting at 21:10 pm

C23/08/02/19
REPORT FROM THE CLERK OR OTHER OFFICER

1. Ocean Views

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

The Chief Executive/Clerk advised the Board that he had received a request from the current tenant seeking approval for the installation of two awnings to the front of the former Arcade premises in Onchan Pleasure Park.

After a discussion, it was agreed that more information be obtained and that the matter be brought back to the next Board Meeting for consideration.

C23/08/02/20
ANY OTHER URGENT BUSINESS

None.

There being no further business the meeting ended at 9:37pm