

Minutes of the Ordinary Meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 2nd October 2023 at 7:05 pm

Present: Miss Z Lewin (Chair)
 Mr D Crellin
 Mr R Turton (Lead Member for Housing)
 Mr D Quirk (Lead Member for Environmental and Technical Services)

Apologies: Miss K Williams (Vice Chair)
 Mr A Allen
 Ms F Logan (Lead Member for Finance and General Purposes)

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

C23/10/01/01

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

Not necessary.

C23/10/01/02

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

None.

C23/10/01/03

MINUTES

1. Ordinary Meeting held on Monday 18th September 2023

The Minutes of the Ordinary Meeting held on Monday 18th September 2023, copies of which having previously been circulated were considered.

Amendments:

Page 1 - Resolution "After a discussion" include "including the definition of Standing Order 68.4"

After a discussion and including the definition of Standing Order 68.4, it was proposed by Mr Quirk and seconded by Mr Turton and unanimously **RESOLVED that the minutes be agreed as a correct record of the proceedings and be signed by the Chair.**

2. Staff Minutes of the Ordinary Meeting held on Monday 18th September 2023

To be considered In Committee.

C23/10/01/04

TO DISPOSE OF ANY BUSINESS ARISING FROM SUCH MINUTES

None.

C23/10/01/05

TO DISPOSE OF ANY BUSINESS ADJOURNED FROM A PREVIOUS MEETING

None.

C23/10/01/06TO DEAL WITH ANY BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C23/10/01/07PLANNING DECISIONS/COMMUNICATIONS FROM THE DEPARTMENT OF INFRASTRUCTURE PLANNING COMMITTEE(i) **PA23/01071/B Miss V Stephens – 5 Port Jack**

Members were advised that the application is for an extension to the roof top, the creation of a roof terrace and alterations to two existing first floor windows to form sliding doors.

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

- No comments had been received; and
- The return date for the application is the 13th October 2023

Following Members consideration, it was proposed by Mr Quirk and seconded by Mr Turton and unanimously **RESOLVED that PA23/01071/B – 5 Port Jack be refused on the ground of visual appearance.**

(ii) **PA23/00959/B Mr & Mrs R Rae – Strathallan Cliff House**

Members were advised that the application is for the proposed raised patio and new external patio doors to replace the existing window.

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

- No comments had been received; and
- The return date for the application is the 20th October 2023.

After a discussion, it was proposed by Mr Quirk and seconded by Mr Turton and unanimously **RESOLVED that PA23/00959/B – Strathallan Cliff House be recommended for approval.**

C23/10/01/08FINANCE AND GENERAL PURPOSES

None.

C23/10/01/09REPORT FROM THE CLERK OR OTHER OFFICER1. Ballachrink Stores – Commercial Tenancy

To be considered In Committee.

2. Ocean Views – Commercial Tenancy

To be considered In Committee.

3. Crosh Pobble Chonnaghyn (Onchan Community Cross Award)

The Chief Executive/Clerk advised the Board that the above award is awarded every two years, the recipient being selected from the numerous people in the Parish of Onchan who have added to the quality of life in the District. It is in recognition of their publicly spirited work within the community of Onchan.

The Chief Executive/Clerk further advised the Board that an advert will be placed in the Isle of Man Courier, the Authority's Website and Facebook page calling for nominations for the award.

It was noted that the closing date for nominations is Monday 30th October 2023.

4. Commissioners Surgeries

The Chief Executive/Clerk asked for the Members consideration in relation to their proposals for their surgeries which are held at The Hub on the first Saturday of each month.

It was discussed earlier during 2023 that potentially the surgeries would cease but it was requested by the Board for further consideration later during 2023.

After a discussion, Miss Lewin requested that the matter be brought back for future consideration.

9. Built Environment Reform Programme – Public Consultation

The Report of the District Surveyor dated 28th September 2023 regarding the public consultation in relation to the Town and Country Act Amendments, Definition of Development Order and Registered Building Regulations having previously been circulated was noted.

It was noted that Members comments are to be brought back to the next Board Meeting before a response is submitted on behalf of the Authority.

C23/10/01/10**CONSIDERATION OF ANY RELEVANT CORRESPONDENCE****1. 2nd Onchan Scouts Group Annual General Meeting & Awards Evening**

A copy of the invitation received from the Secretary of 2nd Onchan Scouts Group inviting the Chair to attend their Annual General Meeting and Awards Evening on Thursday 19th October 2023 at 6:30 pm at the Scouts Headquarters, School Road, having previously been circulated was noted.

It was noted that Miss Lewin would be attending the event.

2. Isle of Man Take Drugs Seriously

A copy of the invitation dated 28th September 2023 inviting Members to attend their event on Tuesday 10th October 2023 having previously been circulated was noted.

C23/10/01/11**TO ANSWER ANY QUESTIONS ASKED UNDER STANDING ORDER 34**

None.

C23/10/01/12**TO CONSIDER ANY MOTIONS**

None.

C23/10/01/13**ENVIRONMENTAL AND TECHNICAL SERVICES**

None.

C23/10/01/14**HOUSING MATTERS**

None.

C23/10/01/15**CHAIR'S ANNOUNCEMENTS****1. Chair's Attendances**

Miss Lewin advised the Board that she had not attended any events on behalf of the Authority since the last Board Meeting.

2. Dates for the Diary

Date	Organisation	Event	Time
29 th September 2023	Rotary Club of Onchan	Coffee Morning – Onchan Pensioners Hall	10:00 am to 12 noon
30 th September 2023	Onchan Baptist Church	Harvest Thanksgiving Service	5:00 pm
2 nd October 2023	Onchan District Commissioners	Board Meeting	7:00 pm
6 th October 2023	St Peter's Church	Ghastly Gatsby Murder – St Peter's Church	7:00 pm
16 th October 2023	Onchan District Commissioners	Board Meeting	7:00 pm

C23/10/01/16**ANY OTHER BUSINESS****1. Post Box – Hillberry Road**

Mr Quirk asked the Chief Executive/Clerk if the Authority had been made aware that the post box on Hillberry Road was going to be removed. Mr Quirk stated that he had received queries from residents.

The Chief Executive/Clerk confirmed that the Authority had not been informed. Mr Quirk requested that the Post Office be contacted to enquire as to why it was removed.

2. Governors Road

Mr Quirk asked the Chief Executive/Clerk if the Authority had been notified by the Department of Infrastructure regarding the road works at Governors Bridge.

The Chief Executive/Clerk confirmed that the Authority had not been advised. Mr Quirk noted that it is disappointing that the Department do not share such information with the Authority.

3. **Freedom of Information Request**

Mr Crellin provided an overview in relation to a recent Freedom of Information Request that had been received by the Authority which was discussed today on Manx Radio.

Mr Crellin asked Mr Quirk what was the purpose of the Data Subject Access Request. Mr Quirk responded that the matter was confidential and that he has the right to submit a Data Subject Access Request.

Mr Crellin commented that he would have thought that Mr Quirk would have already had the information requested as he would have been privy to the information requested as a Commissioner.

Miss Lewin responded that some of the information requested as part of the Data Subject Access Request would not ordinarily have been in Mr Quirk's possession.

Mr Crellin stated that there was 56 hours of Officer's time spent on this request which could have been employed elsewhere for the benefit of the ratepayers. Mr Crellin asked is there a facility to make a surcharge against Mr Quirk as he was the only one involved in making the request.

The Chief Executive/Clerk stated that he was unsure if there was a provision for retrospectively issuing a fee under the legislation and that he would need to check the Freedom of Information Act and associated Orders before confirming.

Mr Crellin commented that today's Manx Radio broadcast put the Authority in a dim light. Mr Quirk commented that he had not received any complaints from member of the public regarding this matter, and if members of the public do wish to make a complaint they can contact him directly.

The Public session of the Meeting ended at 7:40 pm

C23/10/01/17 **MINUTES**

1. **Staff Minutes Ordinary Meeting held on Monday 4th September 2023**

See Staff Minute Book.

C23/10/01/18 **TO DISPOSE OF ANY BUSINESS ARISING FROM SUCH MINUTES**

1. **Staffing Minutes Ordinary Meeting held on Monday 4th September 2023**

See Staff Minute Book.

C23/10/01/19 **REPORT FROM THE CLERK OR OTHER OFFICER**

1. **Ballachrink Stores – Commercial Tenancy**

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

The Chief Executive/Clerk advised the Board that he had been contacted by the current tenant of the above mentioned premises requesting permission to assign the lease to Meiers Caff Limited with effect from Monday 9th October 2023.

Following a discussion, it was proposed by Mr Quirk and seconded by Mr Turton and unanimously **RESOLVED that subject to due diligence checks in relation to alcohol**

licensing the lease be assigned to Meiers Caff Limited with effect from the date the Deed of Assignment of Lease is executed by all parties.

2. Ocean Views – Commercial Tenancy

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

The Chief Executive/Clerk provided the Board with an overview in relation to the tenants' proposals.

A discussion between all Members took place.

Mr Crellin left the meeting at 8:10 pm.

It was noted that the meeting was no longer quorate and ended at 8:12 pm