

Minutes of the Ordinary Meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Tuesday 30th May 2023 at 7:05 pm

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

Apologies: Miss K Williams (Vice Chair)

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

C23/05/03/01

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

Not necessary.

C23/05/03/02

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

None.

C23/05/03/03

MINUTES

1. Ordinary Meeting held on Monday 15th May 2023

The Minutes of the Ordinary Meeting held on Monday 15th May 2023, copies of which having previously been circulated, were discussed.

After a discussion, it was proposed by Miss Lewin and seconded by Mr Quirk and **RESOLVED** that the ratification of the minutes of the Board Meeting held on Monday 15th May 2023 be deferred to the Board Meeting of Monday 12th June 2023.

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

C23/05/03/04

TO DISPOSE OF ANY BUSINESS ADJOURNED FROM A PREVIOUS MEETING

None.

C23/05/03/05

TO DISPOSE OF ANY RELEVANT BUSINESS ARISING FROM SUCH MINUTES

C23/05/03/06

TO DEAL WITH ANY BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

None.

C23/05/03/07PLANNING 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 23/00491/B Mrs I Cowin – 5 The Kirkway

Members were advised that the planning application is for an extension to the side and rear elevations.

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

- No comments had received from neighbouring properties; and
- The return date for the application is the 2nd June 2023.

After a discussion, it was proposed by Mr Quirk and seconded by Mr Turton and unanimously **RESOLVED that PA 23/00491/B – 5 The Kirkway be recommended for approval.**

(ii) PA23/00515/B Mr J Pettigrew – 21 Manor Park

Members were advised that the planning application is for the replacement of the existing detached garden room and garden store.

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 2nd June 2023.

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED that PA23/00515/B – 21 Manor Park be recommended for approval.**

(iii) PA23/00534/B Mr D Garrood & Ms R Price – 13 Central Drive

Members were advised that the planning application is to smooth render the front elevation, gable end and rear elevation.

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 2nd June 2023.

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED that PA23/00534/B – 13 Central Drive be recommended for approval.**

(v) PA23/00535/B Mr & Mrs J Culley – 13 Manor Park

Members were advised that the planning application is for the replacement of the existing conservatory with a new larger extension and to replace the window to the front elevation.

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 2nd June 2023

After a discussion, it was proposed by Mr Quirk and seconded by Mr Turton and unanimously **RESOLVED that PA23/00535/B – 13 Manor Park be recommended for approval.**

(iv) PA23/00536/B Mr & Mrs P Garrity – 2 Hague Walk

Members were advised that the planning application is for the erection of a dormer to the south west elevation and to install a PVC window in the gable.

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 2nd June 2023.

After a discussion, it was proposed by Mr Quirk and seconded by Mr Turton and unanimously **RESOLVED that PA23/00536/B – 2 Hague Walk be recommended for approval.**

C23/05/03/08

FINANCE AND GENERAL PURPOSES

None.

C23/05/03/09

REPORT FROM THE CLERK OR OTHER OFFICER

1. Health and Safety Policy

The Report of the District Surveyor dated 16th May 2023, having previously been circulated was considered.

The Chief Executive/Clerk provided the Board with an overview of the updates made to the Authority's Health and Safety Policy ("the Policy").

Mr Allen commented that clause 3.36 of the Policy states Members have a duty to prevent stress at work of employees. Mr Allen further commented that he does not feel as though all Members appreciate or acknowledge this, following their actions during 2022 and 2023 which have had an affect on some staff.

Mr Allen commented at this present time, the Chief Executive/Clerk is the only Officer of the Authority who has been attending meetings for quite some time.

Mr Allen further stated that he has concerns regarding the Chief Executive/Clerk due to his workload and undertaking extra duties following the actions of some Members, the Board on behalf of the Authority employs the Chief Executive/Clerk and his welfare is our responsibility.

The Chief Executive/Clerk thanked members for raising their concerns, however, he did not wish to discuss his employment in the public domain.

The Chief Executive/Clerk advised the Board that it is his intention to bring Officers back to future meetings but he has concerns regarding their welfare, following their employment being discussed in public previously. The Chief Executive/Clerk commented that he would like to have new Standing Orders in place along with a commitment from Members to support the changes before allowing Officers to attend future meetings.

Mr Quirk asked if the Chief Executive/Clerk has concerns regarding his welfare and the Policy.

The Chief Executive/Clerk stated again that does not wish to discuss his employment in public, and that the Authority continually needs to make improvements in relation to health and safety generally.

The Chief Executive/Clerk commented that ultimately even with new Standing Orders and measures in place it is his understanding that Members can still choose not to accept or acknowledge recommendations in relation to their conduct or actions as there are currently no direct legal repercussions for Members.

The Chief Executive/Clerk further advised the Authority's Policy had been updated with minor changes and for the purpose of this agenda it is requested that the Members acknowledge it.

The Policy changes were noted.

2. **Speeding Issues**

Miss Lewin gave an overview to the Board following comments which had been made by members of the public on social media regarding traffic issues.

Mr Turton noted at a previous Board Meeting of the Authority, the speed data which had been collected had been discussed, and the Department of Infrastructure ("the DOI") information shows on average speeding is minimal.

Mr Allen stated he has queries in relation to the speed data which had been provided by the DOI and the Isle of Man Constabulary in relation to Hillberry/Avondale Road as he lives in this area and has witnessed regular speeding and road traffic accidents.

Mr Quirk highlighted recent issues on Whitebridge Road which had resulted in road traffic accidents.

Mr Crellin asked Miss Lewin to confirm where are the main locations/issues that the Board are considering?

Miss Lewin confirmed that the main locations/issues are in relation to:

- Whitebridge Road;
- Summerhill Road;
- Governors Road;
- Hillberry Road; and
- Main Road.

Miss Lewin suggested a public consultation could take place, and it appears that there is a desire from some residents for a 20 MPH zone within the Village.

Mr Quirk suggested that public consultation information should be gathered and for the Authority to arrange a meeting with the DOI and the Isle of Man Constabulary to address the concerns. Mr Quirk further stated there is limited Police presence in the District.

Mr Crellin commented that in order for the Isle of Man Constabulary to prove a conviction they need collaboration.

Ms Logan questioned is the main goal to prosecute those speeding, or to improve safety for members of the public, as there will be different approaches depending on what is to be achieved.

Miss Lewin stated a public consultation should take place in relation to 20 MPH zones through the Village, and the information collected should be presented to the DOI, and hopefully this will encourage the Department to take the matter more seriously.

Mr Turton stated that the Authority should meet with the DOI before a public consultation takes place.

Miss Lewin asked the Chief Executive/Clerk to contact the DOI to request the options available in relation to the speeding issues in the Village.

Ms Logan stated that the pedestrian crossings on Main Road should also be included for discussion.

The Chief Executive/Clerk gave an overview in relation to his requests to the DOI and the Isle of Man Constabulary to improve crossing safety on Main Road during 2022, with no improvements being forthcoming except for some temporary assistance from the Police Roads Safety Team who arranged for some speed camera enforcement, and the short term erection of an imitation policeman and school child.

3. Onchan Park – Manx Utilities Electricity Supply

To be considered In Committee.

C23/05/03/10

CONSIDERATION OF ANY RELEVANT CORRESPONDENCE

None.

C23/05/03/11

TO ANSWER ANY QUESTIONS ASKED UNDER STANDING ORDER 34

None.

C23/05/03/12

TO CONSIDER ANY MOTIONS

1. Motion 68 – Submitted under Standing Order 26

Mr Crellin tabled Motion 68:

“that in the interest of transparency, members of the public be given the opportunity to ask oral questions of the Chair at the public meetings of the Authority”.

Mr Crellin made the following statement:

“I bring this motion at the request of the public.

The public who have attended Onchan District Commissioners meetings over a period of time would have liked the opportunity to address the Chair with current agenda items under discussion or matters concerning the District under the Authority’s Standing Order 34.

The public who were present at the Authority’s Annual General Meeting would have welcomed the opportunity to have been able to address the Chair with their observations in relation to the meeting.”

Mr Allen stated that the Motion follows on from previous discussions regarding transparency and engagement with the public.

Mr Quirk stated he would not be supporting the Motion. All Members are all available via email/phone/social media to receive questions at all times, not just during fortnightly meetings.

Ms Logan stated there needs to be a process or clear guidance for the use of the Motion.

The Chief Executive/Clerk provided the Board with the following suggestions for use of the motion:

- Incorporate a process into the Authority's Standing Orders;
- Include an item permanently within the Agenda protocol; and

The Chief Executive/Clerk noted that at previous meetings the Members at times have allowed the public to speak in relation to matters being considered without a formal process in place.

Mr Turton stated he is not in support of the motion. He has concerns as to where this proposal could lead. Mr Turton further stated for a Chair to be questioned in a public meeting without prior knowledge of the question or time to prepare is wrong.

Mr Allen stated if a member of public where to ask questions in a public meeting the Chair has the Chief Executive/Clerk, Officers and the Lead Members for support. Mr Allen further stated the proposal is to improve engagement with rate payers and for them to have a voice.

Miss Lewin stated that the wording of the Motion is vague. Miss Lewin suggested that the wording of the Motion could also include "at the discretion of the Board" and "in relation to a matter which is currently being considered".

Ms Logan asked if questions would be asked throughout meetings, or just during an allotted section of the agenda specifically for questions.

Miss Lewin stated the Motion could put the Chair in a position where other Members could abuse this process, and rally the public to abuse this for political benefits or personal gain.

Mr Crellin re-read his motion statement, quoting when questions could be asked eg current agenda items or matters affecting the District as referenced in Standing Order 34 and gave examples of overhanging hedges/weed spraying if they were not already on the agenda.^[ODC 12/06/2026]

Mr Crellin stated that he is disappointed that a request from the public has been interpreted in a negative way. Mr Crellin further stated that the Motion could be altered and had been brought forward to provide the framework for future use.

Motion 68 was proposed by Mr Crellin seconded by Mr Allen **that in the interest of transparency, members of the public be given the opportunity to ask oral questions of the Chair at the public meetings of the Authority.**

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

The Chair used her casting vote.

The motion failed.

C23/05/03/13

ENVIRONMENTAL AND TECHNICAL SERVICES

None.

C23/05/03/14
HOUSING MATTERS

None.

C23/05/03/15
CHAIR'S ANNOUNCEMENTS

1. Chair's Attendances

Miss Lewin confirmed that she, along with Ms Logan and Mr Quirk had attended the Isle of Man Municipal Association Annual General Meeting and Dinner on Thursday 18th May 2023.

2. Dates for the Diary

Date	Organisation	Event	Time
6 th June 2023	Onchan District Commissioners	Commissioners Surgery – Heywood Court	2:00 pm to 3:00 pm
11 th June 2023	The Manx Model Boat Club	Big Night Out – Onchan Park Boating Lake	6:30 pm
12 th June 2023	Onchan District Commissioners	Board Meeting	7:00 pm
17 th June 2023	Onchan Wetlands Community Group	Onchan Community Picnic – Lakeside Gardens Park	12:30 pm

C23/05/03/16
ANY OTHER BUSINESS

1. Heywood Court

Miss Lewin stated that she had been contacted by a tenant from Heywood Court in relation to non-residents parking in the Car Park at Heywood Court.

It was agreed that the Chief Executive/Clerk would follow this matter up.

2. Achievements of Residents

Miss Lewin stated that the Authority should acknowledge achievements of Onchan residents and publicise the achievements.

Mr Turton stated that a post should be placed on the Authority's Facebook page asking Onchan residents to inform us of their achievements so that we can celebrate them.

3. Isle of Man Municipal Association Minutes

Mr Crellin stated that within the Isle of Man Municipal Association minutes of the 30th March 2023, it is noted that Ms Logan had offered to arrange for a Douglas Councillor to attend a future meeting to discuss social housing. Mr Crellin further stated that the Authority should have been promoted as we have Members who could also offer talks relating to social housing, namely Mr Turton as the current Lead Member for Housing.

Ms Logan confirmed that the Douglas Councillor proposed was to discuss all Island social housing and strategy for the future and not just individual Local Authority housing areas.

4. Manx Radio Interview

Mr Crellin stated that Miss Lewin had given a recent interview to Manx Radio, in which she mentioned issues with the Authority's housing stock, which may have come across as a criticism of the Authority's properties, which are recurrently regarded as some of the best quality on the Island.

Ms Lewin commented that her comments were not meant to be seen as a criticism, and that the main point she was trying to make was that the Authority needs to expand its social housing stock to provide more housing opportunities for those in need.

Mr Allen commented that there is a policy in place relating to making public statements and commenting to media outlets, and that the Chief Executive/Clerk should be consulted prior to making such comments.

The Public session of the Meeting ended at 8:52 pm

C23/05/03/17

REPORT FROM THE CLERK OR OTHER OFFICER**1. Onchan Park – Manx Utilities Electricity Supply**

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

The report of the District Surveyor dated 24th May 2023, having previously been circulated was considered.

After a discussion, it was requested that further information in relation this matter be obtained and it be brought back to the Board.

C23/05/03/18

ANY OTHER URGENT BUSINESS

None.

There being no further business the meeting closed at 9:08 pm