

Minutes of the Ordinary Meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 5th September 2022 at 7:45 pm^[22/09/2022]

Present:

Miss K Williams	(Chair)
Miss Z Lewin	(Vice Chair)
Mr A Allen	From 20:50 pm
Mr D Crellin	
Ms F Logan	(Lead Member for Environmental and Technical Services)
Mr D Quirk	(Lead Member for Finance & General Purposes)
Mr R Turton	(Lead Member for Housing)

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

Miss Williams confirmed that apologies had been received from Mr Allen as he would be late arriving at the Board Meeting.

C22/09/01/01

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

Not necessary.

C22/09/01/02

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

None.

C22/09/01/03

MINUTES

1. Ordinary Meeting held on Monday 22nd August 2022

The Minutes of the Ordinary Meeting held on Monday 22nd August 2022, copies of which having previously been circulated, were considered.

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

2. Staffing Meeting held on Monday 22nd August 2022

To be considered In Committee.

C22/09/01/04

TO DISPOSE OF ANY RELEVANT BUSINESS ARISING FROM SUCH MINUTES

None.

C22/09/01/05

TO DISPOSE OF ANY BUSINESS ADJOURNED FROM A PREVIOUS MEETING

None.

C22/09/01/06

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

None.

C22/09/01/07PLANNING DECISIONS/COMMUNICATIONS FROM THE DEPARTMENT OF INFRASTRUCTURE
PLANNING COMMITTEE**1. Plans to the Board**

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

(i) PA22/00822/B Ms R Storey – 22 Alberta Drive

Members were advised that the planning application is for alterations, erection of rear extension, and use of garage as storage, associated bicycle storage to replace a lost parking space and use as a dog grooming business.

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

- Neighbouring properties have been notified; and
- The return date for the application is the 9th September 2022.

After a discussion, it was proposed Ms Logan by and seconded by Mr Quirk and **RESOLVED that PA 22/00822/B– 22 Alberta Drive be recommended for approval.**

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

**(ii) PA
22/00862/B****Mr P Wagstaffe – 25 Howe Road**

Members were advised that the planning application is for the installation of window under patio store.

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

- No comments had been received from neighbouring properties; and
- The return date to the application is the 9th September 2022.

After a discussion it was proposed by Ms Logan and seconded by Miss Lewin, and unanimously **RESOLVED that PA 22/00862/B – 25 Howe Road be recommended for approval.**

**(iii) PA
22/00970/B****Mr & Mrs S Moughtin – 10 Snaefell Crescent**

Members were advised that the planning application is for the erection of a ground floor extension and removal of a chimney stack.

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

- Neighbouring properties had been notified; and
- The return date for the application is the 9th September 2022.

After a discussion, it was agreed that PA 22/0970/B – 10 Snaefell Crescent be deferred to the next Board Meeting to allow for comments from the public to be received.

(iv) PA
22/01012/B

Mr D Ranson – 1 Bay View Road

Members were advised that the planning application is to reconstruct entrance porch, erect side and rear single storey extension, install replacements windows and velux windows and erect single storey extension to rear of the garage. .

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

- No comments have been received; and
- The return date to the application is the 16th September 2022.

After a discussion it was proposed by Ms Logan and seconded by Mr Quirk and unanimously **RESOLVED that PA 22/01012/B – 1 Bay View Road be recommended for approval.**

(v) PA
22/00906/B

Mr P Peniata – 2 Wybourn Drive

Members were advised that the planning application is for the erection of replacement rear and side single storey extension, installation of bi-fold doors to the rear, replacement landing window, widening of vehicle access and dropped kerb to be widened (amended plans).

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

- Neighbouring properties have been notified; and
- The return date for the application is the 16th September 2022.

After a discussion, it was proposed by Ms Logan and seconded by Mr Quirk and unanimously **RESOLVED that PA 22/00906/B be recommended for approval.**

(vi) PA
22/00914/B

Mr M McDowell – 19 Highfield Crescent

Members were advised that the planning application is the widening of existing access and creation of a new additional access (amended plans)

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

- Comments had been received from the Department of Infrastructure; and
- The return date to the application is the 9th September 2022.

Mr Quirk declared an interest and did not vote

After a discussion, it was proposed by Ms Logan and seconded by Miss Lewin and **RESOLVED that PA 22/00914/B – 19 Highfield Crescent be recommended for approval.**

(vii) PA
22/01079/C

Mr & Mrs M Hewison – Edendale, Royal Avenue

Members were advised that the planning application is for the change of use from 2 apartments (class 3.4) to a residential dwelling (class 3.3).

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

- No comments had been received from neighbouring properties; and
- The return date to the application is the 23rd September 2022.

After a discussion it was proposed by Ms Logan and seconded by Mr Quirk and unanimously **RESOLVED that PA 22/01079/C – Edendale, Royal Avenue be recommended for approval.**

The Chair requested that the discussion in relation to Motion 65 be heard early due to the Lead Member for Environmental and Technical Services having to leave early.

C22/09/01/08

TO CONSIDER ANY MOTIONS

1. Motion 65– Under Standing Order Number 26

Mr Quirk tabled Motion Numbered 65:-

“that Members names be identified in the Board Minutes of Onchan District Commissioners”.

After a discussion, it was proposed by Mr Quirk and seconded by Miss Lewin and **RESOLVED that Members names be identified in the Board Minutes of Onchan District Commissioners.**

For: Miss Lewin, Ms Logan, Mr Turton and Mr Quirk

Against: Miss Williams, Mr Allen and Mr Crellin

C22/09/01/09

FINANCE AND GENERAL PURPOSES

1. Authorised Signatories

The report of the Assistant Finance Manager, dated 26th August 2022, having previously been circulated was considered.

It was proposed by Mr Allen, and seconded by Mr Quirk, and unanimously **RESOLVED that:**

Mr Ryan Forgie be added as an Authorised Signatory of the Authority.

Also, that the four signatories for Onchan District Commissioners will be:

**Mr Ross Phillips
Mrs Stephanie Johnson
Mr Ryan Forgie
Mrs Susan Yule**

**Chief Executive/Clerk
Finance Manager
Acting District Surveyor
Assistant Finance Manager**

together “the Authorised Signatories”

That:

- 3.1 A banking relationship will be maintained with the Royal Bank of Scotland International Limited trading as Isle of Man Bank Limited (the Bank) and that this Mandate will apply to all existing and future Accounts of the Customer with the Bank.**
- 3.2 The Authorised Signatories are the individuals identified above, or on a separate Authorised Signatory list, as amended from time to time.**
- 3.3 The Authorised Signatories may, in accordance with the Signing Rules or as set out on a separate Authorised Signatory list, on behalf of the Authority:**
 - 3.3.1 Sign cheques or give instructions for Standing Orders, Direct Debits, banker's drafts and other payments from the Accounts, even if it causes an Account to be overdrawn or exceed any limit.**
 - 3.3.2 Sign, accept or endorse bills of exchange or other orders and give instructions for discounting inland or foreign bills.**
 - 3.3.3 Close Accounts with credit balances.**
- 3.4 The Authorised Signatories identified in the Signing Rules for unlimited amounts may, in accordance with the Signing Rules, on behalf of the Authority:**
 - 3.4.1 Open new Accounts with the same Signing Rules and Authorised Signatories and agree the Account terms for Accounts.**
 - 3.4.2 Give instructions for the issue of Letters of Credit, Bonds or Guarantees.**
 - 3.4.3**
 - (i) Approve and sign any agreement with the Bank for the Customer to use the Bank's electronic banking service, SWIFT or other electronic means to instruct the Bank to make payments or open and operate the Accounts, or otherwise to communicate with or instruct the Bank;**
 - (ii) accept the relevant electronic banking or other Terms or agreement; and**
 - (iii) agree and sign or accept any other document required for the provision of an electronic banking or communication service.**
 - 3.4.4 Receive, and authorise others to receive, the security devices in relation to the operation of electronic banking.**
 - 3.4.5 Appoint electronic banking Administrators and Payment Authorisers or Authorised Users who have important payment and other powers in relation to the Customer's use of electronic banking, including (in some systems) the appointment of other Authorised Users with authority to create payments or transactions and setting their limits. The Authorised Signatories may appoint themselves.**

Any existing electronic banking or communications agreement and the appointment of electronic banking Administrators, Payment Authorisers and Authorised Users, will continue until the Authorised Signatories request any changes.

3.5 Any of the Authorised Signatories may, on behalf of the Customer:

- 3.5.1 Give other instructions to or request information from the Bank in relation to the Accounts.**
- 3.5.2 Give instructions to close Accounts with nil balances.**
- 3.5.3 Give instructions to withdraw securities, documents or articles lodged for safe custody.**
- 3.5.4 Request that an Account be removed from or added to electronic banking.**
- 3.5.5 Request the removal of electronic banking Administrators, Payment Authorisers and Authorised Users.**

3.6 The Bank may accept instructions that do not have an original written signature if the Bank is satisfied that the instruction is genuine and subject to any other agreement the Bank may require for those instructions.

3.7 Any Authorised Representative of the Authority may give notice to the Bank to change any Signing Rules or as set out on a separate Authorised Signatory list, and/or add or remove an Authorised Signatory above or the separate list.

3.8 The Authority accepts that the authority for entering into foreign exchange and money market deposit transactions (other than through electronic banking) is not governed by the terms of this Mandate.

3.9 The Authority accepts that if a winding up petition is presented against the Authority, the Bank may refuse to make payments out of the Accounts.

3.10 The Authority will keep the Bank informed of any changes to the Authorised Representatives of the Authority.

3.11 This Mandate will continue until the Authority gives the Bank a replacement

C22/09/01/10

REPORT FROM THE CLERK OR OTHER OFFICER

1. Conduct

The report of the Chief Executive/Clerk dated 1st September 2022, having previously been circulated was considered and discussed.

2. Grant of Probate

To be considered In Committee.

C22/09/01/11

CONSIDERATION OF ANY RELEVANT CORRESPONDENCE

1. Proactive Publication of Information Consultation

Further to the Board Meeting held on Monday 22nd August 2022, the Chief Executive/Clerk advised the Board that notice had been obtained from the Authority's General Data Protection Advisers and that a submission to the consultation had been submitted.

C22/09/01/12**TO ANSWER ANY QUESTIONS ASKED UNDER STANDING ORDER 34**

The following questions were received from Commissioner Derek Crellin:-

1. Due to the question being related to an on-going Staffing Matter, under Standing Order 34.5 a written private and confidential answer will be given to circulate to all Members is due course.
[ODC 22/09/2022]

2. **Question:-**

Do the other Lead Members meet with Department Managers of the Authority?

Answer:-

Yes

3. **Question:-**

When will the Officers of the Authority return to Board Meetings to assist the Chief Executive/Clerk and what action has the Chair taken to facilitate their return?

Answer:-

The Chief Executive/Clerk has presented a proposal to ensure acceptable conduct within meetings. If these proposals are accepted and implemented, and the Chief Executive/Clerk is content then Officers will be asked to start attending future meetings. This is at the discretion of the Chief Executive/Clerk.

Ms Logan left the meeting at 20:45 pm

C22/09/01/13**ENVIRONMENTAL AND TECHNICAL SERVICES**

None.

C22/09/01/14**HOUSING MATTERS**

1. **Pet Policy**

The report of the Housing Manager dated 22nd August 2022, a copy having previously been circulated was considered and discussed.

Amendments:-

Page 11 under complaints fourth bullet point the word reasonable to be included before nuisance.

The bullet point to read "any other behaviour considered to be causing a reasonable nuisance or annoyance".

C22/09/01/15**CHAIRMAN'S ANNOUNCEMENTS**

- Miss Williams confirmed that they and Mr Quirk had attended the Commissioners Surgery held on Saturday 3rd September 2022.

- Dates for the Diary**

Date	Organisation	Event	Time
6 th September 2022	Onchan District Commissioners	Commissioners Surgery – Heywood Court, Commissioners Turton and Quirk attending	2:00 pm to 3:00 pm
9 th September 2022	St Peter's Church	Film Night	7:00 pm
19 th September 2022	Onchan District Commissioners	Board Meeting	7:00 pm
21 st September 2022	Friends of Onchan Heritage	"The Dark Skies of Onchan and Man" with Howard Parkin BSc, Bed, FRAS	7:30 pm – The Village Hall,

C22/09/01/16**ANY OTHER BUSINESS**

The Public session of the Meeting ended at 21:30 pm

C22/09/01/17**MINUTES**

- Staffing Meeting held on Monday 22nd August 2022**

See Staff Minute Book.

C22/09/01/18**REPORT FROM THE CLERK OR OTHER OFFICER**

- Grant of Probate**

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

The report of the Chief Executive/Clerk dated 24th August 2022, having previously been circulated, was considered and discussed.

After a discussion, it was proposed by Mr Allen and seconded by Miss Lewin and unanimously **RESOLVED** that **Mr Marc Furness, Partner of Callin Wild be appointed to act on behalf of the Authority in resolving the estate of the tenant which will allow the property to be cleared and returned to the Authority's social housing stock. Further that the Chief Executive/Clerk may proceed with all that is necessary to progress all Grants of Probate in the future as the authorised signatory on behalf of the Authority.**

C22/09/01/19

ANY OTHER URGENT BUSINESS

There being no further business the meeting closed at 21:50 pm