

Minutes of the Ordinary Meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 8th January 2024 at 7:02 pm

Present:	Miss K Williams	(Vice 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)
Apologies:	Miss Z Lewin	(Chair)
	Mr R Turton	(Lead Member for Housing)
In attendance:	Mr R Phillips	(Chief Executive/Clerk)

Miss Williams took the chair, and wished those Members present at Happy New Year.

C24/01/01/01

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

None.

C24/01/01/02

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

None.

C24/01/01/03

MINUTES

1. Ordinary Meeting held on Monday 11th December 2023

The Minutes of the Ordinary Meeting held on Monday 11th December 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 unanimously **RESOLVED** that the minutes be agreed as a correct record of the proceedings and be signed by the Chair.

Miss Williams did not cast a vote as she was not present at the meeting.

2. Staff Minutes of the Ordinary Meeting held on Monday 27th November 2023

To be considered In Committee.

C24/01/01/04

TO DISPOSE OF ANY BUSINESS ARISING FROM SUCH MINUTES

None.

C24/01/01/05

TO DISPOSE OF ANY BUSINESS ADJOURNED FROM A PREVIOUS MEETING

None.

C24/01/01/06

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

None.

C24/01/01/07**PLANNING DECISIONS/COMMUNICATIONS FROM THE DEPARTMENT OF INFRASTRUCTURE
PLANNING COMMITTEE****(i) PA 23/01389/B Mrs L Martin – 14 Auburn Road**

Members were advised that the application is for a single-story rear extension to part replace the existing and new driveway.

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 5th January 2024.

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED that planning application PA23/01389/B – 14 Auburn Road be recommended for approval.**

(ii) PA 23/01419/B Mr & Mrs C Vickers – 30 Derwent Drive

Members were advised that the application is for an extension to the existing dormer.

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 5th January 2024.

After a discussion, it was proposed by Mr Quirk and seconded by Ms Logan and unanimously **RESOLVED that planning application PA 23/01419/B – 30 Derwent Drive be recommended for approval.**

(iii) PA23/01437/C Mr M Laugier – 32 Summerhill Road

Members were advised that the application is for additional use for tourism.

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 19th January 2024.

After a discussion, it was proposed by Mr Quirk and seconded by Mr Crellin and **RESOLVED that planning application PA23/01437/C – 32 Summerhill Road be recommended for refusal due to the lack of information contained within the application the Authority has concerns that the property may be in use by both those ordinarily occupying the property for residential use, in addition to additional persons using the property as tourist accommodation at the same time. If this were to occur the Authority believes that currently there is insufficient parking provision available to accommodate more vehicles.**

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

(v) PA 23/01473/B Mr M Jones – The Haven, 113 King Edward Road

Members were advised that the application is an amendment to PA 22/00226/B omission of a balcony to the east elevation, associated French doors access, removal of 2 chimneys, and the installation of 1 large double garage door and 2 single garage doors.

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 19th January 2024.

After a discussion, it was proposed by Mr Quirk and seconded by Mr Allen and unanimously **RESOLVED that planning application PA 23/01473/B – The Haven, 113 King Edward Road be recommended for approval.**

(vi) PA 23/01505/C Miss M Waddington – 3 Barrule Drive

Members were advised that the application is for the additional use of lounge for Nail Beauty Treatment.

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 26th January 2024.

After a discussion, it was proposed by Ms Logan and seconded by Mr Allen and **RESOLVED that planning application PA 23/01505/C – 3 Barrule Drive be recommended for approval.**

For: Ms Logan, Mr Allen and Mr Crellin

Against: Miss Williams and Mr Quirk

C24/01/01/08

FINANCE AND GENERAL PURPOSES

1. 2024/25 Initial Budget Considerations

To be considered In Committee.

C24/01/01/09

REPORT FROM THE CLERK OR OTHER OFFICER

1. Live Streaming of the Authority's Public Meetings

The report of the Chief Executive/Clerk dated 4th January 2024, having previously been circulated was considered.

Miss Williams provided the Board with an introduction in relation to the report of the Chief Executive/Clerk.

The Chief Executive/Clerk provided 4 options for the Members to consider to form a resolution.

The Members discussed their favoured recommendations.

Ms Logan stated that her initial view is that option 2 could be the most appropriate method of using audio or less instructive methods of recording the Authority's public meetings.

Mr Allen and Mr Crellin stated that their view is that option 1 is the most appropriate method and that the Authority continues to conduct public meetings as they are currently administered.

Mr Crellin asked Mr Quirk the Member who motioned for live streaming to be implemented what act of legislation makes allowances for such a process.

Mr Quirk noted that Ramsey Town Commissioners currently live stream their meetings as do many UK councils.

The Chief Executive/Clerk provided an overview of the Elections and Meetings (Local Authorities) Act 2021, Section 10A in relation to Local Authorities making standing orders and rules of governance of meetings including provision for remote attendance of the public and the press to enable them to attend or where appropriate participate.

Mr Allen requested that the Chief Executive/Clerk provide an overview of the documents outlined within the report to assist the Members when making their considerations.

The Chief Executive/Clerk provided the Board with an overview of the report and the Data Protection Impact Assessment, the highlighted matters to consider, and advice provided in relation to these are:

- Statutory obligations in relation to the General Data Protection Regulation ("GDPR");
- Government of the Authority's meeting procedures;
- Legal and insurance impacts; and
- Resources and expenditure required.

Mr Crellin questioned Mr Quirk as to what research had he undertaken in relation to his motion and what liaison had he had with the Chief Executive/Clerk to progress this process.

Mr Quirk commented that he had liaised with Ramsey Town Commissioners and that this process would make the Authority more transparent.

Mr Crellin noted that the Chief Executive/Clerk's report and supporting impact assessment are very detailed and that they have been compiled with the assistance of qualified professionals in their respective fields of expertise. The Board needs to consider this information and the advice regarding governance of meetings provided to the Board previously by the Authority's legal advisers and Data Protection Officer.^[ODC 22/01/2024]

Mr Quirk requested that this matter be deferred until all Members are present.

Miss Williams stated that the meeting was quorate and that a vote shall be taken. Furthermore no absent Members have asked for the matter to be deferred.^[ODC 22/01/2024] Miss Williams noted that the original resolution regarding live streaming was voted upon without all Members present.

A discussion regarding the following took place:

- Potential risks and expenditures not considered when voting upon the original motion to implement live streaming;
- Advice obtained from the Authority's Data Protection Officer, Legal Advisers and Insurers;
- Current methods available to allow members of the public to contact the Members and the Authority to raise questions that relate to the business of the Authority;

After a discussion, it was proposed by Ms Logan and seconded by Mr Allen and **RESOLVED that the Authority continue with the current provision of physical access to public meetings of the Authority to allow members of the public to attend and that the format**

of public meetings be considered in the future with regard to less intrusive methods of controlling and processing data.

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

2. Elm Tree House Commercial Tenancies

To be considered In Committee.

3. Library 2024/25 Budget

To be considered In Committee.

4. Centenary Park DEFA Correspondence

To be considered In Committee.

C24/01/01/10

CONSIDERATION OF ANY RELEVANT CORRESPONDENCE

1. Onchan Raceway – 2024 Dates

The Onchan Raceway 2024 fixture dates, copies having previously been circulated were considered and noted.

2. Malew Parish Commissioners – Annual Civic Service

A copy of the invitation received from Malew Parish Commissioners Annual Civic Service to be held on Sunday 3rd March 2024 at Abbey Church, Ballasalla at 3 pm, copies of which having previously been circulated was noted.

C24/01/01/11

TO ANSWER ANY QUESTIONS ASKED UNDER STANDING ORDER 34

None. .

C24/01/01/12

TO CONSIDER ANY MOTIONS

None.

C24/01/01/13

ENVIRONMENTAL AND TECHNICAL SERVICES

1. Eastern Civic Amenity Site

To be considered In Committee.

C24/01/01/14
HOUSING MATTERS

None.

C24/01/01/15
CHAIR'S ANNOUNCEMENTS

1. Chair's Attendances

Miss Williams provided the Board with an overview.

Miss Williams highlighted that the Onchan Community Cross Award had recently been awarded to Mr Martin Macfarlane in relation to his work as a youth worker and Kenyons Youth Café. It was noted that a reception is due to be held on Tuesday 13th February 2024.

2. Dates for the Diary

Date	Organisation	Event	Time
15 th January 2024	Onchan District Commissioners	(P) Extra Ordinary Board Meeting	7:00 pm
19 th January 2024	St Peter's Church	Film Evening	7:00 pm
22 nd January 2024	Onchan District Commissioners	Board Meeting	7:00 pm
5 th February 2024	Onchan District Commissioners	Board Meeting	7:00 pm

C24/01/01/16
ANY OTHER BUSINESS

1. Public Highways within the District

Mr Quirk highlighted that Miss Lewin stated that previously she was going to write to the Department of Infrastructure regarding the condition of public highways within the District and also to request improved liaison with the Authority when the Department announces planned highway closures and works.

Mr Quirk questioned had this been done.

Miss Williams stated that she was unable to answer on Miss Lewin's behalf in her absence.

The Chief Executive/Clerk confirmed that he will contact Miss Lewin to obtain an update and if required the Chief Executive/Clerk could write to the Department on behalf of the Board.

2. Recycling Bring Banks

Ms Logan advised that she had received further complaints in relation to the weight and style of the bin lids of the recycling bring banks adjacent to Birch Hill Stores.

It was agreed that the Chief Executive/Clerk is to progress improvements with the District Surveyor as soon as possible.

Miss Williams highlighted the restricted access issues experienced by those with mobility impairments when using the Ballachrink Drive recycling bring bank. Miss Williams noted that

these issues were highlighted many years ago when the site was constructed by former Officers of the Authority.

It was further agreed that the Chief Executive/Clerk would request that the District Surveyor review the sites and report to the Board with recommendations.

The public session of the Meeting ended at 8:10 pm.

C24/01/01/17 **MINUTES**

1. Staff Minutes of the Ordinary Meeting held on Monday 11th December 2023

See Staff Minute Book.

C24/01/01/18 **TO DISPOSE OF ANY BUSINESS ARISING FROM SUCH MINUTES**

1. Staff Minutes of the Ordinary Meeting held on Monday 11th December 2023

See Staff Minute Book.

C24/01/01/19 **FINANCE AND GENERAL PURPOSES**

1. 2024/25 Initial Budget Considerations

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

The Members considered the Authority's proposed projects and items list. It was agreed that an Extra Ordinary Meeting of the Authority will be held on Monday 15th January 2024 to discuss the draft 2024/25 Budget and Rate setting.

C24/01/01/20 **CONSIDERATION OF ANY REPORTS FROM THE CLERK OR OTHER OFFICER**

1. Elm Tree House Commercial Tenancies

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

The report of the Chief Executive/Clerk dated 21st December 2023, copies having previously been circulated was considered.

i) 35 Main Road

The Chief Executive/Clerk provided the Board with an overview in relation to the current tenancy of Share the Care Limited at 35 Main Road.

A discussion regarding the rental options for the remainder of the tenancy took place.

It was proposed by Ms Logan and seconded by Mr Quirk and unanimously **RESOLVED that the rent for 35 Main Road be increased to £11,500 plus VAT per annum for the remaining term of the tenancy that is due to expire on the 31st December 2024.**

ii) Elm Tree House

The Chief Executive/Clerk provided the Board with an overview of the current tenancy of Sterling Trust Limited on the first and second floors of Elm Tree House.

A discussion regarding the rental options took place including:

- New tenancy term duration;
- Rental per annum; and
- Potential sale of the property as previously considered by the Board during 2023.

It was proposed by Ms Logan and seconded by Mr Allen and unanimously **RESOLVED that a 5-year tenancy for the first and second floors of Elm Tree House be offered to Sterling Trust Limited at a rent of £30,000 plus VAT per annum fixed for 3 years, and that years 4 and 5 of the term are subject to a rent valuation and to be considered by the Board.**

2. Library 2024/25 Budget

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

The report of the Head Librarian dated 2nd January 2024, copies having previously been circulated was considered.

A discussion in relation to the following took place:

- Benefits to Members of the public in relation to the services provided by the Library;
- Budget constraints and the forthcoming rate-setting process; and
- Consideration of approaching corporates to fund or sponsor future reading challenges as in previous years.

It was proposed by Ms Logan and seconded by Mr Allen and unanimously **RESOLVED that the Summer Reading Challenge budget for 2024/25 financial year be increased to £800 as per the recommendation contained within the report of the Head Librarian dated 2nd January 2024. Furthermore, the Authority approaches corporate sponsors to assist with funding the challenge next year.**

It was proposed by Ms Logan and seconded by Mr Allen and unanimously **RESOLVED that a potential increase to the purchase and replacement books and compact disks budget be considered by the Board as part of the forthcoming 2024/25 financial year Budget and Rate setting.**

3. Centenary Park – DEFA Correspondence

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

The report of the District Surveyor dated 5th January 2024, copies having previously been circulated was considered.

A discussion took place regarding the following:

- Historical uses of the site;
- Current Department of Environment, Food and Agricultural (“DEFA”) Waste Exemption Licence operated at the site;
- Current condition of the site, including the areas occupied and maintained by the Manx Woodland Trust;
- Potential expenditure impacts related to infrastructure changes on the site;

The Board requested that Officers of the Authority undertake the following:

- Submission of an application for a Certificate of Lawful Use be submitted to the Planning Department as advised by DEFA;

- Continue to liaise with DEFA regarding the Authority's Waste Disposal Licence application;
- That the Manx Woodland Trust are contacted in relation to their current tenancy and what their future intentions are in relation to the site.

C24/01/01/21

ENVIRONMENTAL AND TECHNICAL SERVICES

1. Eastern Civic Amenity Site

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

The minutes of the Eastern District Civic Amenity Site Joint Special Committee dated 19th December 2023, copies having previously been circulated were considered.

Following a discussion, it was proposed by Ms Logan and seconded by Mr Quirk and unanimously **RESOLVED that the recommendations of the Eastern District Civic Amenity Site Joint Committee dated 19th December 2023 to award the Eastern Civic Amenity Site operator contract to Douglas City Council for a period of 5 years with effect from the 1st April 2024 be accepted.**

It was further proposed by Ms Logan and seconded by Mr Quirk and unanimously **RESOLVED that the recommendations of the Department of Infrastructure Waste Management unit to tender the Waste Electrical and Electronic Equipment Services contract in relation to the Eastern Civic Amenity Site be accepted.**

C24/01/01/22

ANY OTHER URGENT BUSINESS

1. Springfield Court Social Housing Project – Update

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

Mr Quirk requested that an update in relation to the Springfield Court social housing refurbishment project be provided at the next Ordinary Meeting of the Authority.

Miss Williams requested that the Chief Executive/Clerk and District Surveyor provide an update as requested.

2. Street Lighting Pilot Schemes

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

Miss Williams requested that the Members consider the proposed street lighting pilot schemes for Governors Road and the solar street lighting to Hollydene Avenue as due diligence checks have been undertaken as per the request of the Board at the Ordinary Meeting of the Authority held on the 11th December 2023.

A discussion took place regarding the proposals and the specifications to be implemented.

It was proposed by Mr Crellin and seconded by Mr Quirk and **RESOLVED** that:

- **The commencement of the proposed street lighting pilot schemes to Governors Road and Hollydene Avenue as per the recommendations contained within the report of the District Surveyor dated 1st December 2023; and**
- **The required expenditure be considered and approved by the Board as part of the forthcoming 2024/25 financial year budget and rate-setting process.**

For: Miss Williams, Ms Logan, Mr Crellin and Mr Quirk

Against: Mr Allen

There being no further business the meeting was declared closed at 21:20 pm.