

Minutes of the Ordinary Meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 9<sup>th</sup> January 2023 at 7:00 pm

**Present:** Miss K Williams (Chair)  
 Mr D Quirk (Vice Chair)  
 Mr D Crellin  
 Ms F Logan (Lead Member for Environmental and Technical Services)  
 Mr R Turton (Lead Member for Housing)

**Apologies:** Mr A Allen  
 Miss Z Lewin (Lead Member for Finance & General Purposes)

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

#### **C23/01/01/01**

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

Not necessary.

#### **C23/01/01/02**

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

Mr Quirk made is declaration of acceptance of office as Vice Chair for the remainder of the 2022/23 Municipal Year.

#### **C23/01/01/03**

#### **MINUTES**

#### **1. Ordinary Meeting held on Monday 12<sup>th</sup> December 2022**

The Minutes of the Ordinary Meeting held on Monday 12<sup>th</sup> December 2022, copies of which having previously been circulated, were considered.

After a discussion, it was proposed by Ms Logan and 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. Staff Minutes of the Ordinary Meeting held on Monday 28<sup>th</sup> November 2022**

To be considered In Committee.

#### **C23/01/01/04**

#### **TO DISPOSE OF ANY RELEVANT BUSINESS ARISING FROM SUCH MINUTES**

Mr Crellin stated that he had asked the Chair at the Board Meeting of Monday 12<sup>th</sup> December 2022, if he could comment in relation to why he could not support the appointment of Mr Quirk as Vice Chair, and that he never received a response from the Chair. Mr Crellin wished for this to be minuted.

Mr Quirk asked the Chief Executive/Clerk for an update in relation to the installation of defibrillators at the Elderly Person Complexes at Heywood Court and Springfield Court. Mr Turton asked for an update to be brought to the board meeting of the 23<sup>rd</sup> January 2023 rather than waiting for the 2023/24 budget setting process.

C23/01/01/05TO DISPOSE OF ANY BUSINESS ADJOURNED FROM A PREVIOUS MEETING1. Ordinary Meeting held on Monday 28<sup>th</sup> November 2022

The Minutes of the Ordinary Meeting held on Monday 28<sup>th</sup> November 2022, copies of which having previously been circulated, were considered.

After a discussion, 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.

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

None.

C23/01/01/07PLANNING DECISIONS/COMMUNICATIONS FROM THE DEPARTMENT OF INFRASTRUCTURE PLANNING COMMITTEE1. Plans to the Board

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

(i) PA  
22/01516/B

**Mr R Forgie – 30 The Park**

Members were advised that the planning application is for a single storey extension to the rear of the property, the removal of chimneys, raise the height of the garage roof and install a new access door.

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

- No comments had been received; and
- The return date for the application is the 13<sup>th</sup> January 2023.

***Ms Logan declared and interest***

After a discussion, it was proposed by Mr Quirk and seconded by Mr Crellin and **RESOLVED** that PA 22/01516/B – 30 The Park be recommended for approval.

(ii) PA  
22/01531/B

**Mrs M C Hunt – 7 Links View**

Members were advised that the planning application is for the removal of existing conservatory, roof and glazing only and replace with identical glazing with infill flat roof with glazed lantern.

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

- No comments had been received; and
- The return date for the application is the 13<sup>th</sup> January 2023.

After a discussion, it was proposed by Ms Logan and seconded by Mr Quirk and unanimously **RESOLVED** that PA 22/01531/B – 7 Links View be recommended for approval.

(iii) PA  
22/01560/B

**Mr & Mrs C Bass – The Cottage, Woodland Heights, Ashley Road**

Members were advised that the planning application is for the erection of garden cabins for use as tourist accommodation (class 3.6) and a therapy business and a covered structure (retrospective).

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

- No comments had been received; and
- The return date for the application is the 20<sup>th</sup> January 2023.

It was noted that the Board are disappointed that the application is a retrospective application.

After a discussion, it was proposed by Ms Logan and seconded by Mr Quirk and unanimously **RESOLVED that PA 22/01560/B – The Cottage, Woodland Heights, Ashley Road be recommended for approval.**

(v) PA  
22/01567/C

**Mr N Jones – 12 Elm Tree Road**

Members were advised that the planning application is change the use of the premises from a car sales garage to a martial arts and fitness studio (class 1.1)

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

- No comments had been received; and
- The return date for the application is the 27<sup>th</sup> January 2023.

After a discussion, it was agreed that the Authority would not provide any comments in relation to PA 22/01567/C – 12 Elm Tree Road due to the Authority owning the property.

#### C23/01/01/08

#### FINANCE AND GENERAL PURPOSES

##### **1. 2023/24 – Miscellaneous Charges**

To be considered In Committee.

##### **2. Onchan Park Charges**

To be considered In Committee.

##### **3. Ear Marked Reserve Accounts**

To be considered In Committee.

#### C23/01/01/09

#### REPORT FROM THE CLERK OR OTHER OFFICER

##### **1. Commissioners Public Surgeries**

The Report of the Chief Executive/Clerk dated 21<sup>st</sup> December 2022, having previously been circulated was considered.

Mr Quirk commented that Manx Radio are in attendance at tonight's meeting and they could advertise the surgeries to promote more engagement.

Mr Turton suggested that consideration should be given to holding joint surgeries with the Members of the House of Keys for Onchan. It was agreed that the Chief Executive/Clerk would contact the Members of the House of Keys for Onchan to see they would be interested in holding joint surgeries.

Mr Crellin recommended that the Board could consider holding the surgeries every 2 months or for surgeries remain as they are.

Mr Quirk stated that all Members are available to be contacted online. Miss Williams highlighted that not all members of the public use computers as a means of communication.

Miss Williams requested that the matter be brought back to the Board when the Chief Executive/Clerk had received responses from the Members of the House of Keys for Onchan.

#### **C23/01/01/10**

#### **CONSIDERATION OF ANY RELEVANT CORRESPONDENCE**

None.

#### **C23/01/01/11**

#### **TO ANSWER ANY QUESTIONS ASKED UNDER STANDING ORDER 34**

None.

#### **C23/01/01/12**

#### **TO CONSIDER ANY MOTIONS**

##### **1. Motion 67 – Submitted under Standing Order 26**

Mr Quirk tabled Motion Numbered 67:

*“that the Authority make provision to live stream the public section of Onchan District Commissioners meetings”.*

Mr Quirk provided the Board with an overview in relation to submitting the above mentioned motion.

Mr Quirk stated that:

- the live streaming of the public sections of the Board Meetings would provide more engagement from the rate payers;
- it would make the Authority more transparent;
- the Authority needs to be more up to date and forward thinking; and
- Ramsey Town Commissioners have provided live streaming already and other local authorities are looking to do the same.

The Chief Executive/Clerk provided the Board with an overview. It was noted that the Authority's Standing Orders would need to be changed to allow the recording of meetings and that quotes for microphones, a camera, a mixing console and supporting software similar to that of Ramsey Town Commissioners had been obtained and were in the region of approximately £4,000.

It was also highlighted that there may be issues relating to the quality of streaming due to the Commissioner's Office not being connected to the fibre broadband network at present.

The Chief Executive/Clerk further advised of the following information relating to the General Data Protection Regulations.

- It is important that the use of any video conferencing technology by organisations is fair and transparent. Attendees of an online meeting need to know how you are processing their data, as well as having appropriate choice and control over it;

## 3.1

ODC 09/01/2023

- If you are acting as a controller for the processing of personal data, even by a live stream, you are responsible for protecting the rights attendees have about their personal information. It is important that you are able to make a clear justification for its use based on necessity and proportionality. For example, are you using video conferencing as a way to communicate, or are you making a physical record of a specific interaction;
- You should consider whether it is truly necessary in the circumstances to use video conferencing to live stream or record interactions. You should always consider if you could achieve the purpose by less privacy intrusive methods, such as audio only. If you feel that the use of video conferencing is necessary and helpful, then you must be able to justify and document your reasons for this type of processing ie produce a Impact Assessment;
- Generally it is not appropriate for you to post recordings online or make personal data available to an indefinite audience without the expressed permission of those recorded.
- If formal recording and publication of an interaction is required, you must clearly explain to the individual(s) in attendance what the purpose of the recording is for. You must also ensure that you do not use the recording for any other incompatible purpose or disclose it to unauthorised third parties unless there is a justifiable reason;
- You should also consider providing a secure link to a live stream or recording that only attendees can view by a strong password, rather than placing it on an unsecured open website or social media platform for others to view.

Ms Logan stated that she is in favour of the proposal of live streaming, but that there are many issues to overcome first and that she is in favour of investigating the matter further.

Mr Crellin made reference to the Information Commissioners guidance and highlighted that the majority of the Authority's board meeting agendas are held in private.

Mr Turton stated that he had concerns at first but he is aware that any member of the public in attendance could record a meeting if they wanted to. The Chief Executive/Clerk advised the Board that in accordance with the Authority's Standing Orders 44.2 nobody in attendance should be using recording equipment without the consent of the Chair.

Mr Turton further stated that he agrees to the principle of the live streaming of the public section and that allowance should be made for it to be funded within the upcoming budget or within the existing budget.

Mr Crellin commented that he is unclear to the definition of the word provision that is included within the wording of the motion and that the Member putting the motion forward should provide an explanation.

Ms Logan and Miss Williams both provided their interpretation of the definition of provision.

Mr Quirk further stated that:

- the Authority needs to move forward;
- he agrees that there should not be a comments function if the meetings were to live streamed on social media;
- Teams worked well previously during the lockdowns to allow all the Members to attend board meetings;
- Tonight we should vote on approving the provision of live streaming in principle;

Mr Crellin stated that he is conscious that not all Members are present at the Meeting.

Miss Williams stated that the Motion has been accepted, the Authority's Standing Orders have been followed and the Meeting is quorate so there is no reason not to vote on the Motion at tonight's meeting.

Motion 67 was proposed by Mr Quirk, seconded by Mr Turton and **RESOLVED that the provision of live streaming the public section of Onchan District Commissioners Board Meetings be approved in principle.**

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

**C23/01/01/13**

**ENVIRONMENTAL AND TECHNICAL SERVICES**

None.

**C23/01/01/14**

**HOUSING MATTERS**

None.

**C23/01/01/15**

**CHAIR'S ANNOUNCEMENTS**

**1. Chair's Attendances**

The Chair confirmed that she had attended a Christmas reception held at Government House on Wednesday 14<sup>th</sup> December 2022.

**2. Dates for the Diary**

| Date                          | Organisation                  | Event         | Time    |
|-------------------------------|-------------------------------|---------------|---------|
| 23 <sup>rd</sup> January 2023 | Onchan District Commissioners | Board Meeting | 7:00 pm |
| 27 <sup>th</sup> January 2023 | Onchan Baptist Church         | Link Meeting  | 7:00 pm |
| 6 <sup>th</sup> February 2023 | Onchan District Commissioners | Board Meeting | 7:00 pm |

**C23/01/01/16**

**ANY OTHER BUSINESS**

**1. Mount View Road**

Mr Quirk asked the Chief Executive/Clerk to contact the Department of Infrastructure to provide the Board with an update in relation to the pot holes and painting of double yellow line on Mount View Road.

**2. Christmas Recycling**

Ms Logan requested that it be investigated to see if more provision could be made for extra recycling bins at the bring banks during the Christmas period.

***The Public session of the Meeting ended at 20:25 pm***

**C23/01/01/17**

**MINUTES**

**1. Staffing Minutes of the Ordinary Board Meeting held on Monday 28<sup>th</sup> November 2022**

See Staff Minute Book.

C23/01/01/18**FINANCE AND GENERAL PURPOSES****1. 2023/24 – Miscellaneous Charges**

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

The Report of the Finance Manager dated 20<sup>th</sup> December 2022, having previously been circulated was considered and discussed. .

After a discussion, it was proposed by Ms Logan and seconded by Mr Crellin and unanimously **RESOLVED that the following be and are hereby approved:-**

**Miscellaneous Fees**

|                    |         |
|--------------------|---------|
| Letter of Comfort  | £105.00 |
| Replacement Copies | £45.00  |
| Search Fee         | £135.00 |

**Garage Rents**

After a discussion, it was proposed by Mr Crellin and seconded by Mr Quirk and unanimously **RESOLVED that the 2023/24 garage rents be increased to £23.10 per week including VAT.**

**Commercial Refuse Collections**

After a discussion, it was proposed by Mr Crellin and seconded by Mr Turton and unanimously **RESOLVED that the 2023/24 commercial refuse collections be increased by 10%.**

**Additional Domestic Bin Collection**

After a discussion, it was proposed by Mr Crellin and seconded by Mr Turton and unanimously **RESOLVED that the additional domestic bin collection charge be increased to £50.00 per additional collection.**

**2. 2023/24 Onchan Park Charges**

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

The Report of the Finance Manager dated 20<sup>th</sup> December 2022, having previously been circulated was considered and discussed.

**Tickets**

After a discussion, it was proposed by Ms Logan and seconded by Mr Quirk and unanimously **RESOLVED that the pricing structure for Onchan Park remain the same as 2022/23.**

**Bowling**

It was requested that this matter be brought back to the Board.

**Group Bookings**

After a discussion, it was proposed by Mr Crellin and seconded by Mr Quirk and unanimously **RESOLVED that the pricing structure for group bookings remain the same as 2022/23.**

**Onchan Park – 2023/24** [ODC 23/01/2023] **opening dates/hours**

|                 |  |
|-----------------|--|
| Easter Holidays | Friday 7 <sup>th</sup> April 2023 to Sunday 23 <sup>rd</sup> April 2023        |
| Weekend Opening | Saturday 29 <sup>th</sup> April 2023 to Friday 2 <sup>nd</sup> June 2023       |
| Summer Opening  | Saturday 3 <sup>rd</sup> June 2023 to Wednesday 6 <sup>th</sup> September 2023 |

It was agreed that the opening hours for Onchan Park remain at 10:30 am to 5:30 pm and that the park would operate on weekend opening from Saturday 9<sup>th</sup> September 2023 to Sunday 1<sup>st</sup> October 2023 or at the discretion of the Chief Executive/Clerk.

### **Agents Costs**

It was requested that this matter be brought back to the Board.

### **3. Ear Marked Reserve Accounts**

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

The Report of the Chief Executive/Clerk dated 21<sup>st</sup> December 2022, having previously been circulated was considered and noted.

### **C23/01/01/19**

### **ANY OTHER URGENT BUSINESS**

#### **1. Speed Recorders**

It was requested by Mr Turton<sup>[ODC 23/01/2023]</sup> that consideration be given to contacting the Department of Infrastructure to have speed data collection recorders located at the following locations after enquires from members of the public:

- Summerhill Road;
- Governors Road; and
- Avondale Road.

The Chief Executive/Clerk agreed to contact the Department of Infrastructure.

***There being no further business the meeting closed at 21:30 pm***