



## City of Douglas

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**COUNCILLOR MRS NATALIE BYRON-TEARE, JP  
MAYOR**

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City Hall,  
Douglas,  
4<sup>th</sup> October, 2024

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL of the CITY OF DOUGLAS to be held on WEDNESDAY, 9<sup>th</sup> OCTOBER, 2024, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the CITY HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

A handwritten signature in black ink, appearing to read 'Katherine'.

Town Clerk & Chief Executive

# Order of Agenda

I - Election of a person to preside (if the Mayor is absent).

II - Any statutory business.

III - Approval as a correct record of the minutes of the last regular and any intermediate Meetings of the Council.

IV - Questions of which Notice has been given by Members of the Council, pursuant to Standing Order No. 39.

V - Consideration of the minutes of proceedings of the Council in Committee.

VI - Consideration of the minutes of proceedings of Committees of the Council in the following order:

- (i) The Executive Committee;
- (ii) The Housing and Property Committee;
- (iii) The Pensions Committee;
- (iv) The Standards Committee;
- (v) The Eastern District Civic Amenity Site Joint Committee;
- (vi) Any other Joint Committee;
- (vii) The Regeneration and Community Committee;
- (viii) The Environmental Services Committee;

VIII - Consideration of such communications or petitions and memorials as the Mayor or Chief Executive may desire to lay before Council.

IX - Notices of Motion submitted by Members of the Council in order of their receipt by the Chief Executive.

X - Any Miscellaneous Business of which Notice has been given pursuant to Standing Orders.

The above Order of Agenda is in accordance with Standing Order No. 16(1); under Standing Order No. 16(2) it may be varied by the Council to give precedence to any business of a special urgency, but such variation shall not displace business under I and II.

# AGENDA

III – Chief Executive to read minutes of the Council Meeting held on Wednesday, 14<sup>th</sup> August, 2024.

VI(i) - The proceedings of the EXECUTIVE COMMITTEE as follows:

## EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Thursday, 26<sup>th</sup> September, 2024.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, Mr Councillor I.J.G. Clague, Mr Councillor D.R. Watson, Mr Councillor F. Horning.

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr A.J.T. Boyd), Director of Housing and Property (Mr D. Looney), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe) (Clauses A8 to A13), Assistant Chief Officer (Environment) (Mr I. Jackson) (Clause A8), Executive Officer (Mrs J.M. Keig) (taking minutes).

### REPORT

#### **PART A –**

#### ***Matters within the scope of the Executive Committee's delegated authority***

##### **A1. Apologies for Absence**

Apologies for absence were submitted on behalf of Mr Councillor A.J. Bentley (and also Mr Councillor F. Schuengel, the Vice Chair of Regeneration and Community Committee); and the Director of Environment and Regeneration (Mrs D. Eynon).

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes**

The minutes of the (rescheduled) meeting held on Thursday 1<sup>st</sup> August 2024 were approved and signed.

##### **A4. Matters Arising from Previous Minutes**

There were no matters arising from the previous minutes.

##### **A5. Referrals from the Environmental Services Committee**

The Committee considered the following referral from the minutes of the Environmental Services Committee meeting held on Monday 16<sup>th</sup> September 2024:

Clause B/C1 - Ballacottier Service Centre Car Park Resurfacing (Tenders): the Committee had considered a report by the Assistant Chief Officer (Environment) advising on tenders received for the resurfacing works, and seeking authority to invoke Standing Order 91 for the submission of a petition.

The project had taken a considerable time to reach the tender stage, due to the time taken to receive planning approval and due to the availability of the relevant external engineers to carry out site investigations. However, as the works to the car park were considered a health and safety issue and to avoid any further delays, it had been recommended that Standing Order 91 be invoked to enable the submission of a petition application ahead of consideration by the full Council. It had been noted that, should the Council vote against the recommendation, then the petition could be withdrawn.

Resolved, “(i) That particulars of the referral be noted on the minutes; and

(ii) That the resolution of the Environmental Services Committee be endorsed, supporting that Standing Order 91 be invoked, thus permitting the submission of a petition application seeking funding to enable the Ballacottier Service Centre Car Park Resurfacing project to be progressed in advance of consideration of the matter by full Council.”

##### **A6. Referrals from the Regeneration and Community Committee**

The Committee considered the following referrals from the minutes of the Regeneration and Community Committee meeting held on Tuesday 17<sup>th</sup> September 2024:

Clause B1 – Update on Noble’s Park Pitch Improvements: the Committee had considered a report by the Head of Parks setting out an update on progress in relation to a potential contribution from the Douglas and District Football Club towards the cost of undertaking pitch improvement works. Members had agreed the proposed contribution, and authority to fund the remaining amount from the General Revenue Reserve was accordingly sought.

The Executive Committee discussed the merits of such projects; and the Director of Finance confirmed that it would be appropriate for the cost of the pitch improvements to be funded from the General Revenue Reserve.

An exercise to source a contractor had determined - due to the specialist nature of the work - that there was only one such contractor on the Island able to undertake the works. It had therefore been recommended that Standing Order 146(f) be invoked, which provided an exemption from the normal tendering process where specialist skills were required.

Resolved, “(i) That particulars of the referral be noted on the minutes;

- (ii) That the resolution of the Regeneration and Community Committee be supported and that, currently, approval be given for funding from the General Revenue Reserve for the £30,000 remainder of the total cost of the pitch improvement works, once the contribution towards the project by the Douglas and District Football Club had been taken into account, subject to resolution (iii) below;
- (iii) That a one-off £30,000 growth bid be included in the next budget round, by way of an off-setting reimbursement contribution back into the General Revenue Reserve; and
- (iv) That approval be given for Standing Order 146(f) to be invoked, allowing an exemption from the normal tendering process, in order to utilise an on-Island contractor with the specialist experience necessary to carry out work on sports pitches.”

#### **A7. Referrals from the Housing and Property Committee**

The Committee considered the following referral from the minutes of the Housing and Property Committee meeting held on Wednesday 18<sup>th</sup> September 2024:

Clause B5 – Department of Infrastructure Social Housing Rent-Setting Consultation 2025 / 2026: the Committee had considered a joint report by the Director of Housing and Property and the Director of Finance to determine the Council’s response to the Department in relation to the annual rent-setting exercise. The report had given an extensive background into the issues the Council was facing in respect of funding the housing service to an acceptable standard and had recommended a 7% increase in rent for 2025 / 2026. In recent years, the Council had taken a robust stance on the need for a rental increase at least in line with inflation; and had also lobbied for increases in the housing maintenance, and community and administration allowances.

The Housing and Property Committee had debated the proposed rental increase at length. Whilst it had been accepted that the Council required a rent increase sufficient to meet its own rising cost pressures, some Members had felt that the increase was too high and would majorly impact lower- to medium-earners on fixed incomes. The recommended 7% increase had not been supported and, instead, it had been resolved that a 4.2% increase be proposed to the Department of Infrastructure for 2025 / 2026.

Because of the potential impact on budgets, the Executive Committee was asked to consider the Housing and Property Committee’s resolutions accordingly. The Executive Committee deliberated on the proposed rent increase at length and, on taking all factors into consideration, it was proposed and seconded that the response to the Department of Infrastructure should recommend a rent increase for 2025 / 2026 at a rate of 7%, as originally recommended by officers.

Resolved, “(i) That particulars of the referral be noted on the minutes;

- (ii) That it be unanimously agreed that the resolution of the Housing and Property Committee, proposing a 4.2% rent increase for 2025 / 2026, be not supported;
- (iii) That it be unanimously agreed that a formal response be sent to the Department of Infrastructure recommending a rent increase of 7% for 2025 / 2026; and
- (iv) That the following resolutions of the Housing and Property Committee be endorsed as follows:
  - That a request be made for a 5% increase for the Housing Repair Allowance - 4% to be dedicated to maintaining the Council’s VOID core works (damp and asbestos) and 1% to assist in the increase in staffing costs;
  - That a request be made for a 1% increase for the Housing Management Allowance to assist with staffing costs, bringing it to 35%;

- That a request be made for a 2% increase for fund contribution to the sheltered housing allocation for 2025 / 2026, bringing it to 10.4%;
- That a request be made for the annual project management grant to be uplifted by inflation yearly (rather than remaining fixed); and
- That the Department of Infrastructure be formally informed that the Council's Housing Repairs Fund was depleted, with a negative balance as at 31<sup>st</sup> March 2024."

#### **A8. Consultation Document – Isle of Man Waste Strategy Principles**

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) in relation to a consultation document issued under Section 68 of the Local Government Act 1985.

The Department of Infrastructure was consulting on the principles to be used to develop an updated Isle of Man Waste Strategy for the period 2025 to 2035, which would be reliable, economical, environmentally acceptable, and sustainable for the benefit of everyone on the Island.

The Waste Strategy was required to align with the objectives of the Island Plan, and the policy proposals and consultation questions were based on the EU Waste Framework Directive, which had established the guiding framework for managing waste. The focus of the strategy would be on waste reduction rather than final disposal; with greater priority being given to re-use, recycling, and the recovery of energy.

Waste formed part of the economy, and its management had economic implications for businesses and government expenditure; and also impacted the environment. The development of future principles would also potentially have a major impact on how the Council delivered refuse and recycling services to its ratepayers.

Members expressed thanks to officers for their review of the extensive consultation document and in drawing up responses, showing their great wealth of knowledge and experience. Disappointment was, however, expressed that the Council had not been consulted as a primary stakeholder ahead of the public consultation, it being noted that an update on the progress of the new Waste Strategy had been repeatedly asked for, with a request that the Council be consulted with at an early stage.

The closing date for submissions was 21<sup>st</sup> October 2024, and the Consultation Working Group had discussed a proposed response on behalf of the Council, which was considered accordingly by the Committee. Members suggested a number of amendments, which were agreed for inclusion in the response.

Resolved, "(i) That particulars of the report be noted on the minutes; and

- (ii) That the proposed response (as appended to the report and subsequently amended) be approved for submission as the Council's response."

#### **A9. Consultation Document – Climate Change Reporting Requirements and Climate Impact Assessments for Public Bodies**

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) in relation to a consultation document issued by the Department of Environment, Food, and Agriculture (DEFA).

DEFA and the Climate Change Transformation Team were seeking the views of public bodies on potential legislative changes which would affect (i) Public Body Annual Climate Change Reporting; and (ii) the statutory process relating to Climate Impact Assessments, as set out in the Climate Impact Assessment Regulations 2023. It was noted that the potential changes affected all public bodies.

The Isle of Man Government had set ambitious national targets for the Island – a 35% emissions reduction by 2030 and a 45% emissions reduction by 2035. Scope 3 emissions typically made up the largest part of an organisation's carbon footprint – larger than both Scope 1 and Scope 2 together. Scope 3 emissions were indirect emissions, such as goods and services supply chain emissions, contractors, etc, and it was important that work be undertaken to reduce these. Scope 3 emissions reporting was becoming more common in the private sector, and it was suggested that public bodies should lead the way or at least keep pace with the private sector. The addition of scope 3 emissions to the reporting structure would improve accuracy, and encourage public bodies to understand and reduce their scope 3 emissions.

The Council's Net Zero Officer Working Group had prepared draft responses, which the Consultation Working Group had then met to consider and agree (as appended to the report). It was noted that, as the consultation period had closed on 17<sup>th</sup> September 2024, these had already been submitted as the Council's response accordingly.

Resolved, "(i) That particulars of the report be noted on the minutes; and

- (ii) That the responses (as appended to the report) be endorsed as the Council’s response to the consultation, the closing date having been prior to the Committee’s September meeting.”

**A10. Consultation Document – Mooir Vannin Offshore Windfarm Pre-Application Consultation**

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) in relation to a consultation document issued on the development of the Mooir Vannin Offshore Windfarm.

The project would be the first large-scale development in the Isle of Man’s territorial waters, approximately six to twelve miles off the east coast of the Island near Maughold Head. Ørsted and the Isle of Man Government had signed an Agreement for Lease at the end of 2015, and environmental and technical studies of the area had been underway to determine the scope and scale of the project.

The offshore windfarm had the potential to help assist in reducing the Island’s carbon footprint and in reducing energy costs; and would bring benefits to the local economy by creating jobs and providing a percentage of the electricity produced.

The Consultation Working Group had met to consider and agree the responses (as appended to the report) and, as the consultation period had closed on 11<sup>th</sup> September 2024, these had already been submitted as the Council’s response accordingly.

Resolved, “(i) That particulars of the report be noted on the minutes; and

- (ii) That the responses (as appended to the report) be endorsed as the Council’s response to the consultation, the closing date having been prior to the Committee’s September meeting.”

**A11. Consultation Document – Draft Local Economy Strategy 2024 - 2034**

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) in relation to a consultation document issued under Section 68 of the Local Government Act 1985.

Members were advised that ‘Business Isle of Man’ (an executive agency within the Department for Enterprise) had published a draft Local Economy Strategy, outlining a ten-year vision to ensure the Island remained a great place to live by increasing the vibrancy of the retail, leisure, and hospitality sectors.

Delivery of the Strategy would be by way of infrastructure and place management, enterprise and consumer experience, and local empowerment and partnerships.

The closing date for submissions was 30<sup>th</sup> September 2024. The Consultation Working Group had discussed a proposed response on behalf of the Council, which was put before the Committee for consideration accordingly. Members suggested a number of amendments, which were agreed for inclusion in the response accordingly.

Resolved, “(i) That particulars of the report be noted on the minutes; and

- (ii) That the proposed response (as appended to the report and subsequently amended), be approved for submission as the Council’s response.”

**A12. Consultation Document – Isle of Man Transport: Key Principles**

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) in relation to a consultation document issued under Section 68 of the Local Government Act 1985.

The Highway Services Division of the Department of Infrastructure was seeking feedback on the vision, principles, and aims that would underpin a new Transport Strategy for the Isle of Man. The core objective was to create an integrated and socially-inclusive Strategy which supported economic and population growth, improved safety and accessibility, and supported transition to net zero. This would be achieved through a combination of behaviour-change initiatives, adjustments to current services, and improved infrastructure.

It was particularly important for Douglas to have a well-connected transport strategy, to improve access to the City Centre for residents and visitors to the Island. This in turn would increase footfall (which may result in improving economic growth) and would assist the Council in meeting its active travel objectives.

The Consultation Working Group had met to consider and agree the responses (as appended to the report) and, as the consultation period had closed on 16<sup>th</sup> September 2024, these had already been submitted accordingly as the Council’s response. Members suggested a number of amendments, which were agreed to be put forward as additional comments for inclusion in the response.

Resolved, “(i) That particulars of the report be noted on the minutes; and

- (ii) That the responses (as appended to the report) be endorsed as the Council's response to the consultation, the closing date having been prior to the Committee's September meeting, and that the further additional comments also be submitted."

#### A13. **Douglas City Council's Carbon Footprint 2023 – 2024**

The Committee considered a written report by the Director of Environment and Regeneration on behalf of the Net Zero Officer Working Group, setting out the Council's progress towards reducing its carbon footprint in line with its Net Zero Strategy and Action Plan One.

The Isle of Man Government had pledged that the Isle of Man would be Carbon Net Zero by 2050 and, as the largest local authority on the Island and one of the largest employers in Douglas, the Council would be expected to contribute towards this goal. In July 2019, the Council had embarked upon a journey to formally record, monitor, and reduce its carbon footprint and align itself with the Government's pledge. This had been formalised in the adoption of a Net Zero Strategy and Action Plan One at the March 2022 Council Meeting.

Also in July 2019, the Council had agreed to engage the services of the Carbon Trust to calculate its Carbon Footprint for the 2018 / 2019 financial year, which was to be the baseline year from which all carbon emissions would be measured. The Council's Carbon Footprint for 2023 / 2024 was estimated as being a 14% reduction on the recalculated baseline year; and represented a 3% decrease on the result reported for 2022 / 2023.

Exact consumption data was not known for leased buildings and assumptions had been applied by the Carbon Trust for the likely energy usage for these buildings, based on size, type of energy, and typical use based on average retail prices for gas and electricity. The same assumptions had been applied for 2023 / 2024 and would continue to be applied unless actual consumption data could be obtained.

Scope 3 emissions were calculated based on expenditure, and the Net Zero Officer Working Group had previously identified a risk in relation to the impact high inflation rises would have on the Council's carbon emission calculations. The Council was not necessarily procuring any more services than it had previously, but the cost of those services had risen and the higher prices would automatically lead to greater 'spend', resulting in a higher carbon emission calculation. Therefore, an inflation adjustment had been applied to the procurement figures, which should help ensure future years' calculations were not significantly distorted.

Given the assumptions and estimations that had been applied to calculations, it was essential that the Council received external validation to ensure no calculation errors had occurred which could impact the Council reporting on its Net Zero journey. A provision had been built into the 2023 / 2024 budget for this, however, as the Council was in the process of installing a new e-procurement system (which would allow access to the UK Government's 'Contracts Finder' network), the calculation for 2023 / 2024 had yet to be outsourced. This would be pursued as soon as possible once the e-procurement system went live.

It was noted, currently, that Scope 3 emissions were not legally required to be reported, however, from 2026 / 2027, it would be a requirement for public bodies to report these. As the Council had committed to calculate and reduce its Scope 3 emissions (which represented the largest source of the Council's emissions), it would be in a strong position to report when required to do so.

The Net Zero Officer Working Group had been trialling the use of a Carbon 'Budget' Tool, which forecast the reduction in carbon needed, year on year, for the Council to reach its aim of being Net Zero in 2050. The Group had discussed the feasibility that it may be impossible for the Council to attain Net Zero due to the nature of its services, however, the tool would continue to be used to monitor the Council's progress and for the resulting trajectory to be reported to Committee.

The Net Zero Officer Working Group had also considered whether the Council should pursue ISO 14001, which was the internationally recognised standard for environmental management systems. The majority of what was required to achieve ISO accreditation was already being undertaken by the Council and, although the achievement of the accreditation would increase the Council's green credentials, there would be no tangible benefit toward reducing carbon emissions, and it was therefore recommended that the Council did not pursue accreditation currently, but keep pursuit under annual review.

Members were reminded that Action Plans were aligned with political administrative terms and lasted for a period of four years. Action Plan One (agreed in 2022 in support of the overarching Net Zero Strategy) would come to an end in March 2025. The Net Zero Officer Working Group had derived the next Action Plan in the series, Action Plan Two, which had been approved by the Chief Officers' Management Team and now required approval by the Committee.

Members recalled, when Action Plan One had been agreed, it had been determined to not have a citizen / tenant panel or citizen / tenant champions on climate change in line with the just transition and climate justice principles. The Committee gave consideration to this previous position and agreed to re-affirm it.

Members expressed their thanks and satisfaction with the amount and quality of work that had gone into producing the report, resulting in an auditable position of where the Council was in terms of reducing its carbon footprint and what it was doing, as a forward-looking and competent local authority, to contribute towards the Isle of Man Government's pledge to achieve Carbon Net Zero by 2050.

Resolved, "(i) That particulars of the report be noted on the minutes;

- (ii) That the Council's Carbon Footprint for 2023 / 2024, and the approximate 14% decrease in the Council's carbon footprint from the baseline year of 2018 / 2019 (as detailed in appendix 1 of the report) be noted;
- (iii) That approval be given for the Council's statutory submission to the Isle of Man Government of its carbon emissions for 2023 / 2024 (as detailed in appendix 2 of the report);
- (iv) That the forecast provided by a Carbon Budget tool and the carbon reduction trajectory (as detailed in appendix 3 of the report) be noted;
- (v) That the ISO 14001 'pros' and 'cons' provided by the Net Zero Officer Working Group (as detailed in appendix 4 of the report) be noted;
- (vi) That the position stated in February 2022 - that the Council did not wish to have a citizen / tenant panel or citizen / tenant champions on climate change, in line with the just transition and climate justice principles - be reaffirmed;
- (vii) That Action Plan Two, for the administration period of 1<sup>st</sup> April 2025 to 31<sup>st</sup> March 2029 (as detailed in appendix 5 of the report) be approved;
- (viii) That the updates to Action Plan One (as detailed in appendix 6 of the report) be noted;
- (ix) That the Council's participation in a trial use of the Isle of Man Government's Climate Impact Assessment Tool, aligned with the Climate Impact Assessment Regulations 2023 and due to come into effect on 1<sup>st</sup> January 2025 (as previously detailed in a Briefing Note to Members in July 2024) be noted;
- (x) That the Director of Finance be requested to seek an update from the Isle of Man Government as to whether any progress had been made in respect of changes to statutory requirements that would allow Rates Demands to be sent electronically;
- (xi) That further consideration be given to the Council's annual newsletter being published in electronic form; and
- (xii) That the Council's media partners be requested to prepare a press release on the work the Council was doing to contribute towards the Isle of Man Government's pledge that the Island be Carbon Net Zero by 2050."

#### **A14. Monthly Financial Review – August 2024**

The Committee considered a written report by the Director of Finance setting out details of progress made against Key Performance Indicators for Finance, and other related key financial monitoring information.

The monthly report was required to monitor progress against the Finance Department's Service Plan actions, and to meet objectives set out in the 2022 – 2026 Corporate Plan.

The Director of Finance advised on his attendance at the CIPFA Public Finance Live 2024 Conference, held in Manchester on the 10<sup>th</sup> and 11<sup>th</sup> July 2024. Attendance had been an invaluable continuing professional development opportunity and a useful insight into what the public sector - and in particular local authorities - were doing to deal with the challenges faced in the UK.

Resolved, "(i) That particulars of the report be noted on the minutes, including in particular:-

- (ii) The rates collection figure of 84.5% for the April to August 2024 period, which compared well with the figure of 81.4% for the previous year's equivalent; and
- (iii) The attendance of the Director of Finance at the CIPFA Public Live Conference, which had been held over two days in Manchester on 10<sup>th</sup> and 11<sup>th</sup> July 2024."

#### **A15. Marine Gardens No.4 and No.5 and the Queen's Promenade Gardens – Concept Designs**

The Committee considered a written report by the Assistant Chief Officer (Regeneration) presenting the results of the second public and stakeholder consultation exercise in relation to design concepts for Marine Gardens No.4 and No.5 and the Queen's Promenade Garden.



Three alternative conceptual approaches had been provided for each of the sites as part of the initial consultation exercise, the feedback from which had been noted by the Committee at its meeting on 1<sup>st</sup> August 2024. Following on from that, the design Team, ERZ Studio, had worked up design concepts for the three gardens, on which feedback had been sought over the weekend of 7<sup>th</sup> and 8<sup>th</sup> September, and at a stakeholder meeting on 9<sup>th</sup> September.

- Marine Garden No.4 – feedback on the concept design had generally been supportive, and the design team proposed working the concept design up into a detailed proposal.

It was noted that the options for the replacement of the existing kiosk in Marine Garden No.4 had not been progressed at this stage, as the design concept could progress irrespective of the future of the kiosk.

- Marine Garden No.5 – although the proposed design (a linear pump track) had been popular at the initial consultation, it did not receive the same level of support. It was therefore proposed to progress a design that was much more focussed on the garden element, but which included robust furniture, features, and materials that would be suitable for use by skaters and other wheeled sports. It would be labelled as ‘Garden 5 – Playful Garden’.

As scooters were becoming increasingly popular, it was agreed that any features installed should be suitable for this type of equipment.

- Queen’s Promenade Garden – the design included an element of water play, where children could control the flow of water along runnels and through channels. This had received public support and would be progressed, albeit with some possible scaling back due to the presence of underground services beneath some of the site.

It was noted that several examples of this type of feature had been viewed in Germany, where they were clearly very popular.

Resolved, “(i) That particulars of the report be noted on the minutes;

- (ii) That the results of the public and stakeholder consultation exercise be noted, and that ERZ Studio be authorised to develop detailed designs for the schemes as summarised both in the report and in the appendix to the report; and
- (iii) That the Council’s media partner be requested to prepare a press release on the proposed designs for Marine Gardens No.4 and No.5 and the Queen’s Promenade Garden, in order to give the public a better understanding of what was being planned.”

#### **A16. Insurance Brokerage Tender**

The Committee considered a written report by the Assistant Chief Officer (Finance) seeking approval to appoint an insurance broker to provide insurance brokerage services to the Council.

Members were reminded that Rossborough Insurance (Isle of Man) Limited (Rossborough) currently provided an insurance brokerage service to the Council. They had been awarded a five-year contract in 2014, which had been extended, and which was now due to expire on 30<sup>th</sup> September 2024.

Following an expressions of interest and tendering exercise, officers recommended an offer from Rossborough was accepted for a fee increasing annually in line with CPI. The Committee noted that the brokerage fee had significantly increased, which, although not ideal, had been anticipated due to insurance-related costs increasing over and above inflation.

Resolved, “(i) That particulars of the report be noted on the minutes; and

- (ii) That Rossborough Insurance (Isle of Man) Limited be approved as the Council’s insurance brokers for a five-year period, commencing on 1<sup>st</sup> October 2024.”

#### **A17. Isle of Man Municipal Association**

The Committee had been circulated with a number of documents received from the Isle of Man Municipal Association.

Resolved, “That particulars of the documents be noted on the minutes.”

#### **A18. Items for Future Report**

The Committee considered a written report by the Chief Executive identifying those issues on which further reports had been requested or which were outstanding, so that Members and officers were aware of them and could monitor progress.

Resolved, “That particulars of the report be noted on the minutes and that it be considered and monitored at each meeting of the Executive Committee.”

A19. **Time and Date of Next Meeting**

The time and date of the next scheduled meeting was confirmed as 2.00pm on Thursday 24<sup>th</sup> October 2024.

The Committee rose at 5.15pm.

(ii) - The proceedings of the HOUSING AND PROPERTY COMMITTEE as follows:

# HOUSING AND PROPERTY COMMITTEE

HOUSING AND PROPERTY COMMITTEE – Minutes of Meeting held on Wednesday, 18<sup>th</sup> September, 2024.

Members Present: Mr Councillor D.R. Watson (Chair), the Mayor, Mr Councillor S.R. Crellin, Councillor Ms J. Thommeny, Mr Councillor P.J. Washington.

In Attendance: Director of Housing and Property (Mr D. Looney) Assistant Chief Officer (Income) (Mrs C. Pulman), Assistant Chief Officer (Housing and Property) (Mr V. Zivave), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Democratic Services Officer (Mrs D. Atkinson).

## REPORT

### **PART A –**

#### ***Matters delegated to the Committee***

##### **A1. Apologies for Absence**

No apologies for absence were received.

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes – 17<sup>th</sup> July 2024**

The minutes of the meeting held on Wednesday, 17<sup>th</sup> July 2024 were approved and signed.

##### **A4. Matters Arising**

No matters were raised as arising from the previous minutes.

##### **A5. Vacant Property Update**

The Committee considered the monthly report submitted by the Assistant Housing Manager (Maintenance) to update on the number of vacant social housing properties.

Members were advised that the reporting of voids had been revised to list the number of active and deferred voids. Active voids are defined as empty properties that are being progressed, and deferred voids are defined as empty properties that are in a poor condition and unable to be progressed due to budget constraints. There were nineteen active vacant properties receiving attention and twenty-five deferred voids.

The Director of Housing and Property explained that active voids are now currently being returned to a ‘standard’ acceptable for habitation. Members were assured that the ‘standard’ VOID level provides a good quality and liveable property. Due to budget constraints and the need to prioritise, where required, health and safety matters, such as asbestos surveys and any associated removal, any remedial works for the management of damp, and any additional works are not financially feasible at the current time.

Members were advised that a further report on the agenda ‘seventy void property refurbishments’ has been brought forward by officers, following a discussion with the Department of Infrastructure, to rectify the budget issues in relation to the long-term void list.

Appended to the officer’s report was a summary chart showing the number of properties returned in each month, details of the category repair type for each property, together with the number of void properties in each estate.

Members noted that since 1<sup>st</sup> July 2024, twenty-seven properties had been returned by tenants, and seventeen void properties have been completed.

Resolved, “That particulars of the discussion and the number of void properties be noted on the minutes.”

##### **A6. Quarter One Performance Monitoring**

The Committee considered a report submitted by the Housing and Property Operations Manager to update on the quarter one performance indicators for 2024/25.

Appended to the report was the quarterly performance figures for quarter one, and the statistical trend analysis data for rent arrears for the quarter. The Director of Housing and Property explained that repair targets are set by central Government and are unrealistic for the budget and resources available. He did advise that the 24-hour emergency repair time had increased to 96.4% in recent months which is close to the 100% target set by Government, and a significant improvement on previous figures.

Resolved, "That particulars of the report be noted on the minutes."

#### **A7. Items for Future Consideration**

The Committee noted the monthly report and schedule setting out items which will be brought forward for consideration to future meetings.

Resolved, "That particulars of the report and schedule be noted on the minutes."

#### **A8. Date and Time of Next Meeting**

Members were advised that the next monthly meeting was scheduled to take place at 10.00am on Wednesday, 16<sup>th</sup> October 2024.

Resolved, "That the date and time of the next meeting be noted on the minutes."

### **PART B –**

#### ***Matters requiring Executive Committee approval***

#### **B9. Department of Infrastructure Social Housing Rent Setting Consultation 2025/26**

The Committee considered a report submitted jointly by the Director of Housing and Property and the Director of Finance to consider the Council's response to the Department of Infrastructure (the Department) in respect of the 2025/26 annual rent setting exercise.

Members were reminded that each year the Department writes to all Local Authorities in relation to the annual increase in social housing rent. In recent years a robust stance had been taken on a number of issues including the need for a rental increase at least in line with inflation, and lobbying for increases in maintenance, community and administration allowances. In 2024/25 the Department increased rental for tenants by 7.5%, a significant increase from previous years. However, this amount was only enough to assist in balancing an incredibly difficult marketplace, where high inflation figures, increased costs for materials and Single Status had driven up the cost of employment for the Council.

The Director of Housing and Property explained that the Council faces significant challenges, as the costs associated with maintenance requirements exceed the budget allocated by the Department. Furthermore, restrictions on borrowing for Capital Schemes has increased the pressure on the housing maintenance budget. VOIDS in particular are at risk due to the increasing costs and ongoing challenges related to the health and safety of a property, such as damp and asbestos works. The report gave an extensive background into the issues the Council is facing in relation to funding the Housing Service to an acceptable standard.

The report explained that at least a 6.94% rental increase was necessary to cover just the expected rise in costs due to inflation, including salary and material expenses. As a result the report recommended a 7% increase in rent. The Director of Housing and Property acknowledged that, while Council Officers calculated this rate, it was understood that such an increase could affect affordability for some tenants, particularly those already in debt to the Council. However, he emphasised that the higher rents are essential to sustain and improve the Service. The Director of Housing and Property assured that Housing Officers would continue to work closely with tenants, signposting and assisting if there were concerns about meeting rent payments. In response to a question, the Assistant Chief Officer (Income) advised that 20% of housing rental income is received directly from Government benefits, however the exact number of tenants that are eligible for assistance benefits is unknown as many will receive the benefit directly which will be utilised for rent payments. Tenants eligible for benefits will likely be assisted with any increases in rent giving them financial protection and alleviating the financial pressure. The Chair drew Members attention to the rent arrears statistics, which had not significantly changed for the current year despite the 7.5% increase in rent.

In addition, to deal with the current issue in relation to the increasing VOIDS matter, the report recommended an additional housing repair allocation of 5%, bringing the allocation to 35%. The Council would request that 4% of this increase is dedicated to the core VOID works (asbestos and damp). The increase will maximise the investment in properties and the quality of service offered to tenants, and more importantly will assist in avoiding the Council having to 'shut down' VOIDS that require investment, beyond the budget available, to bring back to a suitable standard for allocation. This would lead to a major loss of rent, but more importantly, it would delay individuals or families (who qualify) from getting a home when they should, forcing them to wait longer. It was noted that the Department as part of the 2023/24 rent setting process, made a positive step to increase maintenance

allowances, however although requested by the Council, no increase was approved for the 2024/25 year, and the current budget is not sufficient to cover the increasing costs to maintain properties.

The Director of Housing and Property also advised that the Council are aware of longer-term plans that are being put in place for alternative funding models. The Department has acknowledged that the current deficiency model is not sustainable, and the Council is working towards a self-sufficient and sustainable service, which longer term will be beneficial to tenants. The Council provided feedback to the Department on a self-sufficient model as part of the 2024/25 consultation response, with a view that the Council would support setting its own rent and gain more control over the financial provision, as long as a framework was in place for a sensible period (over several years) of increased rents – with an estimated target of between 25% - 30%.

The Committee had a lengthy debate about the proposed rental figure increase, whilst it was accepted that the Council requires a rent increase sufficient to meet its own rising cost pressures, and to help maintain adequate standards in the housing stock, some Members felt the increase was too high and would majorly impact lower to median earners on fixed incomes.

Resolved, “That particulars of the report and discussion be noted on the minutes and;

- (i) That the Committee formally responds to the Department of Infrastructure recommending a rent increase for 2025/26 of 7%;

***For: 1 Against: 3***

*The recommendation fell. Mr Councillor S.R. Crellin, Mr Councillor P.J. Washington and Councillor Ms J. Thommeny requested that their name be recorded as voting against the recommendation.*

- (ii) An amendment was proposed by Mr Councillor S.R. Crellin and seconded by Mr Councillor P.J. Washington that the Committee formally responds to the Department of Infrastructure recommending a rent increase of 4.2% for 2025/26;

***For: 3 Against: 1***

*Mr Councillor D.R. Watson requested that his name be recorded as voting against the resolution.*

- (iii) The Committee concurred that the amount of rental income being allocated to Housing Maintenance and Housing Management through the Housing Deficiency Grant system allowances is insufficient for Standard Maintenance works. There is increasing pressure due to market forces to meet increased staffing costs across the Council’s employees, while there is also a strong requirement and justification to increase the investment in VOIDS. It was agreed that a request be made for a 5% increase for the Housing Repair Allowance, with 4% being dedicated to maintaining the Council’s VOID core works (damp and asbestos), and 1% increase for Housing Management Allowance to assist with staffing costs. This will bring the Housing Maintenance allowance to 35%;
- (iv) The Committee agreed that as the sheltered housing allocation has not changed for a long period of time, and yet there has been in recent years significant increases in the cost base for sheltered housing including cleaning, general maintenance and heating/energy costs. It was agreed that a 2% increase for fund contribution to sheltered housing for 2025/26 be requested bringing it to 10.4%;
- (v) A request that the annual project management grant be uplifted by inflation yearly, rather than remain fixed as has been the case for many years be agreed, this equates to an uplift of 31.6% (£19,000);
- (vi) That the matter be referred to the Executive Committee for consideration because of the potential impact upon budgets;
- (vii) The Department be formally informed that the Council’s Housing Repairs Fund is depleted with a negative balance of £162,405 as at 31<sup>st</sup> March, 2024.”

***PART C –***

***Matters requiring Council approval***

#### **C10. Housing Minor Capital Works**

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) to approve the continuation of housing minor works capital funding for 2024/25.

Members were reminded that the Housing Minor Capital Works funding process was initiated in 2019 and petition approval has been granted yearly since, although this is not guaranteed to be approved by the Department. There are several housing minor capital works to the Council’s housing stock that are beyond the scope and financial constraints of the housing maintenance budget that require attention.

This included the Tynwald Court extraction and redecoration, 7-12 Farvane railing replacement and Anagh Coar roof replacement. The estimated capital cost is £150,000.

Resolved, “That particulars of the report be noted on the minutes and;

- (i) The Council be requested to authorise the Chief Executive to petition the Department of Infrastructure for borrowing powers in the sum of £150,000 being the loan amount required to defray the estimated cost of the minor works capital expenditure for 2024/25 which includes the Tynwald Court extraction and redecoration, 7-12 Farvane railing and replacement, and the Anagh Coar roof replacement;
- (ii) That the Department of Infrastructure be advised that the Council confirms there are insufficient monies available in its Housing Repair fund to fund the proposed scheme via that source.”

#### **C11. Seventy Void Property Refurbishments**

The Committee considered a report submitted by the Assistant Property Manager (Capital) to progress with a capital housing project to refurbish 70 void properties that are unable to be re-let.

A detailed business case had been developed and presented to the Committee in relation to VOID properties that are unable to be re-let because of extensive works required that cannot be funded from existing constrained maintenance budgets. As of August 2024, forty-five void properties were registered, based on the current VOID rates it is anticipated this figure will be in the region of at least seventy by the end of the financial year. The Council has insufficient funding to refurbish its VOID properties for the remainder of the financial year, and is highly unlikely to be able to finance the works within the 2025/26 housing maintenance budget. Consequently, without capital funding, the void property count is likely to encounter significant growth, creating long term voids. Members noted that longer-term voids will impact upon the deficiency arrangement quite significantly, with a rental loss forecast to exceed £200,000 for 2024/25.

Officers explained that a capital borrowing amount of £700,000 has been identified based on the average refurbishment costs of £10,000 per housing unit to facilitate void refurbishment works, repayable over a 15 year period. If the project plan is progressed, completion of seventy refurbishments is anticipated to be achievable by July 2025. Individual properties would be re-let on a completion basis, and in accordance with allocation procedures.

The business case recommended that capital design stages D1 to I2 be suspended as not applicable for the proposed nature of the works due to the urgency and straight forward nature of the refurbishment work and that the business case be considered as Capital Stage I3 petition submission.

Officers advised that initial conversations with the Department regarding the proposal had been well received. Members concurred that it is critical that the scheme be progressed as a matter of urgency to free up much needed housing stock.

Resolved, “That particulars of the report and discussion be noted on the minutes, and;

- (i) The combined business case and appendices be approved and incorporated into a petition application;
- (ii) The Council authorise the Chief Executive to petition the Department of Infrastructure for borrowing powers in the amount of £700,000 being the sum required to defray the project costs to completion;
- (iii) That the Department of Infrastructure be advised that an assessment of the Council’s Housing Repairs Fund has been undertaken to establish if sufficient monies are available to fund the proposed scheme via that source.”

The meeting ended at 12.20pm.

(iii) - The proceedings of the PENSIONS COMMITTEE as follows:

# PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 11<sup>th</sup> September, 2024.

Members Present: Mr Councillor J.E. Skinner (Chair), Mr Councillor I.J.G. Clague, Mr Councillor S.R. Crellin, Mr A. Thomas (Independent Member).

In Attendance: Director of Finance (Mr A.J.T. Boyd), Assistant Chief Officer (Finance) (Mr M. Quayle), Democratic Services Officer (Mrs D. Atkinson), Mr J. Glasgow (Hymans Robertson), Mr S. Wilson (Canaccord) (Item A11 only).

## REPORT

### **PART A –**

#### ***Matters within the scope of the Committee's delegated authority***

##### **A1. Apologies**

Mr Councillor F. Horning submitted apologies for the meeting.

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes – 5<sup>th</sup> May, 2024**

The minutes of the meeting held Wednesday, 5<sup>th</sup> May 2024 were approved and signed.

##### **A4. Matters Arising**

*Clause A4 – Matters Arising* –the Assistant Chief Officer (Finance) confirmed that the purchase of additional funds in the UK Property Fund had been concluded and a 10% discount on the investment had been received, in the form of additional units.

##### **A5. Training: Real Estate**

The Committee received a training presentation provided by Hymans Robertson on real estate investment. At a previous meeting of the Committee, a Member had asked if Real Estate Investment Trusts (REITs) had been considered as an investment option. Hymans Robertson undertook some research on the possibility. The presentation provided a background into REITs, the benefits and disadvantages, and the current market opportunity. Hymans concluded that REITs could be a good opportunity for diversity in real estate investment, and if there is an appetite to consider this investment further research could be conducted.

Resolved, “That particulars of the presentation be noted on the minutes.”

##### **A6. Quarterly Review of Investment Managers' Performance**

The Committee considered a report submitted by Hymans Robertson to review the investment managers' performance during the second quarter of 2024.

The Scheme achieved a return of 1.6% over the quarter, outperforming the benchmark by 0.4%. Returns over 5 years remain positive albeit behind the overall benchmark. It was a positive quarter for all asset classes, the largest relative outperformers were the Canaccord SPDR Gilts and the Canaccord Vanguard ILG. It was noted that the UK Property Fund had a good quarter outperforming the benchmark by 0.3%, however still remains behind benchmark over longer periods.

Mr Glasgow provided a market background and finished with the presentation of individual manager analysis during the quarter. It was noted that there are no changes recommended to the current manager appointments.

Resolved, “That particulars of the report and discussion be noted on the minutes.”

##### **A7. Review of Compliance with the Scheme's Responsible Investment Policy**

The Committee considered a report submitted by Hymans Robertson to review the Scheme's managers' mandates against the Scheme's Responsible Investment (RI) Policy.

The Committee developed a Responsible Investment policy which was shared with managers in 2017. Hymans Robertson annually review the managers' mandates against the Scheme's policy. The report confirmed that Hymans Robertson remain satisfied that the Scheme's underlying managers are complying where possible with the RI policies set out by the Committee, however, further consultation

is required with Royal London to understand why the ESG tilted UK fund is not categorised to meet policies 1 and 2 in line with the schemes other ESG managed funds.

Hymans Robertson believe that over the longer-term compliance with the RI will positively impact the value of the Scheme's assets, as managers look to invest in more sustainable and responsible options where applicable for active mandates and participate in active engagement with companies and the exercise of their voting rights across the equity holdings. Members noted that since August 2021 the Scheme has also introduced specific ESG tilted funds which now account for 50% of the Scheme's total assets as at 30<sup>th</sup> June 2024.

Mr Glasgow recommended that the Scheme's RI policy be reviewed in line with developments in recent years. He advised that this usually consists of an initial questionnaire to each Committee Member and the responses of that questionnaire would shape a draft Responsible Investment Policy for consideration.

Resolved, "That particulars of the report and discussion be noted on the minutes and

- (i) Hymans Robertson's review and findings that the Scheme's underlying managers are complying where possible with the RI policies set out by the Committee, be noted on the minute; and
- (ii) A review of the Scheme's Responsible Investment Policy be undertaken by Hymans Robertson."

#### **A8. Interim Actuarial Funding Update**

The Committee considered a report submitted by the Director of Finance to provide an update on the informal interim valuation funding position of the Isle of Man Local Government Superannuation Scheme (IOMLGSS) as provided by Barnett Waddingham.

The report reminded that the last formal valuation was undertaken as of March 2022 and considered by the Committee in November 2022. With the market changes since that date, and in particular the uptick in gilt yields and rises in inflation and interest rates, it was decided to request an interim funding update from the actuaries Barnett Waddingham. The Director of Finance explained that it would help steer as to whether any reduction in risk through change direction in terms of strategic allocation would be beneficial at this stage, rather than wait for the results of the next valuation in 2025.

Members were presented with the findings of the report. The results, which show only a snapshot approximate funding position for the scheme, indicated a reduction in the funding level from 96% to 91%. This equated to an increase in the Fund's deficit position from £4,25m to £9.16m. The report determined that the main reason for the decline in funding position is linked to the high level of inflation experienced since the last formal valuation date, which has increased the value of the Scheme's future liabilities through higher pension increases than assumed. Asset returns have also been lower.

The Director of Finance explained that whilst the results are somewhat disappointing, on the basis that this was a light touch review based on a snapshot in time, it was recommended that there is no change the Fund's strategic asset allocation at this stage. A derisking exercise would have been considered if the funding level had improved to the extent there was a clear funding surplus position arrived at, but this was not the case.

Hymans Robertson reviewed the findings and advised that a view of asset valuation represents a snapshot in time, and with greater levels of short-term market volatility this will inevitably fluctuate, as evidenced by the fact that if the interim valuation was at 30 June, then the funding position would have been more favourable. Hymans Robertson did not recommend derisking at this time.

Resolved, "(i) That the content of the report, in particular the informal interim funding update as at 31<sup>st</sup> March 2024 of 91% and a funding deficit of £9.16m, compared with 95.8% and £4.25m as of March 2022 be noted; and

- (ii) Any review of the funding strategy wait until after the results of next formal statutory valuation exercise to be considered towards the end of 2025."

#### **A9. Items for Future Report**

The Committee considered a report submitted by the Democratic Services Officer setting out items that are to be considered at future meetings and to review any future training requirements.

Resolved, "That particulars of the items for future report be noted on the minutes."

#### **A10. Date and Time of Next Meeting**

The Committee noted that the date and time of the next meeting is Wednesday, 23<sup>rd</sup> October, 2024 at 10.30am.



**A11. Manager Reporting: Canaccord**

Mr S. Wilson joined the meeting to present the Canaccord index-tracking funds for gilts, global equities and UK equities.

Mr Wilson presented the year-to-date performance which demonstrated growth in each quarter of 2024. He advised that fixed interest was most negatively impacted by the hike in interest rates, but as the interest rates are now predicted to decrease this has had a positive impact on the fund.

He advised that the transfer of funds to UK Property had been undertaken with a 10% discount received, and the transfer was managed almost instantly reducing the potential out of market risk.

Graphs were presented to the Committee to demonstrate that the funds are tracking the market as expected. Mr Wilson provided a market background including interest rate predictions and finished with the key conclusions for 2024.

Resolved, "That particulars of the presentation be noted on the minutes."

The Committee rose at 12.42pm.

(vii) – The proceedings of the REGENERATION AND COMMUNITY COMMITTEE as follows:

# REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Tuesday, 17<sup>th</sup> September, 2024.

Members Present: Mr Councillor A.J. Bentley (Chair), the Mayor (to 11.30am), Mr Councillor J.E. Skinner, Mr Councillor S.R. Crellin, Mr Councillor F. Schuengel.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Finance) (Mr M. Quayle), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Head of Parks (Mrs S. Parkinson), Democratic Services Officer (Mrs D. Atkinson), Assistant Chief Officer (Income) (Mrs C. Pulman) (Item A4).

## REPORT

### *PART A –*

#### *Matters delegated to the Committee*

##### **A1. Apologies**

There were no apologies for the absence.

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes – 16<sup>th</sup> July 2024**

The minutes of the meeting held on Tuesday, 16<sup>th</sup> July, 2024, were approved and signed.

##### **A4. Matters Arising**

The Committee discussed the Library rebrand debate that took place in Council. Members advised that several constituents had contacted them with their concern about the change in the name removing the legacy to Henry Bloom Noble. The Chair reminded that as the Committee had made the decision under its delegated authority, and the decision had not been withdrawn for further consideration at Council, the decision now stands in line with the Council's Constitution, and cannot be reconsidered for a further six months. It was accepted that the rebrand of the Library is required as the current signage is tired and unsightly. The Assistant Chief Officer (Income) was asked to progress the rebranding designs for presentation to the Committee, and depending on the length of time required to agree the final design, the potential to change the name at a later date could be considered by the Committee.

Resolved, "That particulars of the matters arising be noted on the minutes."

The Assistant Chief Officer (Income) was thanked for her attendance and left the meeting.

##### **A5. Noble's Park Masterplan**

The Committee considered a report submitted by the Head of Parks to seek approval to prepare a capital programme bid for 2025/26 to appoint a professional Landscape Architect to assist with the development of a comprehensive 10-year Masterplan for Noble's Park.

Members were reminded that in November 2022, the Committee had agreed an outline framework for a masterplan for Noble's Park. The project, following the appointment of a new Head of Parks, has now recommenced, and as part of the review it has been identified that a landscape architect is required to move the project to a stage where design concepts can be prepared for consideration and consultation. The Council does not employ a landscape architect, and a capital bid is therefore required to secure funding for the appointment. The costs are estimated at £35,000, and the report suggested that the funds be requested from Reserves.

The landscape architect will be tasked with creating a masterplan to improve the legibility of the park, accessibility and safety, improve park facilities for all users, bring the existing sports facilities back into use, and develop the Park's contribution to supporting the environment. Design proposals emerging from the plan can then be considered for future delivery as capital schemes or smaller internally delivered projects using revenue budgets.

Members supported the proposal and opined that some areas of the park are currently underutilised. It was requested that the Department for Enterprise be approached as part of the project in relation to TT and MGP future planning.

Resolved, “That particulars of the report and discussion be noted on the minutes and officers prepare a capital programme bid for the 2025/26 budget process to appoint a Landscape Architect to assist officers with the design element of preparing a 10-year masterplan for Noble’s Park.”

**For: 3 Against: 1**

*Mr Councillor J.E. Skinner requested that his name be recorded as voting against the resolution.*

**A6. Framework for Pulrose/Spring Valley Recreational Amenity Masterplan**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek approval for some core concepts as a framework for a masterplan for amenity improvements in the Pulrose and Spring Valley area.

The Council owns a large landholding in Pulrose and Spring Valley including three housing estates, and four recreational areas (Douglas Golf Course, Pulrose recreational ground, Pulrose play area and Spring Valley/Pulrose football pitches). Members noted there are currently two open space amenity projects in the capital programme for the Spring Valley changing rooms and Pulrose play environment. In addition to these projects, the Parks service aims to commence two smaller projects on the Douglas golf course. Following comments at a Committee Meeting, officers felt it would be beneficial for the Council to have a masterplan for recreational amenity in the Pulrose and Spring Valley area that takes account of future proposed housing development projects leading from the Housing ten-year road map.

The report listed early concept ideas for seven areas with a recommendation to develop the proposals further including organising public consultation exercises with local residents in liaison with the Housing and Property officers. The consultation will focus in some detail on the content of a new Pulrose play environment and seek views on other aspects of the plan.

Resolved, “That particulars of the report be noted on the minutes and it be agreed that the early concepts in relation to a masterplan for public amenity and play spaces in the Pulrose and Spring Valley area be worked up into more detail including seeking consultation from local residents.”

**A7. Commemoration Tree Request in Noble’s Park**

The Committee considered a report submitted by the Head of Parks to seek approval for the planting of a commemorative tree.

Members were advised that a request had been received from Canaccord Genuity to plant a tree in a public location within Douglas to celebrate the 20<sup>th</sup> anniversary of their establishment of a charitable trust. A suitable location in Noble’s Park had been identified.

Resolved, “That particulars of the report be noted on the minutes and the planting of one maple tree in Noble’s Park by Canaccord Genuity be agreed.”

**A8. Quarter One Service Plan Monitoring – 2024/25**

Members considered a report submitted by the Director of Environment and Regeneration to update on the performance made against measures outlined in the Environment and Regeneration Department Service Plans as relevant to the Regeneration and Community Committee.

Appended to the report were the measures as outlined for the Parks Service, and Douglas City Centre Management as at the end of quarter one of 2024/25. A red, amber, green and black status had been applied to each measure.

It was noted that within Parks Services, two measures are complete and others are on target. Within City Centre Management, three measures were slightly behind target due to officer time spent supporting North Quay events.

Resolved, “That particulars of the report and the progress made against performance indicators in the Environment and Regeneration Department Service Plans as relevant to the Regeneration and Community Committee for quarter one of 2024/25 be noted on the minutes.”

**A9. Items for Future Report**

The Committee considered a report submitted by the Democratic Services Officer regarding reports for future consideration by the Committee.

Resolved, “That particulars of the matters for future consideration and discussions be noted on the minutes.”

**A10. Date and Time of Next Meeting**

Members were advised that the next scheduled meeting was due to take place on Tuesday, 15<sup>th</sup> October, 2024 at 10.00am.

Resolved, “That the date and time of the next meeting be noted on the minutes.”

**PART B –**

***Matters requiring Executive Committee approval***

**B11. Update on Noble’s Park Pitch Improvements**

The Committee considered a report submitted by the Head of Parks to update on progress in relation to a potential contribution from Douglas and District Football Club (the Club) towards the cost to undertake the Noble’s Park football pitch improvement works.

Members were reminded that in June 2024 the Committee had resolved that officers liaise with the Club to discuss a funding contribution to support the construction works required to level out and upsize the existing pitch. A meeting was subsequently held with the Club, and it was agreed that a £10,000 contribution would be paid upfront by the Club in exchange for a seven-year lease of the pitch with a 45% rate discount and priority booking over the period. The Club had initially requested exclusive use of the pitch, however, officers deemed that it would be more appropriate to offer the pitch hire as priority to the Club so the pitch can still be utilised at other times by other clubs/community groups such as schools. It was noted that the Club will play approximately 30 home matches per season on the pitch, it was suggested that the pitch hire be capped at this figure.

Officers explained that due to the specialist nature of the work an exercise to source a contractor had determined there was only one contractor on the island that could undertake the works. It was recommended that Standing Order 146(f) be invoked, which provides an exemption from the normal tendering process where specialist skills are required, if authorised by the Executive Committee.

Resolved, “That particulars of the report be noted on the minutes and;

- (i) The offer by Douglas and District to contribute £10,000 (approximately 25%) towards the cost of the works be accepted;
- (ii) A seven-year agreement from the start of the 2024/25 season to the conclusion of the 2030/31 season be issued;
- (iii) A 45% hire rate discount and priority booking over seven-years for each home match (approximately 30) be agreed;
- (iv) The matter be referred to the Executive Committee to request £30,000 for the remaining 75% of the total work costs, to be funded from Reserves;
- (v) The improvements of the Noble’s Park football pitch utilising an on-island contractor with specialist experience of carrying out works on sports pitches be approved; and
- (vi) The matter be referred to the Executive Committee seeking an exemption from tendering under Standing Order 146(f) due to specialist skills.”

*On resolution (iv) there were 2 votes For, and 2 votes Against – The Chair exercised his casting vote in favour of the Motion. Mr Councillor J.E. Skinner and Mr Councillor S.R. Crellin requested their names be recorded as voting against the resolution.*

**PART C –**

***Matters requiring Council approval***

**C12. Willaston Manor Park Pathways Resurfacing**

The Committee considered a report submitted by the Assistant Chief Officer (Environment) to advise on the outcome of the tender returns for the pathways at Manor Park Willaston, and permission to submit a petition to the Department of Infrastructure.

Members were reminded the Committee had previously agreed to overlay sections of the pathway and reinstate smaller areas in the area of Manor Park Willaston. A tender exercise was subsequently undertaken, and two tenders were returned for the project. It was noted that both tenders returned within the estimated budget.

Resolved, “That particulars of the report be noted on the minutes and;

- (i) The tender received from JCK Limited be accepted; and
- (ii) That the Council approve the Chief Executive to petition the Isle of Man Government in the sum of £137,183.44 being the amount to defray cost of the works.”

The meeting ended at 12.15pm.

VI(viii) – The proceedings of the ENVIRONMENTAL SERVICES COMMITTEE as follows:

# ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 16<sup>th</sup> September, 2024.

Members Present: Mr Councillor F. Horning (Chair), the Mayor, Mr Councillor J.E. Skinner, Councillor Ms J. Thommeny, Mr Councillor P.J. Washington.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Finance Manager (Mr E. Skinner) (Items A1 to A5 and B14), Dilapidation Enforcement Officer (Mr S. Salter) (Items A6 to A11), Democratic Services Officer (Mrs D. Atkinson), Assistant Democratic Services Officer (Mrs C. Maddocks).

## REPORT

### **PART A –**

#### ***Matters delegated to the Committee***

##### **A1. Apologies**

No apologies for absence were received.

##### **A2. Declarations of Interest**

No declarations of interest were received.

##### **A3. Minutes – 15<sup>th</sup> July, 2024**

The minutes of the meeting held on Monday, 15<sup>th</sup> July 2024 were approved and signed.

##### **A4. Matters Arising from the Minutes**

*Clause B11 – Recycling Boxes Policy*; It was noted that a briefing note would be circulated to the Committee to update on attendance at the exhibition. In response to question, the Committee agreed that the trolley box recycling receptables should not be revisited. As part of this briefing note further information on the four-box recycling consideration would be provided.

The Committee were advised that Executive Committee had requested that the funding for the RWM Exhibition be budgeted for in future years but that a report requesting approval for attendance still be forthcoming.

##### **A5. Quarter One Service Plan Performance Monitoring 2024/25**

The Committee considered a report submitted by the Director of Environment and Regeneration to update on the performance made against measures as outlined in the Environment and Regeneration Service Plans as relevant to the Environmental Services Committee.

Appended to the officer's report were the measures as outlined in each Service Plan together with an update on the performance as at the end of quarter one 2024/25. A red, amber, green and black status had been applied to each measure.

Members noted that for quarter one:

- Due to technical issues with the Building Control Management software, it had not been possible to obtain the necessary information to report on the key performance indicators. The issue is being rectified and missing performance data from quarter four 2023/24 and quarter one 2024/25 will be reported in Quarter Two;
- Within Electrical Services, six out of 21 measures are behind target due to recruitment difficulties. All other measures are on target, two measures are complete;
- In Fleet Services, three out of nine measures are slightly behind target, two due to factors beyond the Council's control. The remaining measures are on target;
- Within Community & Enforcement, four measures out of 23 measures are behind target due to changes in advice and workload pressures from a depleted team. All other measures are on target without issue;

- In Waste Services, two out of 17 measures are behind schedule – due to sickness and trade customers. All other measures are on target, one measure is complete.

Resolved, “That particulars of the report be noted on the minutes and that the progress made against performance indicators in Service Plans for quarter one 2024/25 be noted.”

#### **A6. Council Planning Scheme of Delegation – Planning Applications for Domestic Wind Turbines**

The Committee considered a report submitted by the Dilapidation Enforcement Officer seeking approval to update the Council’s planning scheme of delegation to include domestic wind turbines. A copy of the proposed updated scheme of delegation was appended to the officer’s report at appendix two.

Members were advised that planning legislation in England and Wales allows for the installation of domestic wind turbines under permitted development subject to compliance with the Microgeneration Certification Scheme Planning Standards or equivalent standards which in essence are to limit the negative impact a turbine may have on the visual appearance of a neighbourhood as well as any detrimental effects a turbine may have by way of noise pollution.

It was noted that there is no such legislation on the Isle of Man, with full planning permission being required for the installation of any type of domestic wind turbine. Until the Isle of Man adopts a similar type of permitted development legislation to that in England and Wales, Council officers consider that adding domestic wind turbines to the planning scheme of delegation will ensure applications of this nature are considered by the Committee to allow informed decisions to be made on the merits of each application after taking into consideration other expert comments relating to the effects an installation may have on the residents of neighbouring properties, wildlife and the built environment.

The Chair expressed concerns over the current lack of guidance in relation to the installation of domestic wind turbines and asked the Dilapidation Enforcement Officer to liaise with the Isle of Man Government in relation to the introduction of further guidance and/or a policy on domestic wind turbine developments.

Resolved, “That particulars of the report be noted on the minutes and that the Planning Scheme of Delegation be amended to include the words in italics below;

- *Domestic wind turbines whether attached to a property or free standing domestic wind turbines within the curtilage of a property.*”

#### **A7. Planning Application 23/00128/B – 40 Peel Road – Appeal consideration**

The Committee considered a report submitted by the Dilapidation Enforcement Officer to consider the Planning Committee’s decision to refuse planning application 23/00128/B for the conversion of a residential site to a block of four residential apartments at 40 Peel Road, Douglas.

Members were reminded that the application had previously been considered by the Committee on 13<sup>th</sup> March 2023 when it had been resolved to raise an objection against the proposed development. Subsequently, the applicant provided amended plans showing changes to the bin/recycling storage arrangements as well as improvements to the site layout which were deemed to be satisfactory by the Department of Infrastructure. Following a review of the amended plans, and in consultation with the Chair of the Environmental Services Committee and Director of Environment and Regeneration, the Council’s objection was withdrawn. It was noted that the planning authority was informed in writing on 25<sup>th</sup> June 2024 that the Council had withdrawn its objection to the proposals.

Members were advised that the application has now been considered by the planning authority resulting in the decision being made to refuse the development. The reasons for refusal relate to the perceived detrimental effects the development would have on some of the existing properties close to the site. Reasons for refusal included detrimental impact on the street scene and the existing terrace due to the overall mass and height of the new development, unacceptable overlooking and loss of privacy to some of the neighbouring properties, loss of light to some of the neighbouring properties and that the development may prejudice the future development of another brownfield site in close proximity.

Council officers consider that although the highways related matters and issues relating to bin/recycling and bicycle storage had been addressed, the additional planning policies considered by the principal planning officer and the development’s failure to comply with these policies provide sufficient grounds to refuse the application.

The Dilapidation Enforcement Officer advised that the applicant had now lodged an appeal against the Planning Committee’s decision to refuse the development however this did not change the recommendation contained within the report.

Resolved, “That particulars of the report be noted on the minutes, and should an appeal be submitted by the applicant that the Environmental Services Committee does not support the applicant by way of any written submissions or by attending any subsequent appeal hearing if the applicant requests that matters are dealt with by way of a hearing.”

**A8. Planning Application 24/00586/B – Land at Lord Street Car Park, Douglas**

The Committee considered an appraisal of planning application 24/00586/B for the erection of up to 14 storey of mixed use development including a multiscreen cinema (Class 4.4); office space (Class 2.1); 9 commercial units (Classes 1.1 to 2.1); bus information centre; public toilets; bus driver welfare area; 5 bus stands on Lord Street with associated waiting areas; site development and landscaping works; back of house area, plant facilities and circulation space; green roof terrace; 85 residential apartments (Class 3.4); and private parking facilities (91 car spaces) at Land at Lord Street Car Park, Lord Street, Douglas.

Given the size of the application Council officers consider that the key areas for consideration are; the impact the development will have on Douglas city centre including any impact on the nearby conservation areas; the principle of development and whether this development complements/complies with the key objectives within the relevant area plans/strategic plan; highway related issues; waste/recycling storage and collection; the inclusion of public amenities by the developer and the lack of affordable housing provision; open space provision; flood risk and any other environmental concerns.

Members discussed the proposals at length, in particular the aesthetics of the proposed development, the provision of open space, the design and massing of the proposed buildings and current infrastructure surrounding the site. During discussion a Member raised grave concerns over fire safety for the proposed development and raised question about the evacuation procedure of the cinema.

A Member raised further concerns over the current infrastructure surrounding the site and whether the additional traffic in the area could be managed.

The Committee expressed disappointment that no provision for affordable housing had been included by the applicant.

Cognisant of the history of this site, its current use as an unmanaged car park and the negative effect it is having on this part of Douglas, Council officers concluded that a development of this nature should be supported. It is acknowledged that the DfE Business Agency has submitted comments supporting the development and it is accepted that the proposals, if approved, would transform this rundown brownfield site in the centre of Douglas.

Resolved, “That particulars of the report and discussion be noted on the minutes and that support be given to planning application 24/00586/B conditional upon;

- (i) All highway related matters being resolved to the satisfaction of the Department of Infrastructure’s Highways Services Division;
- (ii) Ecology/Environment. The Council notes the comments made by the DEFA Fisheries and Ecosystem Policy Teams and supports their requests for further detailed information relating to the Douglas Bay Nature Reserve which the applicant has failed to reference within their Environmental Impact Assessment. The Council would kindly ask that all environmental matters be resolved to the satisfaction of the Fisheries and Ecosystem Policy Teams prior to any approval of the application; and
- (iii) Although the Council accepts that matters relating to fire safety within the proposed development may be considered separate to material planning considerations, concerns were raised in relation to fire safety that must be carefully considered as part of any Building Control application.”

**A9. Planning Application 24/00786/B – Marina Hotel, 47 Loch Promenade, Douglas**

The Committee considered an appraisal of planning application 24/00786/B for the conversion, including alteration and extensions, of a former hotel to nine apartments with bicycle and bin storage at the Marina Hotel, 47 Loch Promenade, Douglas.

Members were advised that Council officers have reviewed the application against several planning policies, and it is considered that the development complies with the relevant policies considered. It is accepted that the bicycle storage area does not fully meet the guidance within the Manual for Manx Roads, however, the applicant has acknowledged this shortfall and has provided an explanation.

The report advised that both the proposed bin and recycling storage meet the Council’s requirements, and it is considered that the development will not impact on the existing bin/waste issues in the rear lane. If approved the development will also make a welcome, albeit a small contribution towards affordable housing.

It is recommended that the application be supported as the perceived benefits of bringing back this vacant rundown property to full use outweigh any issues relating to bicycle storage.

The Chair raised concerns over security of the bicycle storage area and requested that a condition be included within the Council's response to the Planning Committee.

Resolved, "That particulars of the report and discussion be noted on the minutes and that support be given to planning application 24/00786/B conditional upon;

- (i) Any flood related matters being resolved to the satisfaction of the Department of Infrastructure's Flood Risk Management Officer. That the Committee expresses its disappointment that the applicant has been unable to fully comply with the bicycle storage guidance within the Manual for Manx Roads but accepts that the benefits of bringing back into use a dilapidated unused building within the Promenade Conservation Area and the creation of nine apartments outweigh any shortfall in bicycle storage, and;
- (ii) The Committee considers that the security of the bicycle storage area could be improved. The Council requests that the applicant considers the security of the bike store including the installation of motion sensitive lighting."

#### **A10. Planning Application 22/01083/B – Isle of Man Breweries Distribution Centre, Douglas**

The Committee considered an appraisal of planning application 22/01083/B for the Construction of 33 light industrial/storage units, alterations to the existing infrastructure together with alterations to the existing warehouse and demolition of existing office block at Isle of Man Breweries Distribution Centre, Old Castletown Road, Douglas.

Members were reminded that the application had previously been considered by the Committee on the 14<sup>th</sup> November 2022 when it had been resolved to raise an objection against the proposed development. It was noted that based upon the amendments and updated information provided by the applicant, Council officers consider that the applicant has addressed some of the previous issues that resulted in an objection being raised. Despite the applicant's changes to mitigate the loss of trees with additional planting around the boundary of the site, DEFA's Forestry officer has determined the loss of trees as being unacceptable despite the improved planting around the site's perimeter.

It was noted that the DOI Highways Services officer no longer objects to the proposed development and the economic benefits that the development would bring has led to the DfE Business Agency supporting the proposals. Based upon the planning policies considered within the appraisal, officers consider that the Committee's original objection stands.

Resolved, "That particulars of the report be noted on the minutes and that an objection be raised against planning application 22/01083/B objection until such time that the issues relating to the loss of trees has been addressed to the satisfaction of the DEFA Forestry officer. If a compromise can be found either through fewer trees being removed or an increase in the number of new trees being planted to mitigate the loss it would then be possible to support the application."

#### **A11. Schedule of Dilapidated, Ruinous or Dangerous Properties**

The Committee considered a schedule of properties in a state of dilapidation or disrepair. Members noted that two properties had been added to the schedule since the last meeting; two properties had been removed because work had been completed; and a total of fifty-two properties remained on the list. This equates to 0.35% of the total number of properties in Douglas.

Resolved, "That the schedule of dilapidated properties be noted and approved and that the Director of Environment and Regeneration be authorised to progress improvements to the properties, and report back to Committee if service of Notice and/or legal action is required."

#### **A12. Items for Future Report**

The Committee noted a report submitted by the Assistant Democratic Services Officer with an appendix setting out a number of reports that would be brought forward for consideration by the Committee in due course.

Resolved, "That particulars of the matters for future consideration be noted on the minutes."

#### **A13. Date and Time of Next Meeting**

Members were reminded that the next scheduled meeting of the Environmental Services Committee was due to take place at 10.00am on Monday, 14<sup>th</sup> October 2024.

Resolved, "That the date and time of the next meeting be noted."



***PART B/C –***

***Matters requiring Executive Committee and Council approval***

**B/C14. Service Centre Car Park Resurfacing - Tenders**

The Committee considered a report submitted by the Assistant Chief Officer (Environment) advising on the tenders received for the resurfacing works at Douglas City Council's Service Centre Car Park and seeking approval to invoke Standing Order 91 for the submission of a petition.

Members were advised that tenders were invited and returned by the closing date of Friday 12<sup>th</sup> July 2024, and it is recommended that the tender submitted by JCK Limited be accepted as it is considered competitive and value for money.

Members were advised that the project has taken a considerable amount of time to reach tender stage due to the time taken to receive planning approval and due to availability of the relevant external engineers to carry out site investigation.

As works to the car park are considered a health and safety issue and to avoid any further delays to the project, it is recommended that Standing Order 91 be invoked to enable submission of the petition application ahead of full Council approval.

If invoked by the Executive Committee, this will allow the petition to be submitted by the Chief Executive prior to consideration by the Council. Members were advised that should the Council vote against the recommendation; the petition can be withdrawn.

Resolved, "That particulars of the report and discussion be noted on the minutes and;

- (i) That the tender submitted by JCK Limited be accepted;
- (ii) That the Chief Executive be authorised to petition the Department of Infrastructure for borrowing powers in the sum of £316,887.27, being the amount required to defray the costs of the works; and
- (iii) That the matter be referred to the Executive Committee to seek approval invoke Standing Order 91 to approve the Chief Executive to submit the petition prior to consideration by the Council."

The meeting ended at 12.07pm.

IX – Motions, of which Notice has been given by Members of the Council pursuant to Standing Order 26:

## MOTIONS

1. Mr. Councillor D.R. Watson to move:

“That Douglas Council undertakes efforts to encourage the extension of both the location and the time period for the pedestrianisation of North Quay, with a view to permanently pedestrianising the area.”

*Upon being moved and seconded, the Motion shall stand referred to the Regeneration and Community Committee for consideration and report to the Council by 8th January, 2025.*

2. Mr Councillor D.R. Watson to move:

“In exceptional circumstances, tenants who come to the end of their tenancies, should be offered a further twelve-month contract until such time as the Department of Infrastructure sets new financial thresholds for eligibility to remain in social housing.”

*Upon being moved and seconded, the Motion shall stand referred to the Housing and Property Committee for consideration and report to the Council by 8th January, 2025.*