



City of Douglas

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

City Hall,
Douglas,
8th November, 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, 13th NOVEMBER, 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 be 'C. Teare'.

For: 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, 9th October, 2024.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Tuesday, 29th October, 2024.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, Mr Councillor I.J.G. Clague, Mr Councillor F. Horning, Mr Councillor F. Schuengel (Vice-Chair of Regeneration and Community Committee), Mr Councillor D.R. Watson.

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr A.J.T. Boyd), Director of Environment and Regeneration (Mrs D. Eynon), Director of Housing and Property (Mr D. Looney), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe) (Clauses A8 and C15), Head of Digital and Information Services (Mr D. Yates) (Clause C15), 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.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes

The minutes of the meeting held on Thursday 26th September 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

There were no referrals from the public minutes of the Environmental Services Committee meeting held on Monday 14th October 2024.

A6. Referrals from the Regeneration and Community Committee

There were no referrals from the public minutes of the rescheduled Regeneration and Community Committee meeting held on Wednesday 23rd October 2024.

A7. Referrals from the Housing and Property Committee

The Committee considered the following referral from the public minutes of the Housing and Property Committee meeting held on Wednesday 16th October 2024:

Clause B3 – Use of the Sheltered Housing Communities Fund: the Committee had considered a report by the Housing and Property Operations Manager seeking to progress the replacement of apartment and communal locks at Ballanard Court and Waverley Court Sheltered Housing Complexes; and to progress Phase 2 of the implementation of fire alarm devices at Waverley Court.

The works were considered essential to guarantee the implementation of safety, security, and accessibility enhancements in the sheltered housing complexes. It had been noted that the Sheltered Housing Reserve Fund had sufficient monies available and the vires to cover these works, and approval was accordingly sought from the Executive Committee for the use of monies from that Reserve Fund.

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

(ii) That the resolution of the Housing and Property Committee be endorsed, and that authority be given for the use of £27,145 from the Housing Community Facilities Reserve for the replacement of apartment and communal locks at Ballanard Court and Waverley Court Sheltered

Housing Complexes and for the progression of Phase 2 of the implementation of fire alarm devices at Waverley Court.”

A8. Consultation Document – Definition of Development Order and Registered Building Regulations

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 work was ongoing to reform a number of areas of planning legislation and, as part of the Built Environment Reform Programme, the Cabinet Office was seeking views on two pieces of draft secondary legislation which were to be made under the Town and Country Planning Act – a Definition of Development Order and updated Registered Building Regulations.

The changes being made to the Act were in relation to demolitions; demolitions in conservation areas; repairs and rebuilding works; hard surfacing of domestic gardens; and exterior painting of buildings.

The Consultation Working Group had discussed a proposed response on behalf of the Council, which was now considered accordingly by the Committee. It was noted that the closing date for submissions had been 23rd October 2024, however, an extension had been granted in order to allow this consideration by the Committee.

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

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

A9. Statement of Accounts

The Committee considered a written report by Director of Finance in relation to the Statement of Accounts for the year ending 31st March 2024.

The Accounts and Audit Regulations 2018 required local authorities to have their Statement of Accounts approved and certified by an external auditor by 31st October each year. In accordance with those Regulations, the Director of Finance, as Responsible Financial Officer, had approved the issue of the Council’s accounts for audit in June 2024 and Committee approval of the Accounts was therefore now required in order to comply with the Regulations.

As in previous years, the Council’s auditor required that a Letter of Representation, signed by the Authority, be issued alongside the financial statements. This provided added assurances to the auditor on the accuracy and integrity of the accounts, in order that certification could take place.

It was noted that the Audit Completion Letter from the external auditors had not yet been received, as audit clearance from the Tynwald Auditor General had only just been received that day. The Director of Finance advised that there would be a number of issues listed in the letter, and that these would be brought to the attention of the Committee by way of a Briefing Note.

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

(ii) That the Council’s Statement of Accounts for the year ended 31st March 2024 be approved;

(iii) That the Letter of Representation to the Council’s external auditor be approved and signed accordingly; and

(iv) That the Director of Finance circulate a Briefing Note to Members of the Committee, setting out any issues contained in the Audit Completion Letter from Baker Tilly Isle of Man Limited and the officer responses thereto.”

A10. Monthly Financial Review – September 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.

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

- The rates collection figure of 87.6% for the April to September 2024 period, which compared well with the target figure of 84.5% and 88.8% for the previous year’s equivalent.”

A11. Fleet Services – Disposal of Equipment

The Committee considered a written report by the Head of Fleet Services and Stores detailing a number of small used items of plant and equipment that had been sold in the second quarter of the 2024 / 2025 financial year in accordance with Standing Order 161, 'Disposal of Surplus Property, Materials, etc'.

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

- (ii) That the Schedule of Vehicles and Plant sold, and the income achieved at auction in the sum of £21,860.00 excluding VAT and less auctioneer's commission in the sum of £1,093.00, giving net income on the day of £20,767.00 also be noted."

A12. 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."

A13. 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."

A14. Time and Date of Next Meeting

The time and date of the next scheduled meeting was confirmed as 2.00pm on Thursday 28th November 2024.

PART C –

Matters subject to Council approval

C15. Councillor and Independent Member Code of Conduct and Digital Information Councillor Code of Practice

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) seeking approval of a revised Councillor and Independent Member Code of Conduct and a Digital Information Councillor Code of Practice.

All Councils were required to have a local Councillor Code of Conduct under Section 27 of the Local Government Act 1985. Members were advised that the Council had approved and adopted the Isle of Man Government and the Environment Corporate Governance Principles and Code of Conduct (Local Authorities) in March 2012, implementing them in April 2012. Since implementation, there had been just one amendment to Part A (in August 2013), when the Standards Committee had approved the inclusion of the appendix – 'Guidance for Members on Use of Council Resources'.

It was noted that the Local Government Association (UK) had, after extensive consultation, developed a Model Councillor Code of Conduct. This Code had been designed to protect the democratic rule of the Councillor, encourage good conduct, and safeguard the public's trust in local government. With the necessary amendments to make it personal to Douglas City Council, a revised Councillor and Independent Member Code of Conduct was accordingly recommended for adoption.

Members also noted that the current Internet, Intranet, and Email Code of Practice, which formed Part I of the Council's Constitution, had been introduced in 2010 and since that time there had been no updates to it. As best practice had changed significantly since then, it was recommended that the Digital Information Councillor Code of Practice be adopted in line with the recently-approved Staff Policy for the use of Digital Services (2024).

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

- (ii) That it be recommended to Council that the revised Councillor and Independent Member Code of Conduct be approved to replace Part A in the Council's Constitution, 'Members' Code of Conduct' (2009); and
- (iii) That it be recommended to Council that the Digital Information Councillor Code of Practice be approved to replace Part I in the Council's Constitution, 'Internet, Intranet, and Email Code of Practice' (2010)."

The Committee rose at 4.15pm.

VI(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, 16th October, 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), Housing & Property Operations Manager (Mr J. Chatwood), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Democratic Services Officer (Mrs D. Atkinson).

REPORT

A1. Apologies

There were no apologies for absence.

A2. Declarations of Interest

Mr Councillor S.R. Crellin declared an interest in item B7– garage fees and charges.

A3. Minutes – 18th September 2024

The minutes of the meeting held on Wednesday, 18th September 2024 were approved and signed.

A4. 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.

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 1st August 2024, twenty-three properties had been returned by tenants, and ten void properties have been completed.

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

A5. 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.”

A6. Date and Time of Next Meeting

Members were advised that the next monthly meeting was scheduled to take place at 10.00am on Wednesday, 20th November 2024.

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

PART B –

Matters requiring Executive Committee approval

B7. Use of the Sheltered Housing Communities Fund

The Committee considered a report submitted by the Housing and Property Operations Manager to progress the replacement of apartment and communal locks at Ballanard Court and Waverly Court sheltered complexes and to progress phase 2 of the fire alarm devices at Waverly Court.

The report explained that due to the restricted Housing Maintenance Budget available, alternative funding for the projects had been identified within the Sheltered Housing Reserve Fund. The report provided a breakdown of the costs, the total costs of the works was £27,145. Members were advised that the works are considered essential to guarantee the implementation of safety, security and accessibility enhancements in the sheltered housing complexes.

The Sheltered Housing Reserve Fund had sufficient monies available and the vires to cover the works, however, Executive Committee approval was required to authorise the use of a Reserve fund.

Resolved, “That particulars of the report be noted on the minutes and funds be allocated from the Sheltered Housing Community Reserve Fund, subject to Executive Committee approval, for the replacement of apartment and communal locks at Ballanard Court and Waverly Court sheltered complexes and implementation of phase 2 of the fire alarm devices at Waverly Court.”

PART C –

Matters requiring Council approval

C8. Solar Photovoltaics (PV) Panel Framework

The Committee considered a report submitted by the Assistant Property Manager (Assets) to progress the installation of solar PV panels to Council premises.

The report explained that two Council buildings, the Operational Service Centre and Ballaughton Nurseries, have been identified that would benefit from the installation of solar panels. This was based on the Environmental Energy Audit undertaken in 2022/23.

The proposed solar panels at the Ballaughton Nurseries site would be placed at ground level and include extra groundworks to install frames for the panels. In addition, battery storage units would be supplied and fitted. The panels for the Operational Service Centre would be installed directly on to the roof.

A tender exercise was undertaken for the works, and four tenders were received by the closing date and evaluated using a 50/50 split on quality and price. The report recommended accepting the tender from Stewart Clague Services and petition approval be sought to fund the framework. It was noted that the petition fee also includes additional work items and an uplifted client risk.

The Committee were advised that the installation of the PV panels will reduce the use of electricity from the grid, provide green energy and reduce the carbon footprint of the Council. The estimated pay back for the scheme is approximately 5 to 7.5 years.

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

- (i) The solar PV panel capital design stage 13 report be approved;
- (ii) Stewart Clague Services Limited be appointed to act as the design and build contractor for the solar PV panels installation works to be undertaken at the Operational Service Centre and Ballaughton Nurseries and their tender be accepted; and
- (iii) The Chief Executive be authorised to submit a petition to the Department for Infrastructure for funding in the sum of £222,750 being the total capital borrowing required for the project.”

The meeting ended at 12.41pm.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 23rd October, 2024.

Members Present: Mr Councillor J.E. Skinner (Chair), the Mayor (to 11.40am), Mr Councillor S.R. Crellin, Mr Councillor F. Horning, Mr A. Thomas (Independent Member).

In Attendance: Director of Finance (Mr A.J.T Boyd), Assistant Chief Officer (Finance) (Mr M. Quayle), Assistant Chief Officer (Project) (Mr E.P. Pierce) (Items A1 to A6 only), Assistant Chief Officer (Human Resources) (Mrs C. Ashton) (Items A1 to A5 only), Democratic Services Officer (Mrs D. Atkinson). Mr A. Beedall, Mr R. Hawke and Ms K. Gore (Capita).

REPORT

PART A –

Matters within the scope of the Committee’s delegated authority

A1. Apologies

Mr Councillor I.J.G. Clague submitted apologies for absence.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 11th September, 2024

The minutes of the meeting held Wednesday, 11th September, 2024, were approved and signed.

A4. Matters Arising

There were no matters arising raised.

A5. Training – General Pensions Framework

The Committee received a training presentation from Mr A. Beedall on the general pensions’ framework. The presentation gave an overview on the different types of pensions, and the legislation that has impacted or shaped the IOMLGSS.

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

A6. Pensions Fund Annual Report

The Director of Finance advised that the 2022/23 accounts are not yet ready to be presented to the Committee for approval. He explained that he had hoped they would be finalised for the Committee meeting, but additional delays had occurred due to questions raised by the auditors after Capita submitted the accounts. A meeting had been held with Capita’s new Client Director who had assured officers that Capita are working with the auditors to address the queries. It is hoped that the accounts will be presented to the November Pensions Committee.

Mr Hawke and Ms Gore attended the meeting to discuss the matter with the Committee. Mr Hawke explained that internal issues within Capita had caused the delay in presenting the accounts. He advised he has recently been appointed to the position of Client Director and has reviewed the current accounting methods and discussed a new procedure to streamline the process in future years, ensuring repeated delays do not reoccur. He apologised on behalf of Capita and understood the Committee’s disappointment and frustration at the time taken to finalise the accounts for audit. He assured that while the 23/24 accounts are delayed due to the previous year, they will be finalised much quicker, and the 24/25 accounts due for Committee consideration in October 2025 will be delivered on time.

In response to question, the Director of Finance confirmed that the auditors have indicated there will be an additional fee due to the extra time and additional information required, and that Capita had previously indicated that the additional costs would be met by them.

Resolved, “That particulars of the update from Capita and the Director of Finance be noted on the minutes.”

A7. Capita Quarterly Administration Report

The Committee received Capita’s quarterly reports for quarter 2 and 3 of 2024. The report covered information on membership movements and casework during the period 1st April 2024 to 30th September, 2024.

Mr Beedall provided a brief overview of the complaints during the periods, and a breakdown of the cases actioned within the relevant service level agreement.

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

A8. Communication Policy Review

The Committee considered a report submitted by the Assistant Chief Officer (Finance) to update the Scheme’s Communication Policy.

Members were reminded that the policy is a statutory requirement that sets out the strategy for providing communication to scheme members, scheme employers and trustees. A copy of the updated policy was appended to the report. The Assistant Chief Officer (Finance) advised that the only suggested change to the document is the addition of a non-mandatory scheme communication item regarding the use of e-mail communications with scheme members where possible.

Resolved, “That particulars of the report be noted on the minutes and the updated Communications Policy be approved.”

A9. Superannuation Scheme Performance Monitoring

The Committee considered a report submitted by the Director of Finance to update on the performance against measures outlined in the Superannuation Scheme Service Plan.

Members had in front of them the actions from the service plan together with an outcome on each. A red, amber and green status had been applied to determine progress in comparison to the action. Members noted that the Pension Fund Annual reports for 2022/23 and 2023/24 were marked as overdue due to the delays from the scheme administrator (Capita). The Scheme reform was also marked as overdue due to delays with the Department of Infrastructure. The Director of Finance advised he expects an update on the reform matter ahead of the November Committee to share with the Members.

Resolved, “That particulars of the report and progress made against the planned actions in the Superannuation Service Plan be noted, and in particular;

- (i) The ongoing delay to the finalisation and audit of the 2022/23 Annual Report be noted;
- (ii) The delay to the finalisation of the 2023/24 Annual Report be noted;
- (iii) The ongoing delay to the Department of Infrastructure’s drafting of the legislative instructions to enable Scheme reform be noted.”

A10. 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. It was noted that an item on potential candidates for the Independent Role from May 2025 onwards is planned for the November meeting together with an additional item on the Responsible Investment policy to collate the responses to the questionnaire issued to the Committee.

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

A11. Date and Time of Next Meeting

The Committee noted that the date and time of the next meeting is Wednesday, 20th November, 2024.

The Director of Finance highlighted that the February 2025 Pensions Committee falls in the half term break which may impact officer and Member availability. The Committee agreed to change the date of the meeting to Wednesday, 3rd March, 2025, subject to the Chief Executive’s approval under Standing Order 90.

The Committee rose at 11.53am.

VI(v) - The proceedings of the EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE as follows:

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE – Minutes of Meeting held on Tuesday, 15th October, 2024.

Members Present: Mr D. Quirk (Onchan) (Chair), Councillor Ms J. Thommeny (Douglas), Mr T. Kenyon (Garff), Mr N. Mellon (Braddan), Mrs A. Davidson (Santon).

In Attendance: Mrs D. Eynon (Douglas), Mr R. Phillips (Onchan) from 2.45pm – 3.40pm, Mr J.C. Whiteway (Braddan), Mr A. Crook (Contractor, Item A4 & B10 only), Mr E. Skinner, (Finance Manager, Douglas), Mrs L. Radcliffe (Douglas, taking notes).

REPORT

PART A –

Matters dealt with under delegated authority

A1. Minutes – 14th May 2024

Approved unanimously and signed.

A2. Matters Arising

A2.1 Update Western Site Communications with Ministers

The Secretary advised that a response had been received from Minister Barber on the 15th May 2024 advising that: -

The Department's Environmental Protection Unit is involved with Waste Management in terms of waste regulation and pollution control. Having spoken with Officers in the Environmental Protection Unit who have confirmed that as the matter is regarding customer service and the management of the Civic Amenity site itself, this matter does not fall under the remit of Department of Environment, Fisheries and Agriculture.

The Minister then reached out to the Business and Contracts Manager, Department of Infrastructure who has provided some further comments on the matter: In 2006 Tynwald approved the principle that allows the public to access all civic amenity sites, however governance and finance matters are handled regionally and as such the Department of Infrastructure also has no say in operational matters.

Under the instruction of the Western Civic Amenity Site Board, the site has for some time turned away people who are not residents from the constituent Authorities (Peel, Patrick, Marown, German and Michael).

Below is a list of reasons, of which there may be more, why the Board decided to restrict access:

- The site is open more than any other on the Island due to being less prone to close due to adverse weather (i.e. wind) conditions. It has been reported that the public have been directed by other CA staff to the WCA in adverse weather conditions;
- The WCA site tends to deal with their weekend operational capacity issues better than other sites. Often the Eastern Civic Amenity (ECA) site cannot accept certain wastes as they are full;
- For a period of time the ECA site operated with a height restriction. Vehicles that couldn't fit under the height barrier were refused access and directed to other CA sites, the nearest one being the WCA site;
- The Clerk to the WCA estimated, for a period of time 10/15% of their waste was from outside their constituent area;
- The issue with Bride & the Northern Civic Amenity (NCA) site also heightened their alert status as they aren't paying into any CA site at the moment.

The Director of Environment and Regeneration advised that some of the reasons given were outdated as (a) the height barrier had been removed from the Eastern Civic Amenity Site some time ago and (b) issues with skips being over capacity had rarely occurred on the new site.

A2.2 Isle of Man Creamery

It was noted that creamery carton collections are averaging 200kg per month and the Director of Environment and Regeneration requested that Committee consider whether to continue with the Creamery recycling at the Eastern Civic Amenity Site costing £3k/year.

The Chair and Committee agreed that the Chair and or Vice Chair meet with the Managing Director of the Isle of Man Creamery ahead of deciding whether to continue providing the service at the Eastern Civic Amenity Site.

A2.3 Men in Sheds

The former Chair asked whether items deposited in the re-use shed in obvious need of repair could be set aside for collection and upcycling by the Men in Sheds charity. The Contractor agreed to explore this further and meet with the charity however, the charity has not yet contacted the contractor.

The representative agreed to reach out to Men in Sheds and provide an update at the next meeting.

The Director of Environment and Regeneration requested that the Committee consider if they wish to go out to Expressions of Interest for this service or that if a report is to be brought back to Committee. It was agreed to wait for an update.

A3. Declarations of Interest

Mr R. Phillips (Clerk, Onchan) declared that his father has a role with Northern Scrap Metals.

A4. Operational Contractors Report

Mr Crook joined the meeting to present the September operational contractor's report.

Item 1.3 Small WEE – it was noted that there is still no disposal route for small electrical items.

Item 1.4 WEEE contract. The Waste Management Unit has confirmed that it is preparing tender documents for the new WEEE contract including batteries and small WEEE items not covered under the current contract. It is anticipated the new contract will commence in January 2025. The contractor advised that storage requirements within the new contract were not yet known and may require additional receptacles at cost to the contractor and therefore the constituent authorities. Further details would hopefully be known by the time of the next meeting.

1.6 Parish of Bride - Bride's withdrawal of funding and membership of the Northern Civic Amenity Site Committee remains a potential issue for the Island's civic amenity sites. Whilst the number of Bride ratepayers is relatively low (approximately 300) and not considered a significant risk, it has led to some disruption and a certain degree of hostility between the Northern Parishes. In addition, the Northern Civic Amenity Site has recently closed their re-use facility, which does open the potential of Northern ratepayers seeking to use re-use facilities at other sites. On the face of it this doesn't present any major concerns and in fact would enhance the re-use facilities, provided that those items are of good re-usable quality and don't need to be disposed of, which would incur a cost for the Eastern Civic Amenity Site and its constituent authorities.

Members asked at an earlier meeting whether the other sites were introducing measures to prevent access to Bride ratepayers, and it was suggested that site users be asked for proof of residency e.g. utility bill. No formal changes have been introduced at the Western or Southern sites, but the Northern site asks that users bring a utility bill for proof of address when attending the site. They have confirmed that this policy is specifically targeted at excluding Bride ratepayers and does not affect ratepayers from other areas on the Island.

It was agreed:

The Contractor's recommendation to not introduce any formal ID process at this stage, but to continue to monitor the situation.

1.9 Bodycams – The Council is currently pursuing permission with the Information Commissioners for the Council's Community & Enforcement Team (City Wardens) to wear body worn cameras, depending on the outcome, it would be the Contractor's intention to seek similar approval for CA site staff using the City Wardens application as a template.

It was agreed:

1. That the report be noted.
2. That the relevant Authorities have approved the request to the uplifted replacement skip programme ahead of the 2024/25 budget round;
3. That the Committee acknowledges the defects have been completed and the retention monies released.

4. That the Contractor monitors the situation closely over the coming months regarding use of the site by those living outside the Eastern area.

A5. Civic Amenity Site Ramsey Town Commissioners

An email has been received on behalf of the Northern Civic Amenity Site Committee and Ramsey Town Commissioners requesting that the Eastern Civic Amenity Site Joint Committee consider the possibility of allowing other parishes to join and contribute to their sites and allow Ramsey residents to contribute to the Eastern Site so they can freely use the facility and if agreeable what would the likely cost be.

The Director of Environment and Regeneration advised there are pros and cons to consider and requested the Committee's Direction of travel before officers spend time working up a report which will consider legality, costs and staffing requirements for Committee.

It was agreed:

That the relevant Authorities seek the views and approval from their Boards.

A6. Northern Civic Amenity Site Letter to Department of Infrastructure

The letter was noted that the Northern Civic Amenity Site are requesting a contribution of £67k from the Department of Infrastructure and a response received from the Department of Infrastructure that this cannot be accommodated from their budget.

A7. Waste Strategy Consultation

The Committee considered in detail a draft response from the Director of Environment and Regeneration.

It was agreed:

The relevant Authorities without delegation rights consider the draft response be submitted as the ECASJC response to the consultation by the deadline for consultation responses.

A8. Defects Liability Report

A report was presented to Committee on the ECAS 12-month defect period.

These defects consisted of:

- Trees died throughout the site and needed replacing;
- Line markings throughout have lifted from the concrete surface;
- Internal door into garage area from the office was catching on the metal threshold strip when the bottom end of the door passed over it;
- Topsoil and reseed area excavated to clear blockage from petrol interceptor;
- Recast gate drop bolt locating plinth in the open position;
- Splashing from the bottom of the down pipes outside the reuse shed;
- Speed bump panel loose.

The Director of Environment and Regeneration confirmed that all the rectification requirements have been completed, checked and confirmed as repaired or renewed by Douglas City Council Project Officer; confirmed by the Clerk of Works and payment made.

A9. Date and Time of Next Meeting

Tuesday 19th November 2024 at 2.30pm.

PART B –

Matters requiring approval by the relevant Authorities

B10. Paper Bring Bank to Local Authorities and Civic Amenity Site Boards

The correspondence from the Department of Infrastructure to cease collection of paper as part of the Bring Bank Contract was noted.

The Department of Infrastructure's Waste Management Unit notified Local Authorities, by email on Monday 30th September 2024 of their intention to discontinue collection of paper as part of the Island's Bring Bank service.

For clarification paper in this context includes, newspapers, white and grey card, office white and magazines.

As part of the Department's justification for discontinuing paper collections, they cite the following factors: -

- Reduction in recovered paper via Bring Bank collections from £1,200 tonnes p.a. to just £200 tonnes p.a.
- Using carbon WARM factors as a means of calculating carbon emissions, the collection, processing and shipping of paper is less effective on carbon reduction than energy recovery through the Energy from Waste Facility.

It is not possible to verify these claims without further information. Douglas City Council has witnessed a significant reduction in paper at the Kerbside by possibly as much as 50% in the past 10 years, due to the reasons outlined in the e-mail. However, the Council was the Bring Bank Contractor between 2012/13 and 2016/17 and the total tonnage of paper processed in that final year was 965 tonnes, which included paper collected as part of the Council's Kerbside Service, as well as Kerbside collections in both Braddan and Port St Mary, it is therefore suggested that the claimed 1,200 tonnes p.a. from Bring Banks would have had to pre-date the introduction of the Kerbside service in 2008. Another factor which may have contributed to the reduced amount of paper in the Government's Bring Bank collections could be due to the expansion of collections across the Island from the recycling collection operator 'Recycle Collect'.

With regards to carbon emissions, the consensus in the international community remains in favour of reduce, re-use and recycle and away from incineration and this is reinforced in the UK Emissions Trading Scheme. The business case for the Island without closed loop recycling at a local level is not as strong as it would be for a UK based authority, but it is also important to ensure that the data used in the carbon calculator truly reflects the situation. For example, using the steam packet's emissions as a factor in the calculation would give a misleading result, the ferry would operate irrespective of the recycling material being shipped. Similarly, trailers used to ship the material is an opportunistic outcome as the trailers bring goods to the island and would still need to travel back to the UK, albeit empty; having loads going both ways helps to keep the cost of import down.

In the absence of any recycling legislation, it is the Council's current policy to recycle all household waste where a viable recycling stream exists and therefore it is proposed that a paper recycling facility continues at the Civic Amenity Site, with the contractor collecting and processing the material, similar to the arrangement with plastic which the Committee agreed to resume after the Government discontinued collections as part of the Bring Bank service. Currently, the site generates on average around 2 tonnes of paper per month (approx. 24 tonnes per annum) and the material is collected on a weekly basis.

The Contractor proposes a charge of £1,200 for 2025/26 to cover the cost of collection, processing and haulage and including the provision of wheeled bins, should the Government remove the current paper bins.

The option not to provide a paper recycling service, could be seen as a retrograde step in the Island's commitment to reducing greenhouse gases and upholding the Island's Biosphere status. Additionally reduced opportunities for householders to recycle paper could lead to increased Energy from Waste disposal costs and the associated rate implications for individual authorities.

It is therefore requested that Committee agree to an additional £1,200 per annum to cover the cost of collection, processing and hauling of paper collected at the site. This is split per authority based on the rateable value and is estimated as follows:

- Garff (5.42%) - £65
- Santon (1.69%) - £20
- Onchan (17.67%) - £212
- Braddan (12.86%) - £154
- Douglas (62.36%) - £749

It was agreed:

That the relevant Authorities seek approval from their Boards for the Contractor to continue to provide a paper recycling service at the Eastern Civic Amenity Site in the sum of £40 per tonne or an estimated £1,200 per annum ahead of the 2024/25 budget round.

The meeting ended at 4.25pm.

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

REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Wednesday, 23rd October, 2024.

Members Present: Mr Councillor A.J. Bentley (Chair) (via Zoom), the Mayor, 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), Assistant Democratic Services Officer (Mrs C. Maddocks).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

There were no apologies for absence.

A2. Declarations of Interest

The Worshipful the Mayor declared an interest in Item A5.

A3. Minutes – 17th September, 2024

The minutes of the meeting held on Tuesday, 17th September, 2024, were approved for signature.

A4. Matters Arising

Clause A4 Matters Arising, Library rebrand – the Vice-Chair reminded members of the debate that took place at the Council meeting held in October 2024. Members were advised that the rebranding will progress as the previous resolution of the Committee stood.

A5. Allotment Tenancy Agreement – Amendment to Rule 31

Under the provisions of the Local Government Act 1985, The Worshipful the Mayor, Councillor Mrs N.A. Bryon-Teare declared an interest in the item and retired whilst it was considered.

Mr P. Glover, Allotment Representative joined the meeting for discussion of the item.

The Committee considered a report submitted by the Head of Parks seeking agreement to amend allotment rule 31.

Members were advised that the proposal to amend rule 31 is in response to a significant increase in fly tipping on the allotment car park over the past three months which is becoming a health and safety issue due to the height of material within the area, most of which is wood chippings and tree stumps.

The Allotment Representative advised that many of the tenants welcomed the wood chippings and make good use of them. The Assistant Chief Officer (Regeneration) advised that the parks department can provide wood chippings to tenants on request.

In response to question, the Head of Parks advised that the only agreement the Council has for the disposal of materials to the site is with the Department of Infrastructure.

To try and minimise the instances of fly tipping it is proposed to amend rule 31 so that tenants will be required to lock the entrance gate padlock when arriving onto and leaving the site. The Allotment Representative questioned whether tenants would in practice comply with locking the gate after every entry to the site, particularly during the daytime when tenants regularly come and go.

There was discussion about the feasibility of installing temporary CCTV on site, Members were advised that the lamppost on site is not suitable as it is near to the entry gate and to enforce against fly tipping, the camera had to capture the act of fly tipping. The Head of Parks advised that officers had explored the option of installing a pole however this had been discounted due to the associated costs.

Whilst Members agreed with the amendment to rule 31, concerns were expressed about how this would be monitored going forward to ensure that tenants are complying with the rule change.

Resolved, “That particulars of the report and discussion be noted on the minutes and that rule 31 within the Allotment Tenancy Agreement, tenant’s rules be amended as follows;

‘Tenants shall take proper precautions for the security of their allotments and the allotment site and will ensure the main entrance gate padlock is locked at all times, when arriving onto the site and leaving the site. Any tenant that uses the main water stop cock should ensure it is turned off after use.’

Mr P. Glover was thanked for his attendance and left the meeting. The Worshipful the Mayor rejoined the meeting at the conclusion of the item.

A6. Request for use of Noble’s Park for an Ice Rink

The Committee considered a report submitted by the Head of Parks seeking approval to enter into a licence agreement for the installation of a seasonal ice rink in Noble’s Park.

Members were advised that the Council had been approached by a company not yet registered on the Island, with a proposal to install a seasonal ice rink in Noble’s Park on the tennis courts. It was noted that the tennis courts would be required from 25th November until 11th January for site set up, operational use and the dismantle phase.

Contained within the report were details of the proposal. If approved, the proposal would bring additional people into Noble’s Park providing a fun, environmentally friendly and safe activity for the local community to enjoy.

Members noted that if approved, the company would need to register with the Isle of Man Government, apply for planning permission for the installation of the temporary structure and entertainment licence for music.

Resolved, “That particulars of the report and discussion be noted on the minutes and subject to registration of the company, planning consent and entertainment license approval, the Committee agrees to enter into a license agreement in principle to install a temporary ice rink on the tennis courts in Noble’s Park for Christmas 2024. An additional refundable deposit to be held against any reinstatement costs.”

A7. Henry Bloom Noble Library Service Plan Monitoring – Quarter Two 2024/25

The Committee considered a report submitted by the Borough Librarian to update on the performance against measures outlined in the Library Service Plan.

Appended to the report were the actions as outlined in the Library’s Service Plan, together with an update on performance as at the second quarter of 2024/25. A red, amber, green, or black status had been applied to each measure. All measures had been applied green (not yet due to start, in progress or on target to complete).

Members also received and noted the user statistics during the quarter which had generally increased.

Resolved, “That particulars of the report be noted on the minutes and the increase in the use of the library apps to download books, audiobooks, magazines, and newspapers be noted;

A8. 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.”

A9. Date and Time of Next Meeting

Members were advised that the next scheduled meeting was due to take place on Tuesday, 19th November, 2024 at 10.00am.

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

The meeting ended at 4.23pm.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 14th October, 2024.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Finance) (Mr M. Quayle) (Items A1 to A6), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Assistant Chief Officer (Environment) (Mr I. Jackson), Dilapidation Enforcement Officer (Mr S. Salter) (Items A7 and A8), Democratic Services Officer (Mrs D. Atkinson)

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Mr Councillor J.E. Skinner submitted apologies for the meeting.

A2. Declarations of Interest

No declarations of interest were received.

A3. Minutes – 16th September, 2024

The minutes of the meeting held on Monday, 16th September 2024 were approved and signed as amended at the October Council Meeting.

A4. Matters Arising from the Minutes

Clause A4- Matters Arising – Recycling Boxes Policy; Following a comment at the October Council Meeting, Members discussed the feasibility of accepting receptacles purchased directly by households such as trolley boxes. It was agreed that a policy on recycling and refuse receptables be drafted for Committee consideration.

Clause A8 - Planning Application 24/00586/B – Land at Lord Street Car Park, Douglas; The Director of Environment and Regeneration advised that although the developer has not yet altered the plans for the redevelopment of Lord Street Car Park, the comments raised by a Member regarding fire safety at the September Committee has resulted in various communications between the fire service and the developer which are still ongoing.

A5. Replacement Pay Machines – Bottleneck Car Park

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek agreement to a one-off revenue growth item for the replacement of the pay machines at the Bottleneck car park.

Members were reminded that a capital project is progressing to replace the two existing shelters in the Bottleneck car park with a single shelter to house both pay machines. The existing shelters are old and rusty and do not provide sufficient protection to the pay machines in a harsh marine environment. Consequently, the machines suffer more breakdowns than their identical counterparts in Shaw's Brow car park.

The machines are seven years old, and although the anticipated design life for the equipment was ten years, the equipment is deteriorating quickly and has further deteriorated since the design project to replace the shelter was commenced. Although the internal components can be replaced, the machine housing and external components are reaching the end of their useful life. The report therefore proposed to completely replace the machines and install the replacements at the same time as the new shelter. The supplier, Newpark Solutions, will need to send an engineer to the island to manage the installation of the payment machines into the new shelter irrespective of whether they are the existing or new machines so it would be cost effective for them to install the new machines as part of the project rather than move the old ones and then return for the replacement of the machines in the future. The report explained that this approach is likely to minimise downtime for the payment system.

It was noted the total project cost was estimated at £27,000 to be funded as a one-off growth item as part of the 2025/26 budget.

Resolved, “That particulars of the report be noted on the minutes and a one-off revenue growth item for budget SW030 Bottleneck Car Park be approved for replacement of the pay machines at the Bottleneck Car Park.”

A6. Request by Tevir Group to Hire Car Parking Spaces in the Bottleneck Car Park

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek approval for the Tevir Group to hire parking spaces in the Bottleneck Car Park during construction of the Villiers Square development.

Members recalled that the Tevir Group secured planning consent for the Villiers Square development and are currently undertaking works in advance of an anticipated start on site in January 2025. Tevir approached the Council to request 15 to 20 spaces in the Bottleneck Car Park for the two-and-a-half-year duration of the project at a commercial rate.

The report recommended charging £120 per space per month for the requested period, which is likely to be the revenue lost by the Council for the spaces. The report explained how this figure was derived. Members supported the figure but requested that the fee increase annually in line with CPI.

In response to question, the Director of Environment and Regeneration indicated that no impact was expected on the use of the Bottleneck car park during the TT festival, as the works would likely pause during the period. Members were also assured that the spaces would be used solely for parking purposes and would not be utilised as a compound area.

Resolved, “That particulars of the report and discussion be noted on the minutes and the request from Tevir Group to reserve spaces for contractor vehicles in the Bottleneck Car Park during the construction period of the Villiers Square development be approved subject to;

- (i) A fee of £120 plus VAT per space be agreed with an annual increase in line with CPI; and
- (ii) Confirmation be sought from Tevir that the agreement will not impact the future use of the car park during the TT period.”

A7. Brewery Development Appeal

The Committee considered a report submitted by the Dilapidation Enforcement Officer to consider the Planning Committee’s decision to permit PA 22/01083/B for the construction of storage units together with alterations to the existing warehouse and demolition of the existing office block at Isle of Man Breweries Distribution Centre.

In November 2022, the Committee objected to the planning application based on comments from the Forestry Officer and DOI Highways Services. The applicant provided additional information that satisfied the Highways Services which resulted in their objection being withdrawn. The applicant also amended the application and provided additional information in an attempt to address the Forestry Officer’s concerns. This new information and amended plans were considered by the Committee in September 2024.

Although the applicant had tried to mitigate concerns regarding tree loss, the Forestry Officer and Ecology Officer maintained their objection on the basis that the number of trees lost remained unacceptable. As a result, the Committee upheld its original objection.

However, the Planning Officer subsequently supported the proposals which were endorsed by the Planning Committee on 30th September. The report explained that while the Committee could appeal the decision, the Council does not have the expertise in this area to provide evidence at a hearing. It was noted that the Council’s objections can however be considered if the environmental experts decide to appeal.

Resolved, “That particulars of the report and discussion be noted on the minutes and an appeal not be lodged against planning application PA 22/01083/B.”

A8. 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; six properties had been removed because work had been completed; and a total of fifty-eight properties remained on the list. This equates to 0.38% 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.”

A9. 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. An additional item to consider a policy for acceptable recycling receptacles was added to the schedule.

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

A10. 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, 18th November, 2024.

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

The meeting ended at 11.16am.

X – MISCELLANEOUS BUSINESS, of which Notice has been given as follows:

MISCELLANEOUS BUSINESS

1. Election of a Member to be the Council's representative on the Isle of Man Municipal Association until April 2025.

The vacancy has arisen through the resignation from the position of Mr Councillor F. Schuengel.