



## **Borough of Douglas**

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**COUNCILLOR MRS CAROL ELIZABETH MALARKEY, JP  
MAYOR**

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Town Hall,

Douglas,

3<sup>rd</sup> January, 2014

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 8th day of JANUARY, 2014, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the TOWN HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

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 Pensions Committee;
- (iii) The Standards Committee;
- (iv) The Eastern District Civic Amenity Site Joint Committee;
- (v) Any other Joint Committee;

VII - Consideration of the report of each Lead Member in the following order:

- (i) Housing and Property;
- (ii) Regeneration and Community;
- (iii) Environmental Services;

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, 11<sup>th</sup> December, 2013.

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

## EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 3<sup>rd</sup> January, 2014.

*Minutes to be circulated separately.*

VI(iv) – 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 Monday, 23<sup>rd</sup> December, 2013.

Members Present: For Douglas Borough Council - Mr Councillor W.M. Malarkey (Member), Mr G. Bolt (Borough Treasurer and Acting Chief Executive), Mr I.J.G. Clague (Borough Engineer). For Onchan District Commissioners - Mr D. Crellin (Member). For Braddan Parish Commissioners - Mr C. Slinn (Member), Mr J.C. Whiteway (Clerk). For Santon Parish Commissioners - Mr N. Kelly (Member).

Apologies: Mr J. Wrigley, Department of Infrastructure.

In Attendance: Secretary – Mr P.E. Cowin. Contractor's Representative - Mr A.J. Donnelly. Department of Infrastructure Representative - Mr J. Quayle. Legal Adviser - Mr J.J. Callin.

## REPORT

### **PART A –**

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

##### **A1. Minutes – 25<sup>th</sup> November, 2013**

The minutes of meeting held on Monday, 2<sup>nd</sup> September, 2013, had been circulated. The Chairman drew attention to some amendments suggested by Mr Quayle at Clause A9 to the effect that Mr Wrigley had advised the Joint Committee that:

- From 1<sup>st</sup> April the Department will no longer subsidise the lease cost of the Eastern Civic Amenity site, which for 2013/14 is just under £70,000; and
- The subsidy of disposal of tv/pc monitors would be phased out over two years with a 50% reduction in 2014/15 and the remainder removed altogether from 1<sup>st</sup> April 2015.

There was some discussion as to whether the matters had been raised during the meeting of the Joint Committee.

**It was agreed: that the minutes be approved as circulated but that the proposed amendments, though not accepted, be noted.**

*Mr Quayle left the meeting temporarily at 3.45pm.*

##### **A2. Rental Charge and Subsidy of TV/PC Monitor Disposal**

The Chairman referred to a letter from Mr Quayle dated 6<sup>th</sup> December, advising that with effect from 1<sup>st</sup> April 2014, the Department would no longer subsidise the rental of the Eastern Civic Amenity Site and instead would charge the rental cost of £70,000 to the Joint Committee. At the same time the Department was to end the subsidy of the cost of recycling TV and PC monitors which would cost the Joint Committee an additional £20,000 per annum.

The Chairman advised that the Council had sought from the Department a copy of the Head Lease of the Site, together with a draft Licence to occupy it, and a copy of the contract for collection of TV and PC Monitors. A response had been received from Mr Quayle advising that neither the Lease nor the contract would be disclosed but that rental agreement would be provided for signature on behalf of the Joint Committee in advance of 1<sup>st</sup> April 2014.

Discussion ensued with the view being expressed that if the Joint Committee was expected to accept the charges, it should be fully informed as to the obligations it was to undertake. There was general acceptance of the rationale behind the charges being passed to the Joint Committee but Members felt strongly that the Joint Committee, which had not been party to the negotiation of either the lease or the recycling contract, if it was expected to pay, should at the very least be aware of the contents of the documents.

Mr Callin advised that under the agreement constituting the Joint Committee, it was bound by the Council's Standing Orders which would require tenders to be sought for any contract for recycling of TV and PC monitors. Members felt it inappropriate to simply fund the contract held by the Department and expressed a preference to tender the operation so that the contract could be controlled by the Joint Committee.

It was suggested that Mr Callin draft a letter to the Department in response, rejecting the Department's refusal to allow the Joint Committee a copy of the lease and the contract for recycling of TV and PC Monitors.

**It was agreed: that Mr Quayle be informed through Mr. Callin that the Joint Committee does not accept the content of the letter of 6<sup>th</sup> December 2013; that tenders be invited for the recycling of TV and PC monitors from the Eastern Civic Amenity Site from 1<sup>st</sup> April 2014.**

*Mr Quayle returned to the meeting at 3.55pm.*

#### **A3. Contracts and lease**

Mr Quayle was advised by the Chairman that the Joint Committee would be writing to him through Mr Callin in connection with the rental and TV and PC monitor recycling charges, seeking copies of the respective documents.

Mr Quayle advised that he had intended to inform the Joint Committee of the content of the documents at this meeting, but accepted that there were differences in views best dealt with formally.

*Mr Quayle left the meeting at 3.58pm.*

#### **A4. Automatic Number Plate Recognition System**

The Joint Committee was reminded that the Department had not provided the advice confirming the legality of operating an Automatic Number Plate Recognition System at the Site.

Mr Callin confirmed that he would consult the Attorney General's Chambers in an endeavour to bridge the difference between the apparent advice of the Attorney General that the system was legal, and his own view to the contrary.

*Mr Callin left the meeting at 4.00pm.*

### **PART B –**

#### **Matters requiring Approval of the Respective Authorities**

#### **B5. Budget 2014/15**

The draft budget for operation of the Eastern Civic Amenity Site for 2014/15 had been circulated.

Attention was drawn to the £81,450 increase in the line "Agencies and Contract Services" which was due mainly to the scheduled rise in disposal costs through the Energy from Waste Plant and resulted in an overall cost to be borne by the Authorities of £534,300.

As a consequence of the Department's proposed amendments to the minutes of the last meeting, the figures had been recalculated to add the additional rental charge of £70,000 and £10,000 for disposal of TV and PC monitors; (the Department's letter of 6<sup>th</sup> December indicated that the latter charge would be £20,000). The overall figure then was £614,300.

The Chairman advised that both the Southern and Western Sites intended to pass on the TV and PC monitor charge to users, and the Joint Committee considered that option. While there would be some administrative costs, it was agreed that they should be recovered along with the disposal costs, and a charge of £6.00 or £8.50 per unit, depending on size, would be appropriate. The provision for this element could therefore be removed from the budget.

The cost of green waste disposal was also considered. At present it is disposed of at Ballanevin at a cost of £22.00 per tonne, but there are considerable haulage costs in taking it there. The Joint Committee asked Mr Donnelly to investigate alternative disposal routes that might effect a saving.

**It was agreed:**

- 1. That with effect from 1<sup>st</sup> April, 2014, a charge of £6.50 or £8.00 per unit, dependent on size, be payable for disposal of TV and PC monitors at the Eastern Civic Amenity site;**
- 2. That the budget for operation of the Site for 2014/15, including an increase of £81,450 in tipping charges and £70,000 Site rental, be approved, the respective authorities to contribute as follows:**

<b>Douglas</b>	<b>£381,370</b>
<b>Onchan</b>	<b>£108,840</b>
<b>Braddan</b>	<b>£71,070</b>
<b>Laxey</b>	<b>£17,040</b>
<b>Lonan</b>	<b>£15,530</b>
<b>Santon</b>	<b>£10,450</b>

The meeting ended at 4.25pm.

VII(i) – The Proceedings of the HOUSING AND PROPERTY ADVISORY COMMITTEE as follows:

# HOUSING AND PROPERTY ADVISORY COMMITTEE

HOUSING AND PROPERTY ADVISORY COMMITTEE – Minutes of Meeting held on Wednesday, 18<sup>th</sup> December, 2013.

Members Present: Mr Councillor D.J. Ashford (Chairman), the Mayor, Messrs Councillors J. Joughin, J.E. Skinner, Councillor Ms K. Angela, Mr Councillor S.C. Cain.

In Attendance: Assistant Town Clerk (from 10.30am to 11.00am), Assistant Chief Officer (Income), Assistant Chief Officer (Housing and Property), Assistant Chief Officer (Corporate and Development), Housing Manager, Assistant Housing Manager (Services), Democratic Services Officer.

## REPORT

### **PART A –**

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

##### **A1. Minutes 20<sup>th</sup> November, 2013**

The minutes of the meeting held Wednesday, 20<sup>th</sup> November, 2013 were approved and signed.

##### **A2. Social Housing Rent Increases**

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) regarding the social housing rental increase for 2014/2015. The report explained that in April 2013 the Executive Committee, in response to issues raised by the Department of Social Care's Housing Review Report, resolved not to implement the Department's revised social housing rental system until at least April 2014. This was done in order to allow more time to fully investigate the implications and alternatives. Instead, the Executive Committee approved a general 11.25% rent increase for all Douglas Council housing properties. This increase was approved by the full Council and implemented from April 2013. The report advised that following further discussions at both officer and political level, together with the results of the Department's Housing Review Report and subsequent Tynwald approval it is now considered appropriate to apply the revised rental pointing system to the Council's housing properties as from April 2014.

The Department of Social Care has now confirmed that a 5% rental increase from April 2014 has been approved by the Minister to be applied to all social housing.

In order to bring the Council's social housing rents back into line with other Housing Authorities on the Island, it is necessary to remove the previously applied 11.25% increase, before adding the 2013 1.8% inflationary increase and then the new 2014, 5% increase using the revised rental pointing system.

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

- (i) Approval be given to implementation, from April 2014 of the Department of Social Care's revised pointing system for Douglas Council housing properties; and
- (ii) The Department's social housing rental increase of 5% for the 2014/2015 financial year starting 1<sup>st</sup> April, 2014 be noted; and
- (iii) Approval be given to the temporary suspension from April 2014 of one rental point for cavity wall insulation for those properties identified on the Council's list of damp properties in the Willaston Estate. This rental point will be applied to properties upon completion of the external refurbishment phases of work."

##### **A3. Waverley Court Hairdressing Salon**

The Committee considered a report on the appointment of a hairdresser for the vacant hairdressing room in order to provide a hairdressing service to residents. The previous hairdresser had provided a service for many years and retired due to ill health.

The hairdressing concession was advertised and three individual, independent hairdressers applied to operate the service within the Waverley Court complex, utilising the existing room which is equipped as a salon.

In response to question, the Housing Manager advised that prior to seeking a new hairdresser a review was carried out to see if the service was still needed and if the room could be better used in a different capacity. It was found that there is still a demand for the service from the residents and no alternative uses can be found for the small room.

The three applications were carefully reviewed. The preferred candidate is very experienced in hairdressing for residents of care homes or sheltered housing.

Resolved, "That the report be noted on the minutes and Ms K Quayle be appointed to operate the hairdressing concession at Waverley Court subject to payment of the concessionary fee for the 2013/2014 financial year."

**A4. Matters for Future Consideration**

The Committee considered the report on matters for future consideration.

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

***PART B –***

***Matters subject to Executive Committee approval***

There were no matters requiring Executive Committee approval.

***PART C –***

***Matters subject to Council approval***

**C5. Town Centre and Ballavagher Estate Kitchen Refurbishments**

The Committee considered a report on kitchen refurbishments for two hundred and thirty-two dwellings in the town centre and on the Ballavagher Estate through the kitchen framework agreement. There is also provision for refurbishment of twenty-four kitchens on the Willaston Estate after external refurbishment works are completed on them.

Resolved, "That the report be noted on the minutes and

- (i) The tender received from Cedar Developments Limited to carry out kitchen refurbishments at the town centre flats and Ballavagher Estate under the provisions of Standing Order 146(a)(iii) for other reasons there would be no genuine competition be accepted; and
- (ii) The Town Clerk and Chief Executive be authorised to submit a borrowing petition to the Department of Social Care in the sum of £2,225,316.17 being the amount required to defray the full capital cost to complete kitchen refurbishments for town centre flats and properties in Ballavagher Estate; and
- (iii) The Department of Social Care be advised that an assessment of the Council's Housing Reserve Fund has been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source; and
- (iv) The Committee noted that Standing Order 151(b), where the works covered by the contract are subject to Government contribution, the limit prescribed in the Government's Capital Procedure Notes will take precedence over this Standing Order and apply to security for performance of the contract.

**C6. Upper Pulrose Outer Ring Refurbishments and Alterations – Phase 4**

The Committee considered a report on kitchen and bathroom refurbishment works to be carried out to houses on the Outer Ring in Upper Pulrose. In November, 2012 the Council approved the business case for these refurbishment works to seventy-six properties with the work to be carried out in Phases. Fifteen properties are included in this phase of work.

Resolved, "That the report be noted on the minutes and

- (i) The tender received from McARD Contractors Limited for kitchen and bathroom refurbishments and alterations of up to fifteen properties on the Outer Ring of Upper Pulrose Estate be accepted; and
- (ii) The Town Clerk and Chief Executive be authorised to submit a borrowing petition to the Department of Social Care in the sum of £256,112.31 being the amount required to defray the full capital cost to complete the Phase 4 refurbishment work; and
- (iii) The Department of Social Care be advised that an assessment of the Council's Housing Reserve Fund has been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source."

**C7. Douglas Market Hall Basement**

The Committee considered a report seeking approval to appoint a consultant to undertake a survey and prepare a condition report on the basement of the Douglas Market Hall. The basement has not been used for a number of years, and it is not known what work may be required to bring it back into use. The survey and report will form the basis for decision-making on the matter. Quotations were sought from three local structural engineering consultants.



Resolved, "That the report be noted on the minutes and approval given to the appointment of Burroughs Stewart Associates in accordance with their fee proposal and provision of safety items which includes lighting and ventilation. The total expenditure of £2,395 to be funded from the General Reserves Fund."

The meeting ended at 12.05pm.

VII(ii) – The proceedings of the REGENERATION AND COMMUNITY ADVISORY COMMITTEE as follows:

# REGENERATION AND COMMUNITY ADVISORY COMMITTEE

REGENERATION AND COMMUNITY ADVISORY COMMITTEE – Minutes of meeting held on Tuesday, 17<sup>th</sup> December, 2013.

Members Present: Mr Councillor S.R Pitts (Chairman), the Mayor, Councillor Mrs R. Chatel, Mr Councillor G.J. Faragher, Councillor Miss D.A.M. Pitts, Mr Councillor W.M. Malarkey.

In Attendance: Assistant Chief Executive, Assistant Town Clerk, Assistant Chief Officer (Finance), Assistant Borough Engineer, Assistant Chief Officer (Corporate and Development) (Items A1 to A7), Head of Parks, Assistant Democratic Services Officer.

## REPORT

### **PART A –**

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

##### **A1. Minutes –19<sup>th</sup> November 2013**

Minutes of meeting held on Tuesday, 19<sup>th</sup> November, 2013, were approved and signed.

##### **A2. Proposal for a Speaker's Corner**

The Committee considered a report submitted by the Assistant Chief Officer (Corporate and Development) on the proposal of a Speakers' Corner.

At the September meeting of the Committee Members asked the Assistant Chief Officer (Corporate and Development) to seek views from potential stakeholders about the idea of a Speakers' Corner in Douglas.

Members were presented with a summary of the feedback provided from various organisations. The report advised that twenty-two organisations were consulted, fifteen responses were received, thirteen responses were supportive, one response was neutral and one objected strongly to the idea of a Speakers' Corner.

Members were advised that the organisation that objected strongly to the Speakers' Corner was the Isle of Man Chamber of Commerce; both the Chamber Council and the Retail Committee. The Assistant Chief Officer (Corporate and Development) was present at the Chamber's Retail Committee debate regarding the introduction of the Speakers' Corner and the majority of members felt that a Speakers' Corner would be off-putting to shoppers and would discourage them from visiting the town centre.

In view of the concerns raised by the Chamber of Commerce, the Assistant Chief Officer (Corporate and Development) recommended that a series of pilot events in a range of venues be organised and appraised prior to any commitment to the initiative being made.

Members were reminded that the Assistant Chief Officer (Corporate and Development) was asked to explore the potential for Mr Bradley, Director of Speakers' Corner, to return to the Island to make his presentation to all Councillors. Mr Bradley has confirmed he can revisit the Island for a fee of £500 plus expenses. The Assistant Chief Officer (Corporate and Development) advised that there would be a potential for Mr Bradley to address a wider audience, including stakeholders, during his visit.

The Assistant Chief Officer (Finance) advised that the costs associated with Mr Bradley's previous visit, which were expenses only, were funded equally between the Council and the Douglas Development Partnership.

In light of the Chamber of Commerce's reservation about the initiative Members felt it would not be appropriate to spend additional money on a second presentation. Members agreed that a series of pilot events should go ahead prior to considering if Mr Bradley should return to the Island to address Council Members and stakeholders.

Resolved, "That particulars of the report and discussion be noted on the minutes and that a trial event or a short series of events in different locations or venues be organised in order to assess the value, nature and impact of the proposal prior to making a long term commitment to support the Speaker's Corner initiative or not."

### A3. Living Promenade

The Committee considered a report by the Assistant Chief Officer (Corporate and Development) to update on survey results regarding the likely use of outdoor gym equipment on the Promenade and to present more detailed proposals for the distance markers and model solar system.

The Assistant Chief Officer (Corporate and Development) began by discussing the outdoor gym equipment. As requested at the November meeting of the Committee, the Assistant Chief Officer (Corporate and Development) undertook a survey to establish the likely level of use outdoor gym equipment on the Promenade. Members were advised that a survey was carried out online and promoted through the Council's website and Facebook page and the Douglas Development Partnership Facebook page. As a result of a small promotional fee of £15 on Facebook a total of 491 responses were received.

Members noted the survey comprised of two multiple choice questions and an open ended question. The first question asked 'if there was outdoor gym equipment on the Promenade, would you be inclined to use it as part of your fitness programme.' 74.95% of people that answered the survey said yes (368 respondents). The second question addressed the best location for the equipment, 38.28% or respondents suggested the equipment would be best located in small groups of pairs, 34.72% thought single units spread along the Promenade and 27% preferred the option of altogether in one place. The Assistant Chief Officer (Corporate and Development) advised that more research was required into the location of the equipment based on the results.

The third question asked respondents to detail facilities that would encourage them to use the promenade and beach for exercise. The most popular response was distance markers (which were featured in the question as an example) followed by improvements to the cycle lane and drinking water fountains; a request for soft flooring areas was also popular. The report detailed all of the responses received.

A Member suggested the installation of a cold shower at Broadway; it was felt the shower would encourage users on to the beach.

The Assistant Chief Officer (Corporate and Development) went on to discuss in detail the proposed distance markers for the Promenade walkway. Members were presented with a mock-up sketch proposal of how the markers could be installed on both the paving and the railings or parapet wall. Members opined that the floor markers on the Promenade walkway would be preferred as they can show distances in both directions more easily.

Finally, the model solar system was considered, the Assistant Chief Officer (Corporate and Development) advised that further work had been undertaken on the proposal particularly the location of the sun.

The Assistant Chief Officer (Corporate and Development) suggested a suitable location for the sun is the sundial opposite the kiosk located on a circular stone base. Members were advised that the sundial itself is in a fairly poor condition. It was proposed that the sundial receive new brass numeral plates to the six sides of the sundial and the replacement of the lion and shield on top with a metal sun.

Members were advised that the sun would form the centre of the solar system and could be lit at night using remote lamps installed on the three adjacent columns.

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

- (i) Following an online survey demonstrating a high level of support for the installation of outdoor gym equipment, such equipment be installed in groups at locations to be confirmed along the Promenade;
- (ii) Officers be requested to explore the opportunities and implications for installing drinking fountains at locations along the Promenade and a soft surface for floor exercises in a sheltered location as per the requests submitted during the survey and to explore the Member request to install showers;
- (iii) Officers be authorised to make the findings of the survey public, subject to approval of the project by the Council;
- (iv) Members support the further detail in relation to the installation of distance markers and solar system model."

### A4. Douglas Carnival

The Committee considered a report submitted by the Assistant Chief Officer (Corporate and Development) on the Douglas Carnival 2014.

The report updated Members on decisions made at a meeting between Council Officers, the Leader of the Council, the Chairman of Regeneration and Community Advisory Committee and the Champion for Community Events.

Members noted the main conclusions of the meeting were the date change from Sunday, 20<sup>th</sup> July, 2014 to Saturday, 19<sup>th</sup> July, 2014, that the procession should travel the whole length of the Promenade from Strathallan to North Quay with floats parking up in Lord Street Car Park (subject to the consent of the Department of Infrastructure), that there should be 'Fun Style' activities on the Loch Promenade walkway during the afternoon followed by evening activities on North Quay and finally that the Carnival Royal Family element of the original proposals be revised to either a Carnival King or Queen, being a student nominated by the school (Douglas schools only) for their contribution to the community during the year.

The Assistant Chief Officer (Corporate and Development) informed that since that meeting there had been several developments worth noting, firstly, there will be a 'Fun Day' style event planned for the Villa Marina during the afternoon of 19<sup>th</sup> July 2014 followed by a ticketed music event in the Villa Marina itself. The Assistant Chief Officer (Corporate and Development) raised concern that there may be an issue in relation to activities booked, duplicated or unavailable to the Carnival if they are already booked for the private event.

The Assistant Chief Officer (Corporate and Development) relayed advice from the Department of Infrastructure (the Department) regarding the proposed use of the Lord Street and Parade Street car parks. The Department advised that both car parks are potential development sites and cannot therefore guarantee their availability for the event.

Members also noted that the Department has expressed concerns over any potential disruption to access to the Sea Terminal and Port as a result of the passing procession. The Department could choose not to approve the road closure order for the Carnival. The Assistant Chief Officer (Corporate and Development) advised there is a possible solution to this problem by passing the Sea Terminal during the window between the boat departing for Belfast and the boat arriving at Douglas.

The report suggested that running the event from two sites could potentially create issues with creating an experience at both events. The Assistant Chief Officer (Corporate and Development) raised concerns that the number of 'Fun Day' style attractions could be limited as they will be divided between three separate locations. Members were advised that this issue required further work and may have an impact on the budget required.

Members agreed to include a Carnival item on the agenda to be considered monthly.

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

- (i) The date of Douglas Carnival be Saturday, 19<sup>th</sup> July, 2013;
- (ii) That subject to the necessary road closure orders being approved to procession will travel the whole length of the Promenade from Strathallan to North Quay;
- (iii) There will be afternoon 'Fun Day' style activities on the Loch Promenade walkway followed by evening entertainment on North Quay;
- (iv) The Carnival Royal Family element originally proposed be revised to either a Carnival King or Queen, being a student nominated by the school (Douglas schools only) for their contribution to the community during the year;
- (v) The Carnival be considered monthly on the Regeneration and Community Advisory Committee agenda."

#### **A5. 2013 Remembrance Sunday and Armistice Day**

The Committee considered a report submitted by the Assistant Town Clerk on the 2013 Remembrance Sunday and Armistice Day 2013 and seeking guidance on the organisation of the events for 2014.

Members were advised that the Council's Officers involved in the events met to review the two events alongside other Council events held in November 2013. A number of issues were identified as concerns but they are issues that Officers can deal with as part of the event management.

A Member suggested that local schools be contacted and asked to consider sending representatives to the cenotaph on Armistice Day to lay a wreath, it was felt this could encourage the younger generations to attend the service.

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

- (i) The Council organise the annual Remembrance Sunday Service on 9<sup>th</sup> November, 2014 in the same format as 2013;
- (ii) The Council authorise Officers to facilitate the Joint Ex-Services Association holding its Armistice Day Service at the War Memorial on Tuesday, 11<sup>th</sup> November, 2014, including the closure of roads, provision of barriers, sound system etc. and that the Council bear the cost."

#### A6. 2013 Fireworks Display

The Committee considered a report submitted by the Assistant Town Clerk on the 2013 Fireworks Display and seeking guidance for the organisation of the event or otherwise in 2014.

The 2013 Fireworks Display was viewed as successful with over 3000 people gathered on the Promenade to watch it. At an Officer debrief a number of issues were identified and recorded as needing to be addressed should a similar event be promoted in 2014.

Members unanimously agreed to stage a fireworks display in 2014, in light of this decision Members were asked to consider the date of the display, the firing site and the firework supplier.

Members discussed the 2014 firing site; the area of the foreshore used in 2013 was the same as 2012 which was a move from the previous firing site north of Broadway. The report recommended reverting to firing the display from a barge if the display was to go ahead in 2014. This recommendation would also remove a major concern over the preparation compound being on the Promenade footway which is undesirably close to the public.

Members queried the tide times for 2014; the Assistant Chief Officer (Corporate and Development) advised tide times were not favourable for a beach display on 5<sup>th</sup> or 6<sup>th</sup> November. The tide times on the Friday, 7<sup>th</sup> November, 2014 could be workable for a shore fired display and would allow for a bonfire at the event, an element Members viewed as particularly important to the event.

Members considered the supplier of the 2014 Fireworks Display. At the January meeting of the Committee Members resolved to seek tenders for provision of the 2014 display of a comparable quality to the display supplied by Merlin; a DVD of the 2013 display was produced to form the basis of the specification.

Members requested that two costs be sought for the 2014 display, a cost for providing a shore based display and a cost to supply a display to be fired from a barge.

A Motion was moved and seconded for a fireworks display to take place on the 5<sup>th</sup> November 2014, 3 Members voted against the Motion and therefore the Motion fell.

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

- (i) That a fireworks display be promoted in 2014;
- (ii) Submissions be invited from suppliers for the provision of a shore fired and barge fired display;
- (iii) That the date for the display be fixed as Friday, 7<sup>th</sup> November, 2014;
- (iv) That apart from the firing location, which is under consideration, all other elements of the event remain the same."

#### A7. 2013 Christmas Lights Ceremony

The Committee considered a report submitted by the Assistant Town Clerk on the 2013 Christmas Lights Ceremony and to seek decisions on some aspects of the event for future years.

The report recommended Members to consider whether or not to promote a Christmas Lights Ceremony in 2014 and should the Committee decide to promote the event, it be held on the 27<sup>th</sup> November 2014.

The Assistant Chief Officer (Corporate and Development) indicated that a five week period of late night shopping is supported by retailers in Douglas Town Centre. On this basis Members agreed to stage a Christmas Lights Ceremony five Thursdays prior to Christmas on 20<sup>th</sup> November 2014.

Members agreed the location of the event should remain at Ridgeway Street, outside the Town Hall.

A Member raised the idea of a large television in the area to allow the crowds to view the event. It was suggested that a sponsor could be sought for this element of the event.

Members discussed the entertainment provided for the event and asked Officers to consider different acts for the 2014 event.

The Assistant Borough Engineer advised that approximately 3750 people attended the 2013 event.

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

- (i) A Christmas Lights Ceremony be organised for Thursday, 20<sup>th</sup> November, 2014 with the switch-on at 7.00pm;
- (ii) The location be in Ridgeway Street;
- (iii) Officers be authorised to review the event layout to better accommodate the numbers attending;
- (iv) The Department of Infrastructure be consulted on the possibility of earlier road closures and the extensions of the closures to Ridgeway Street Lane."

The Assistant Chief Officer (Corporate and Development) was thanked for his attendance and left the meeting.

**A8. Officers' Debrief – Council Events in November 2013**

The Committee considered a report submitted by the Assistant Town Clerk detailing three issues common to all the events promoted by the Council in November 2013.

The report began by highlighting the fact that each event should have an Event Organiser that is responsible for the overall organisation of the event and oversight on the day. Members noted that a Council Officer is normally nominated but it is important as they undertake these duties, particularly on the day of the event, that they are free from other pressures.

The second common issue identified was the sound and staging provided for the 2013 events. The sound and staging met the specification although there were some minor issues dealt with by Council staff. Members raised concern that Fireworks Display sound coverage was not sufficient and the Christmas Lights staging was still being finalised shortly before the commencement of the event.

Members suggested that in future years the sound and staging contract could include an upfront bond payment or a clause to the effect that late installation of sound and staging will result in a payment deduction.

The third issue identified was the sponsor's request for the Fireworks Display and Christmas Lights Ceremony dates to be changed and the location of banners on the evening of both events.

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

- (i) The Chief Executive be authorised to nominate for each event an appropriate Officer to act as Event Organiser, supported by a suitable management structure, and that the Event Organiser be fully focussed on the day of the event maintaining an overview of preparation and execution;
- (ii) That the specification of the sound system for each event be reviewed and refined to greater detail before the invitation of tenders from local suppliers;
- (iii) That sponsorship for the Council's events in 2014 be invited through advertisement in a local newspaper and on the Council's website on the basis of a specified area of promotional signage at each event to be agreed with the Council's Officers in advance."

**A9. Invitation from Ballymoney Twinning Association for a netball team from Douglas to visit Ballymoney in February 2014**

The Committee considered a report by the Assistant Town Clerk on an invitation received in November 2013 from Mr B Knight, on behalf of Ballymoney Twinning Association, for a netball team to visit Ballymoney from 7<sup>th</sup> to 9<sup>th</sup> February 2014.

Members were aware that the invitation was a received following a visit to Douglas by a netball team from Ballymoney and this visit was for a return fixture.

The report advised that the Twinning and Affiliations budget was £900 overspent following a number of reciprocal visits and it was therefore not recommended that the visit be undertaken during the 2013/14 financial year but accepted for later in 2014 as this type of exchange was viewed as beneficial.

A number of Members agreed that in light of the budget overspend it would not be appropriate to accept the invitation during the current financial year, but would consider the invitation for the next financial year.

The Chairman advised that funds may be available from a private source for all costs associated; Members agreed that if no cost is borne by the Council the invitation would be accepted.

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

- (i) The invitation for a netball team to visit Ballymoney from 7<sup>th</sup> to 9<sup>th</sup> February, 2013, at no cost to the Council, be supported;
- (ii) Councillor Mrs R. Chatel and Mr Councillor G.J. Faragher be nominated to visit Ballymoney with the netball team."

**A10. Business Visit to Ballymoney**

This item was deferred to the January meeting of the Committee.

**A11. Noble's Park – TT Hospitality Marquee**

The Committee considered a report submitted by the Assistant Chief Executive, following a request from the Department of Economic Development (the Department), on the Noble's Park TT hospitality marquee.

A letter, detailed within the report, was received from the Motorsport Development Officer of the Department advising that following arrangements with the Council to leave the temporary hospitality structure in place between the TT and Festival of Motorcycling this year, the Department intend to apply for formal planning approval to do the same in future years.

The report advised that the unit is intended to be in the same location and the planning application would permit it to be in place between May and September (inclusive) each year. The letter also detailed that consideration may be given to allowing its use by the Manx National Rally and Rally Isle of Man for their functions.

The Assistant Chief Executive advised that further information was requested from the Department, particularly in respect of the marquee's usage and in respect of an increased financial offer. The Department subsequently advised that as a result of the intense scrutiny that their budgets were under an increase in fee could not be offered.

With regards to the usage, the report advised that the Department did not currently have any other events planned for the unit, but the Department mentioned alternative usage to keep their options open. The Department confirmed that any opportunity that might arise would be dealt with as and when, with full agreement with Douglas Borough Council and the appropriate authorities.

In answer to question, the Assistant Chief Executive advised that the long term user agreement was no further advanced.

A Member raised concern that the initial agreement was in place to save the tax payer a substantial amount of money to erect and dismantle the marquee between TT and the Festival of Motorcycling, not to raise additional income through hiring the marquee and consequently reducing income for local businesses by providing a similar service.

It was suggested that an additional clause could be inserted into the agreement to state that if an event was to take place in the temporary structure agreement would be required first from the Council and an additional fee and a percentage of the profits would be charged for the alternative use.

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

- (i) The Committee note that the Department of Economic Development intends to submit a planning application to site the TT Hospitality marquee in Noble's Park for the continuous period from the date of the TT handover to post-Festival of Motorcycling;
- (ii) The fee proposal for the 7-week period between TT and the Festival of Motorcycling, be approved, subject to the Department being advised this fee is for ground rent only and events will not be permitted on the site without specific approval by the Council and negotiation of a further fee."

#### A12. **The Hoggery – Noble's Park**

The Committee considered a report submitted by the Assistant Chief Executive, following a request from the Rob Vine Fund, to consider contributing to the cost of a new boiler for the Hoggery, Noble's Park.

Members noted that the Rob Vine Fund, in 2008, offered to take over responsibility of the Hoggery building, (formally known as the Cattery building) on a full repairing lease. The Rob Vine Fund is a registered Manx charity providing medical and rescue equipment and training and medical personnel involved in motorsport events on the Island.

The report advised that the Rob Vine Fund obtained three quotations to fix the boiler and subsequently the boiler was replaced. At the same time the water tank was removed as the new boiler was able to provide hot water. The Rob Vine Fund contacted the Council with a request for financial help towards the cost of the boiler.

Resolved, "That particulars of the report and discussion be noted on the minutes and the request from the Rob Vine Fund to contribute to a new boiler for the Hoggery, Noble's Park, be declined."

For: 3 Against: 2

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

#### A13. **Hutchinson Square**

The Committee considered a report submitted by the Assistant Borough Engineer on the tender returns received for Hutchinson Square.

The Assistant Borough Engineer advised that an advertisement was published in the local press inviting expressions of interest from suitably qualified and experienced civil engineering contractors for the Hutchinson Square refurbishment scheme. Subsequently eleven contractors applied to be included on the select list and seven contractors passed the standard technical and financial checks and were invited to tender.

Members were reminded that the budget for Hutchinson Square had been reduced from £357,400 to £150,000. All six tenders were substantially above the budget figure.

The Assistant Borough Engineer advised that prior to the tender process quotes were obtained for the replacement of railings separately and were considerably cheaper than the tender prices submitted for this element of the work.

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

- (i) None of the tenders received be accepted;
- (ii) The scheme be divided into separate work packages and retendered."

**A14. Items for Future Consideration**

The Committee considered a report submitted by the Assistant Town Clerk regarding reports for future consideration by the Committee.

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

***PART B –***

***Matters subject to Executive Committee Approval***

There were no matters requiring Executive Committee approval.

***PART C –***

***Matters subject to Council Approval***

There were no matters requiring Council approval.

The meeting ended at 1.14pm.



VII(iii) – The proceedings of the ENVIRONMENTAL SERVICES ADVISORY COMMITTEE as follows:

# ENVIRONMENTAL SERVICES ADVISORY COMMITTEE

ENVIRONMENTAL SERVICES ADVISORY COMMITTEE – Minutes of meeting held on Monday, 16<sup>th</sup> December, 2013.

Members Present: Mr Councillor R.H. McNicholl (Chairman), the Mayor, Councillors Mesdames C.A. Corlett, S.D.A. Hackman, E.C. Quirk.

In Attendance: Assistant Town Clerk, Assistant Borough Engineer, Senior Accountancy Officer, Building Control Manager (for items A1 – A14 only), Town Centre Manager (for items A1 – A3 only), Democratic Services Officer.

## REPORT

### **PART A -**

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

##### **A1. Minutes 18<sup>th</sup> November, 2013**

The minutes of the meeting held Monday, 18<sup>th</sup> November, 2013 were approved and signed.

##### **A2. Matters Arising Street nameplates**

A Member reported that a resident had enquired whether three particular streets in the town could have current signs replaced with the old metal – type of nameplate instead of more modern signs. The officer with detailed knowledge of street nameplates was not present at the meeting and other Members were not supportive of the suggestion because the signs do not need to be replaced.

Resolved, “That the discussion be noted on the minutes.”

##### **A3. Shaw's Brow Car Park – Charity Car Boot Sales**

The Committee considered a second report on charity car boot sales in Shaw's Brow Car Park. In September, 2013 the Committee considered an initial report proposing a series of car boot sales in Shaw's Brow Car Park one Sunday a month for a trial period of three consecutive months. The overall aim of the proposal was to increase usage of that car park and increase footfall in the Town Centre on Sundays. There is currently no charge on a Sunday for car parking in Shaw's Brow, so the car boot sales would not lead to reduced income for the car park.

In order that the events would complement, rather than compete with existing retail outlets in the town, the car boot sales would be limited to charities; and it was proposed that for the trial period the sales be organised by, and for the benefit of, the Mayor's Charity. The Committee approved those proposals in September.

The Town Centre Manager reported that following the approvals granted in September, she had approached the four charities who have been nominated as this year's beneficiaries of the Mayor's Charity. Two of the charities responded that they did not have sufficient manpower to organise a car boot sale, one would like to do one in partnership and the fourth replied that they were very keen to organise a car boot sale in February, but possibly the rules of their organisation did not allow them to fundraise on behalf of other charities, although joint fundraising could be allowed. As it was not possible to implement the original proposal, the Committee was asked to consider alternative arrangements. The Committee discussed the matter thoroughly.

Resolved, “That the report be noted on the minutes and approval be given for an approach to be made to all charities currently on the Council's approved list for collection days offering the opportunity to organise a car boot sale in Shaw's Brow Car Park on the last Sunday of the month in January and in March, 2014 with the booking to be made on a first come first served basis; with the proceeds going to the respective charities and a negotiated donation going to the Mayor's Charity Fund.”

The Town Centre Manager was thanked for her attendance and left at 10.45am.

##### **A4. Planning Application 13/91409/B – 21-23 Victoria Street**

The Committee considered planning application 13/91409/B seeking approval for the conversion of existing office suite on the second floor of 21-23 Victoria Street, Douglas, IM1 2LW into residential accommodation. The report noted that although the property has been marketed as office accommodation for two years it has not been tenanted due to a lack of demand. The conversion into residential accommodation will ensure the property is used. The report contained details of a bin store and arrangements for clothes drying. The report noted that whilst there is no dedicated parking for the property there are a number of parking spaces in the vicinity and public transport is close at hand.

Resolved, "That particulars of the application be noted on the minutes and no objection raised."

**A5. Planning Application 13/91410/B – City Centre House, 18-20 Nelson Street**

The Committee considered planning application 13/91410/B seeking approval for the conversion of four existing office suites on the first and second floors of City Centre House, 18-20 Nelson Street, Douglas into residential accommodation. The report noted that although the property has been marketed as office accommodation for two years it has not been tenanted due to a lack of demand. The conversion into residential accommodation will ensure the property is used. The report contained details of a bin store and arrangements for clothes drying. There is no dedicated parking available for the property, but the applicant stated that the proposal will not increase the demand for parking in the area and there is good access to public transport.

Resolved, "That particulars of the application be noted on the minutes and no objection raised."

**A6. Nuisance Abatement Notice – 15 Brighton Terrace**

The Committee considered a report on the external appearance of 15 Brighton Terrace. Scaffolding has been erected in the front of the property and work to the front bay window has been started, but not yet completed. The roofing tiles have been removed and the roof to the bay re-felted. The roof tiles have not yet been replaced, work has not been carried out to the property since early September and the scaffolding remains in place. Letters have been sent to the owner, but there has been no response.

Resolved, "That particulars of the report be noted on the minutes and approval given for the service of a Nuisance Abatement Notice on the owner of 15 Brighton Terrace Douglas if required, under s24 of the Building Control Act."

**A7. Nuisance Abatement Notice – 6 Bridge Road, Douglas**

The Committee considered a report on the poor visual appearance of the paintwork to the masonry and woodwork on the front elevation of 6 Bridge Road, Douglas. The property has been monitored for the past eighteen months. The report detailed the communication between the Council and the managing director of the company which owned the property. A planning application for demolition had been submitted and subsequently approved. The property has since been sold. The visual appearance has not improved, and as the property has not been demolished, it should be improved.

Resolved, "That particulars of the report be noted on the minutes and approval given for the service of a Nuisance Abatement Notice on the owner of 6 Bridge Road, Douglas if required, under s24 of the Building Control Act."

**A8. Nuisance Abatement Notice – 2 Clarence Terrace**

The Committee considered a report on the external appearance of 2 Clarence Terrace. A complaint was received about the appearance of the rear of this property in August 2013. The paintwork on the rear outlet masonry wall is in poor condition as is the shed at the rear. There is overgrown vegetation and the rear gate needs repairs and repainting. The owner's response to correspondence from the Council was to advise that the occupying tenant has a full repairing and insuring lease which includes improvements. There has been no response from the tenant to correspondence sent by the Council.

Resolved, "That particulars of the report be noted on the minutes and approval given for the service of a Nuisance Abatement Notice on the owner of 2 Clarence Terrace Douglas if required, under s24 of the Building Control Act."

**A9. Nuisance Abatement Notice – 5 Leigh Terrace**

The Committee considered a report on the external appearance of 5 Leigh Terrace. The paintwork is in poor condition to the front masonry wall and to the woodwork of the property. The property has been monitored since March 2012 and since then weeds and plants at the front of the property have been trimmed occasionally, and the ground floor front wall repainted. The first floor still needs to be repainted. The representative of the company which owns the property had initially indicated that they intended to submit planning applications to demolish and rebuild the property, but no timetable has been provided for this redevelopment.

Resolved, "That particulars of the report be noted on the minutes and approval given for the service of a Nuisance Abatement Notice on the owner of 5 Leigh Terrace Douglas if required, under s24 of the Building Control Act."

**A10. Nuisance Abatement Notice – 7 Peel Road**

The Committee considered a report on the external appearance of 7 Peel Road. The rear of the property is in a shabby state. The report detailed the correspondence between the Council and the owner since it was inspected in March 2012. Although some repair work has been carried out, there are still a number of repairs still to be carried out to the rear of the property including broken glazing, overgrown weeds in the chimney stack, missing roof slates and misaligned guttering. A planning application for alterations and conversion of the property into three apartments was approved in November, 2013 but the new owner has not provided any firm indication as to a start date for the work.

Resolved, "That particulars of the report be noted on the minutes and approval given for the service of a Nuisance Abatement Notice on the owner of 7 Peel Road, Douglas if required, under s24 of the Building Control Act."

**A11. Nuisance Abatement Notice – 8 Fort William**

The Committee considered a report on the external appearance of the rear of 8 Fort William. The report detailed the correspondence between the Council and the owner since it was inspected in March 2012. Improvements have been planned since 2012, but to date they have not materialised and the paintwork to the rear masonry wall and woodwork is in poor condition.

Resolved, "That particulars of the report be noted on the minutes and approval given for the service of a Nuisance Abatement Notice on the owner of 8 Fort William, Douglas if required, under s24 of the Building Control Act."

**A12. Nuisance Abatement Notice – 37 Woodbourne Road**

The Committee considered a report on the external appearance of the rear of 37 Woodbourne Road. The report detailed the correspondence between the Council and the owner since a complaint was received about the property in October, 2012. Since then the owner has made some improvement works to the rear of the property including roofing repairs and repainting the rear wall. The external appearance of the front of the property is still in need of improvement and a Notice would require repainting of the front elevation.

Resolved, "That particulars of the report be noted on the minutes and approval given for the service of a Nuisance Abatement Notice on the owner of 37 Woodbourne Road, Douglas if required, under s24 of the Building Control Act."

**A13. Unsightly Properties and Properties in Poor Condition**

The Committee reviewed the re-formatted Schedule of neglected, dilapidated, ruinous, and dangerous properties. The Committee noted the inclusion of the date properties were first investigated, as well as the date for the start of current investigations. Members opined that some of the properties had been the subject of Council attention earlier than was suggested by the report and the Building Control Manager agreed to investigate further. There was discussion of the properties on the list.

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

The Building Control Manager was thanked for his attendance and left the meeting at 11.20am.

**A14. Douglas Borough Council Corporate Plan 2013-2017**

The Committee considered the annual monitoring report on the Corporate Plan 2013-2017. Officers responded to queries regarding the progress on specific matters, and no amendments were suggested.

Resolved, "That the monitoring report be noted on the minutes."

**A15. Main Road Capital Public Lighting Schemes 2014/2014**

The Committee considered a report detailing the fifteen public lighting schemes to be carried out in 2014/2015, subject to budget approval. The schemes will remove existing public lighting columns and high energy lanterns and upgrade to the current British Standard with low maintenance and low wattage energy efficient LED lanterns. The columns are hot dipped galvanised with a twenty-five year corrosion guarantee and a life expectancy of over forty years. There was some discussion as to whether it would be appropriate or advisable to establish a sinking fund for lighting schemes.

There was discussion on the painting of lighting columns and it was agreed that as the new columns are galvanised, there is only need to paint the lower section blue to fit in with other columns around the Borough. This regime will save on future maintenance costs.

Resolved, "That the report and discussion be noted on the minutes and approval be given to the named schemes to be identified in the capital programme for 2014/2015."

**A16. Items for Future Consideration**

The Committee noted the report listing a number of items as the subjects of reports for future consideration.

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

**PART B –**

***Matters subject to Executive Committee Approval***

There were no matters requiring Executive Committee approval.

***PART C –***

***Matters subject to Council Approval***

There were no matters requiring Council approval.

The meeting ended at 1.10pm.