



Borough of Douglas

**MR COUNCILLOR STANLEY COLVIN CAIN, JP
MAYOR**

Town Hall,

Douglas,

6th February, 2015

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 11th day of FEBRUARY, 2015, 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 Chair 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, 14th January, 2015 and the Special Council Meeting held on Wednesday, 28th January, 2015.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 30th January, 2015.

Members Present: Mr Councillor D.W. Christian (Chair), the Mayor, Messrs Councillors D.J. Ashford (from 3.20pm), R.H. McNicholl, J.E. Skinner.

In Attendance: Chief Executive, Borough Treasurer, Borough Engineer & Surveyor, Assistant Town Clerk (from 2.00pm to 2.30pm).

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 J. Joughin and Mr Councillor D.J. Ashford, who had advised of his late arrival.

A2. Declarations of Interest

Mr Councillor J.E. Skinner and the Borough Engineer & Surveyor declared an interest in Agenda Item A6, Minutes and Referrals of the Regeneration and Community Committee, Clause B11 (Douglas Carnival).

A3. Minutes

The minutes of the meeting held on Friday 19th December 2014 were approved and signed. The minutes of the Special Budget Meeting held on Thursday 15th January 2015 were also approved and signed, subject to two minor amendments:

- Clause 6.3(j) - Ballaughton Nursery Offices and Welfare Facilities: that resolution (ii) be amended to read '*that a report on the proposed design and construction of a new pre-formed modular building to accommodate offices and staff welfare facilities be submitted to the [Regeneration and Community] Committee in February 2015*';
- Clause 6.4(f) – Cleaner Safer Greener: that resolution (ii) be amended to read '*that the bid to reinstate the saving in relation to LEQS Pro Environmental Quality Surveys be not supported, but that requests for specific surveys be considered individually as appropriate*'.

Resolved, "That particulars be noted and that the proposed amendments to the minutes of 15th January 2015 be approved accordingly."

A4. Matters Arising From Previous Minutes

There were no matters arising from the previous minutes.

A5. Minutes and Referrals of the Environmental Services Committee

The Committee considered the minutes of the Environmental Services Committee meeting held on Monday 19th January 2015, including the below item specifically referred to the Executive Committee:

Clause B11 – Acquisition of 7.5 tonne Refuse Collection Vehicle: approval was sought for expenditure for the acquisition of a refuse collection vehicle for use in areas which were difficult to access by full-size refuse vehicles. It had also been resolved to defer consideration of the disposal of two caged-tipper vehicles until such time as the Department of Infrastructure had given a clear indication of changes in local authority functions in relation to waste management. The Executive Committee queried what was to happen to the two vehicles in the meantime, and it was suggested that a report should be submitted to the Environmental Services Committee in September 2015 following a review of the situation at that time. It was also noted that running costs for the two vehicles would be incurred during this time.

Resolved, "(i) That particulars of the minutes of the Environmental Services Committee be noted;

- (ii) That approval be given for expenditure in the sum of £73,761 plus VAT from the Plant Renewals Fund, for the purchase of a 7.5 tonne Isuzu N75.190 Urban refuse collection vehicle, complete with a FAUN Micro Press Refuse Body;
- (iii) That authority be given for the two caged-tipper vehicles to be retained, but that the situation be reviewed and a report submitted to the September 2015 meeting of the Environmental Services Committee; and
- (iv) That approval be given for expenditure in the sum of £4,000 from General Revenue Reserves to cover the running costs of the two caged-tipper vehicles for the period March to September 2015.”

A6. Minutes and Referrals of the Regeneration and Community Committee

The Committee considered the public minutes of the Regeneration and Community Committee meeting held on Tuesday 20th January 2015, including the below items specifically referred to the Executive Committee:

Clause B11 – Douglas Carnival 2015: under the provisions of the Local Government Act 1986, Mr Councillor J.E. Skinner declared an interest in this item. As the Committee became inquorate, consideration of the matter was therefore deferred.

Clause B12 – Ballaughton Nursery Air Source Heat Pumps: at the Special Executive (Budget) Meeting held on 15th January 2015, the budget for the air source heat pumps had been proposed for increase, from £80,000 to £91,000, and authority was accordingly sought to purchase the equipment under Standing Order 146(f), on the basis that the contract was for work for which specialist skills or equipment was required.

Resolved, “(i) That particulars of the public minutes of the Regeneration and Community Committee be noted; and

(ii) That authority be given under Standing Order 146(f) for the purchase of air source heat pumps for five greenhouses at Ballaughton Nursery, to be funded from Reserves.”

A7. Minutes and Referrals of the Housing and Property Committee

The Committee considered the minutes of the Housing and Property Committee meeting held on Wednesday 21st January 2015. There were no items specifically referred to the Executive Committee.

Resolved, “That particulars of the minutes of the Housing and Property Committee be noted.”

A8. Shopmobility Scheme – Review of Service

The Committee considered a written report by the Assistant Chief Officer (Corporate & Development) in relation to the Shopmobility Scheme provided by the charity CIRCA.

Members recalled that, following discussions with CIRCA in 2013 regarding the Shopmobility scheme, the Committee had given approval to buy an extended service to cover Saturdays. The service had been launched in May 2014, and the Committee had requested a review after nine months of operation.

It was noted that purchase of the Saturday service by the Partnership had been a welcome and beneficial first step in encouraging shoppers with mobility problems into the Town Centre, both on Saturdays and at other times of the week. During the period May to December 2014 there had been 188 Saturday hire sessions, all equating to shopping visits that either may not have happened, or would have been more difficult without the service.

Feedback from CIRCA was that the marketing allowance had been valuable in establishing the Saturday service, as well as having benefits in generating users throughout the week, and it was therefore recommended that the Saturday service be purchased for a further year from May 2015.

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

(ii) That approval be given for expenditure of £3,000 to fund the cost for the Douglas Development Partnership to purchase a Saturday Shopmobility Service from CIRCA for a further twelve month period from 17th May 2015.”

A9. Monthly Financial Review

The Committee considered a written report by the Borough Treasurer setting out details of progress made compared to key performance indicators in relation to the percentage of rates collected; the increase in the number of non-cash / non-cheque payments; and the percentage of sundry debtors collected within three months.

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

A10. Isle of Man Municipal Association – Minutes of Meetings

The Committee had been circulated with the minutes of the Isle of Man Municipal Association meeting held on Thursday 20th November 2014, and the agenda for the Special Meeting with the Honourable

Minister for the Department of Infrastructure, Mr P Gawne, MHK, held on Thursday 15th January 2015. It was noted that the minutes of these meetings would continue to come before the Committee as a regular item for approval.

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

A11. 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."

A12. Attendance

Mr Councillor D.J. Ashford joined the meeting at 3.20pm.

A13. Minutes and Referrals of the Regeneration and Community Committee (continued) – Clause B11, Douglas Carnival 2015

Under the provisions of the Local Government Act 1986, Mr Councillor J.E. Skinner and the Borough Engineer & Surveyor declared an interest in this item and retired whilst it was considered.

The Committee resumed consideration of the public minutes of the Regeneration and Community Committee meeting held on Tuesday 20th January 2015.

Clause B11 – Douglas Carnival 2015: due to a Member's interest being declared and the Committee subsequently becoming inquorate, one element of the Committee's deliberations in relation to the Carnival was referred to the Executive Committee for consideration. This was a request from the Manx Youth Band for their Gala Concert, scheduled to be held in the Villa Marina on the evening of Saturday 18th July 2015 (the date agreed for the Carnival), to be designated as the official post-Carnival family event.

Resolved, "(i) That approval be given for the Manx Youth Band's Gala Concert to be designated as the official post-Carnival family event, subject to the following -

- That the concert be titled and advertised as the official post-Carnival family event only in the brochure, leaflets, and press releases to be produced advertising the Carnival;
- That the concert be not included on the advertisement for the Carnival, which was to be placed on the 'Sefton Island' advertising space; and
- That the Manx Youth Band's Secretary be thanked that invitations to attend the Concert would be extended to the Worshipful the Mayor and Members of the Council, as was customary for the Band's Annual Gala Concert, and which was normally held at that time of year."

PART B –

Matters subject to Council approval

B14. Central Douglas Masterplan

The Committee considered a written report by the Borough Engineer & Surveyor updating Members on the status of the Central Douglas Masterplan and seeking the Council's endorsement to the final version.

Members were advised that, in May 2013, a Committee, consisting of the then-Ministers for the Departments of Economic Development, Infrastructure, and Social Care was formed, the membership of which also included the Council's Leader and the Borough Engineer & Surveyor.

The Committee had been formed to consider opportunities for the regeneration of the Central Douglas area, and which would support Government's three policy priorities – namely, grow the economy, balance public finances, and protect the vulnerable. It was also specifically tasked with overseeing the development of a Masterplan for Central Douglas, which would encourage companies to invest in the Capital to support long-term economic regeneration.

The Committee had now progressed the brief and the Central Douglas Masterplan was finalised and ready for presentation to Tynwald. Prior to that presentation to Tynwald, however, the Committee was seeking to obtain the Council's endorsement of the finalised document.

Members noted the work to date and the current position (as summarised and appended to the written report), and, following a previous presentation on progress, it was recommended that the Cabinet Office's Regeneration Project Manager, Mr Steven Stanley, be invited to give a final presentation to Council.

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

(ii) That the Central Douglas Masterplan be approved as a general framework for the development of Central Douglas, a material consideration in the determination of planning applications, and the formulation of planning policy (most notably, the Area Plan for Douglas and the East);

(iii) That it be recommended to Council that the above recommendation be endorsed; and

(iv) That it be further noted that a presentation would be made to Council at 1.00pm on Wednesday 11th February 2015 (prior to the monthly Meeting of Council) by the Regeneration Project Manager of the Cabinet Office, which would give full information to all Members, in order to allow consideration of the above recommendation that the Council endorses the finalised Central Douglas Masterplan.”

The Committee rose at 3.30pm.

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

HOUSING AND PROPERTY COMMITTEE

HOUSING AND PROPERTY COMMITTEE – Minutes of Meeting held on Wednesday, 21st January, 2015.

Members Present: Mr Councillor D.J. Ashford (Chairman), the Mayor, Councillors Mesdames S.D.A. Hackman, C.E. Malarkey, Councillor Miss D.A.M. Pitts (from 11.06), Councillor Ms K. Angela.

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

REPORT

PART A –

Matters decided by the Committee

A1. Minutes - 17th December, 2014

The minutes of the meeting held Wednesday, 17th December, 2014 were approved and signed.

A2. Election of Vice-Chairman

The Committee considered the appointment of a Vice-Chairman. The vacancy had arisen due the resignation of Mr Councillor J.E. Skinner from the Housing and Property Committee in order to take up the appointment by the Council to the post of Chairman of the Regeneration and Community Committee.

The Committee unanimously agreed to appoint Councillor Mrs C.E. Malarkey to the post of Vice-Chairman of the Housing and Property Committee until April, 2016.

A3. Douglas Market Hall

The Committee considered a report submitted by the Assistant Chief Officer (Corporate and Development) providing an update on the use of the Market Hall since the Isle of Man College took up occupancy in September, 2014.

There had originally been an intention to hold monthly liaison meetings with representatives of the College, the Council, Douglas Development Partnership and the two Market tenants. The first of these meetings was held on the 17th December.

Minor teething issues have been resolved and the College has settled in well. The café has requested additional seating to be located in the central section of the Market Hall. The College is happy to share this area as long as the furniture is of a suitable standard because the area will also be used by the College for displays and exhibitions. The butcher reports that his regular customers are still using the shop, but there isn't passing trade. All users of the building report that there is a need to improve the branding and appearance of the building both inside and out. The fencing used within the building to delineate the student working area makes the place look like a building site.

The report set out details of events which have been or will be held in the Market Hall.

The report set out the suggestions to improve the profile and branding of the Market Hall. The suggestions include setting up a Facebook page for the Market Hall, producing better signage for the two external notice boards, producing more information and branding internally, and installation of vinyl window coverings to highlight the activities within the building and improve the external appearance. Installation of window coverings would require Advertisement and Registered Building consents. The Committee noted that responsibility for the Market Hall will be transferred to the Regeneration and Community Committee at the end of the current municipal year.

Resolved, “That particulars of the report including the feedback and details of events be noted on the minutes and

- (i) Approval was given for the establishment of a Facebook page for the Market Hall; and
- (ii) Approval in principle for the use of vinyl signs to be applied to the interior of the windows subject to further report on designs and costs; and
- (iii) Approval was given for the liaison group meetings to take place every two months.”

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

A4. Upper Pulrose Outer Ring Refurbishments and Alterations

The Committee re-considered the report on the remaining twenty-two properties in Upper Pulrose which have not been refurbished. The minute was withdrawn by the Chairman at the December Council and so has not been formally considered by the Council.

Since this report was first considered at the Housing and Property Committee meeting in November, 2014 a Briefing Note has been circulated to Members with a copy of the letter sent to tenants in 2012 prior to the start of the refurbishment scheme. That letter gave tenants the option whether or not to have the work done and twenty-two tenants did not agree to the works. The refurbishment is so extensive, tenants have to completely move out whilst the works are carried out. In November 2014 the Committee agreed that the refurbishment work in the remaining properties would go ahead so that the entire estate was brought up to a modern standard and that it would be mandatory for tenants to move out whilst the work was done. Although the minute was not formally debated and voted on by the Council, during the Council debate on other matters, Members voiced opposition to the Committee decision.

The Committee discussed the matter thoroughly and officers advised that all tenants were fully aware of the benefits of proposed refurbishment. The work on the other houses included in the scheme is complete. The Assistant Chief Officer (Housing and Property) advised that the Department of Social Care will not support the refurbishment of individual houses through the capital programme, although it may in the future support refurbishment through smaller capital schemes which include a minimum of six properties.

Resolved, “That the report and discussion be noted on the minutes and approval be given for the tenants of the twenty-two un-refurbished properties on the Upper Pulrose Estate to remain in the properties as they are, and for no provision to be made in the capital programme for the refurbishment works and for officers to keep the matter under review and explore other options for progressing the works.”

A5. Business Case for Sheltered Housing in Willaston

The Committee considered a report setting out the business case for sheltered housing in Willaston Estate. The sheltered housing complex would be located opposite the Willaston shops on the current site of the Willaston Police Station. The Committee reviewed the business case in detail.

Resolved, “That the report be noted on the minutes and approved subject to these amendments:

- (i) The references to sales of land be deleted from sections 2.2.4 and 5.3; and
- (ii) In section 5.7, the word *priority* is to be replaced by the word *option*.”

A6. Matters for Future Consideration

The Committee noted the report on matters for future consideration.

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

PART B -

Matters to be decided by the Executive Committee

There were no matters referred to the Executive Committee

PART C -

Matters requiring Council approval

There were no matters for Council decision.

The meeting ended at 11.55am.

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

REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Tuesday, 20th January, 2015.

Members Present: Mr Councillor J.E. Skinner (Chairman), the Mayor, Councillor Mrs R. Chatel, Mr Councillor G.J. Faragher.

Apologies: Messrs Councillors S.R. Pitts, E.A. Joyce.

In Attendance: Assistant Town Clerk, Assistant Chief Executive, Assistant Borough Engineer, Assistant Chief Officer (Finance), Assistant Chief Officer (Corporate and Development) (items A1 to A6, B11), Head of Parks, Assistant Democratic Services Officer.

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Thanks to retiring Chairman

The Chairman and the Committee expressed their thanks to the outgoing Chairman, Mr Councillor S.R. Pitts, for his hard work and dedication to the Leisure Services and Regeneration and Community Committee during his longstanding term as Chairman.

A2. Minutes – 16th December 2014

Minutes of the meeting held on Tuesday, 16th December, 2014, were approved and signed.

A3. Matters Arising – Clause A5 – Archibald Knox Garden

It is hoped that works in the Archibald Knox Garden will be finished by Easter, but if not the spring. However it was noted that spring tides expected in February could potentially delay the project.

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

A4. Public Events 2014

The Committee considered a report submitted by the Assistant Town Clerk on some of the issues in relation to events promoted in 2014, and to seek guidance in principle on events to be promoted in 2015 so that if necessary Officers can proceed with arrangements.

The report recommended that the Council promote the Remembrance Sunday and Armistice Day events in 2015 but not the Fireworks Display or Christmas Lights Ceremony. In answer to question, the Assistant Town Clerk advised that the recommendation had been put forward due to the costs and health and safety implications involved in the events.

Members unanimously agreed to organise all four events in 2015, namely, the Fireworks Display, Remembrance Sunday, Armistice Day and the Christmas Lights Ceremony.

Members considered a suitable date for the 2015 Fireworks Display and Christmas Lights Ceremony. In respect to the Fireworks Display, the Assistant Town Clerk advised that the whole week around Thursday, 5th November and the two weekends either side are unsuitable for beach firing because of the tides. Members agreed to fire a display, provided by Star Fireworks, from a barge on Thursday, 5th November, 2015. Officers agreed to report back with the logistics of the event at a later date.

It was noted that following approval of the event dates, Officers will now seek sponsorship for the 2015 events and report back to the Committee.

Members considered the date for the 2015 Christmas Lights Ceremony. The Assistant Chief Officer (Corporate and Development) advised that the Christmas Lights Ceremony is usually scheduled to allow four late night shopping evenings prior to the Christmas. Four Thursdays before Christmas would be Thursday, 3rd December; however, the final Thursday is Christmas Eve and would therefore not be applicable for late night shopping. It was recommended that Thursday, 26th November, 2015, be approved as the date for the Christmas Lights Switch On event.

It was agreed that Ridgeway Street is the preferred location for the Christmas Lights Ceremony; Officers advised that they would be considering various options for the location and layout of the event

together with entertainment for the evening, and would report back to Committee with recommendations.

During discussions the Assistant Chief Officer (Corporate and Development) advised that the Department of Infrastructure (the Department) plans to permit parking on the Promenade Walkway for the foreseeable future, this decision will have a huge impact on events planned for the Promenade Walkway. The Walkway will require a full road closure for events and at the moment the Department has not confirmed that this request will be granted. If the request is not granted the provision of parking on the Walkway is likely to cause health and safety issues at events, with an influx of cars and large crowds of pedestrians mixing on one walkway. It was noted that closing the Walkway will also incur additional costs for advertising and implementing the closure.

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

- (i) The Council promote the Fireworks Display, Remembrance Sunday, Armistice Day and Christmas Lights Ceremony events in 2015;
- (ii) A Fireworks Display be provided by the Council's 2014 supplier, Star Fireworks, fired from a barge on Thursday, 5th November, 2015;
- (iii) The logistics of the Fireworks Display be subject to a further report;
- (iv) The 2015 Christmas Lights Ceremony be held on Thursday, 26th November, preferably outside Douglas Town Hall; the location, layout and entertainment be subject to a further report;
- (v) The dates of the 2015 Remembrance Sunday and Armistice Day, Sunday 8th November and Wednesday 11th November respectively, be noted on the minutes;"

A5. **Douglas Golf Course**

Mr Mike Vipond, Douglas Golf Course Professional, joined the meeting, at the request of the Committee, at 11.15am to discuss the Douglas Golf Course membership and marketing.

Mr Vipond began by discussing annual membership. The Committee were advised of the current process for applying and renewing memberships. Mr Vipond suggested changes to the process to encourage new members to sign up and encourage existing members to renew their annual subscription.

In answer to question, the Assistant Chief Officer (Finance) agreed that changes to the current process would be possible but further research into the current direct debit mandate wording would be required before a change can be implemented.

Mr Vipond discussed the price of tickets, Members queried if a reduction or discount in tickets could increase membership. Mr Vipond opined that the introduction of discounts for new members or members of a certain age group could potentially upset existing members. Discounted tickets can also reduce income but increase the work load. Members noted that the current membership fees are competitively priced despite the course being one of the best on the Island.

Mr Vipond agreed, as suggested by Members, to consider organising open days at the golf course. It was also suggested, as the Isle of Man College currently offer golf lessons, to organise an open day for the Isle of Man College. Mr Vipond advised there may be insurance issues that would need to be considered.

It was agreed that the Chairman would meet with the Golf Professional to discuss any proposal prior to the Committee making a decision.

Resolved, "That particulars of the discussion be noted on the minutes and the suggestions discussed therein be deferred to the February meeting of the Committee."

Mr Vipond was thanked for his attendance and left the meeting.

A6. **Living Promenade**

The Committee considered a report submitted by the Assistant Chief Officer (Corporate and Development) on the Living Promenade proposals. Since the circulation of the report, Members were advised that the budget for the Living Promenade was removed by the Executive Committee at their special budget meeting.

The Assistant Chief Officer (Corporate and Development) recommended continuing with the distance markers and solar system model proposals and that residual funding for both proposals of approximately £2,250 be sought from Douglas Development Partnership budgets.

It was noted that both proposals had been supported at previous Council meetings.

Resolved, "That the Assistant Chief Officer (Corporate and Development) prepare a report to the Douglas Development Partnership Board seeking approval to funding of approximately £2,250 towards distance markers and the solar system model."

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

A7. **Sale of Tools from Mobile Trailer – Noble's Park**

The Committee considered a report submitted by the Assistant Chief Executive, following receipt of a letter, on a proposed mobile tool trailer to be sited in Noble's Park Car Park three days a week.

Members were advised that the opportunity could generate income for the Council and potentially encourage customers of the unit to the Park's other facilities. However, the report recommended not supporting the proposal on the basis that there would be increased motorised traffic movement through the Park and there is a potential Planning issue. It was also noted that supporting the proposal could set a precedent for other retailers to seek similar usage of the Park and could attract criticism from existing Douglas retailers who pay rates for premises.

Resolved, "That the request to locate a mobile tool trailer in Noble's Park Car Park not be supported."

A8. **Perpetual Care of Graves within the Council's Cemeteries**

The Committee considered a report submitted by the Head of Parks, following a request from a Member, on the perpetual care of graves within the Council's Cemeteries.

Members were reminded that the previous Public Health and Housing Committee resolved to abolish the perpetual care of graves in 2001.

The report provided a breakdown of annual costs for perpetual care on the basis that the scheme would be cost-neutral, with liabilities to the ratepayer negated and that any agreement would have to be limited to 40 years as previously reported. The cost of perpetual care maintenance per grave would be £327 per annum; the total cost over a 40 year period is estimated at £13,080 with all costs payable by the agreement signatory and grave deed holder.

It was noted that the total costs do not allow for annual inflationary increases. If the annual inflation was 2% over the 40 year term, the annual perpetual care cost would be around £707 per grave at the final term year, thus constituting a loss on each grave of £380 or over the whole term of the agreement £6,671. It was pointed out that future inflation could not be predicted reliably, especially for such a long period, meaning perpetual care agreements would pose a significant risk to the Council.

The Head of Parks advised that the maintenance of graves is currently the responsibility of the grave deed owner. If graves fall into disrepair the deed owner is written to with a timeframe within which they must respond. If the deed owner is unable to be contacted, the Council will ensure the grave is deemed safe and in extreme cases the graves will be tidied up.

Members expressed disappointment that the perpetual care could not be offered but accepted that the costs were too significant and uncertain to reintroduce the scheme.

Resolved, "That particulars of the report and discussion be noted on the minutes and the perpetual care of graves not be introduced or offered by the Council as a service."

A9. **Governor's Hill Playground Resurfacing Works**

The Committee considered a report submitted by the Assistant Borough Engineer on tenders received for removing the grass areas within Governor's Hill Playground and replacing them with macadam and painting the existing railings.

Members noted that five contractors from the Douglas Borough Council select tendering list had been sent tender documentation for Governor's Hill Playground resurfacing works. Subsequently three contractors submitted a tender for the works.

The Assistant Borough Engineer reported that all three tender submissions were within the budget for the scheme.

In answer to question, the Assistant Borough Engineer advised that if approved, the works would be completed by Easter.

Resolved, "That particulars of the report and discussion be noted on the minutes and Manx Demolition Limited tender submission being the lowest tender received, be approved for the resurfacing of the Governor's Hill Playground."

A10. **Items For Future Report**

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

Members agreed to consider the Noble's Park multi-purpose building report in May 2015.

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

PART B -

Matters requiring Executive Committee approval

B11. Douglas Carnival

The Committee considered a report submitted by the Assistant Chief Officer (Corporate and Development) updating on plans for the 2015 Douglas Carnival.

The Assistant Chief Officer (Corporate and Development) advised that since the production of the report, a meeting had taken place with the Chair of the Regeneration and Community Committee, the Leader of the Council and Council Officers on preliminary arrangements for the event. He also advised that a meeting had taken place with the Department of Infrastructure (the Department) in relation to road closures.

The Department expressed their support for the 2015 event and confirmed a full road closure, including no access for buses, would be considered.

The suggestion to close Loch Promenade for a longer duration was supported by the Department and the request to suspend parking along the Promenade was considered. The Department opined that suspension of parking along the whole Promenade would not be feasible; however a suspension of parking on Loch Promenade, from Greensill's Corner to the Sea Terminal, would be acceptable. It is envisaged with prior consultation and the assistance of the Police Specials on the day, that the majority of cars will be cleared from the area. However it is not intended to arrange for vehicles that remain in the restricted area to be removed prior the event. Members agreed to pursue a suspension of parking for Loch Promenade on this basis.

Members discussed the date of the 2015 Carnival, it was noted there had been a debate in Council about moving the date to ensure it did not coincide with the Peel Viking Long Boat races. It was agreed that having the races the same day may prevent some organisations from entering floats, but moving the date of the Carnival could have a detrimental effect on the event and it could potentially clash with another popular Manx event or take place in the middle of the school holidays which is likely to reduce the number of participants. No suitable alternate date had been established for the event.

The Assistant Chief Officer (Corporate and Development) went on to list suggestions arising from the meeting with the Regeneration and Community Chair and the Leader of the Council. The Fun Day was considered. The previous resolution of the Committee was to continue with the Fun Day on the Promenade Walkway on the same day as the Carnival. To avoid clashing with the Viking Boat Races and St. Mark's Fair it was suggested that the Fun Day would benefit from a separate event at Noble's Park on a different day.

Members recommended that some concessions still feature as part of the event despite the Fun Day not taking place. The report recommended a slight increase to the concession fee of £5 per metre for non-food and £10 per metre for food.

The Viking Long Boat Races will finish at 4.00pm, it was suggested that the Carnival start time be 7.00pm as opposed to 6.00pm to allow the public plenty of time to travel back to Douglas. It was noted that a number of the Viking Long Boat spectators will remain in Peel after the event, but given the event has two different audiences the number of spectators should not dramatically reduce.

The Committee went on to discuss the Carnival King and Queen element of the event as it had previously been agreed that only a Queen be selected for the 2015 event. The Assistant Chief Officer (Corporate and Development) reported that at the Carnival meeting with the Chair and Leader of the Council it was suggested that the Carnival accept nominations for both a Carnival King and Queen. Members felt that it was tradition to have only a Queen; the Chair expressed an opposite view that there should be both a King and Queen. It was suggested that the Carnival Queen be featured on a Council float in 2015.

In answer to question, the Assistant Chief Officer (Corporate and Development) confirmed that a Community Committee will be formed to assist with the organisation of the 2015 event.

Members were asked to consider a request from the Manx Youth Band for their Gala Concert in the Villa Marina on the evening of 18th July be designated as the official post-carnival family event. The Chairman, Mr Councillor J.E. Skinner, declared an interest in the item and the Committee was therefore iniquorate. It was agreed that this affiliation be referred to the Executive Committee for consideration.

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

- (i) The Committee notes the actions undertaken to date in relation to the 2015 Douglas Carnival;
- (ii) The suspension of parking on Loch Promenade for the Douglas Carnival event be supported;

- (iii) The date of the Carnival remain Saturday, 18th July, 2015, starting at a later time of 7.00pm;
- (iv) The Fun Day event take place in Noble's Park as a separate event on Saturday, 1st August, 2015, and a small number of concessions be invited to trade on the Promenade Walkway for the Carnival event;
- (v) The Committee continue to support its previous decision to select a Carnival Queen for the event and not support a Carnival King;

For: 2 Against: 1

Mr Councillor J.E. Skinner requested that his name be recorded against resolution (v).

- (vi) The Manx Youth Band request be referred to the Executive Committee for consideration.”

B12. Ballaughton Nurseries Air Source Heat Pumps

The Committee considered a report submitted by the Assistant Borough Engineer to update on the Ballaughton Nurseries' air source heat pumps project.

Members were advised that air source heat pumps had been researched and comparisons made between the leading manufacturers. Global Energy Systems Ltd. provided a suitable specification to provide the temperatures and energy efficiency required for the heating of the greenhouses at Ballaughton Nurseries.

The Assistant Borough Engineer advised that the installation of the air source heat pumps is estimated to save £12,000 per annum, providing a pay back of savings in seven and a half years.

It was noted that the contract would be approved under Standing Order 146 (f) on the basis that the contract is for work for which specialist skills or equipment is required. This would require Executive Committee approval.

In answer to question, the Assistant Borough Engineer advised that the heat pumps will have a five to six year warranty and are extremely reliable. In the unlikely event that there is a breakdown, temporary heating will be installed whilst the issue is resolved.

Quotes have been obtained from Manx heating and electrical contractors for the installation of the heat pumps.

Members noted that the Council's Electrical Services Section will be required to update the mains distribution at Ballaughton Nurseries before the air source heat pumps are commissioned. The estimated cost to update the entire site is £10,000 and this will be considered as a separate project in tandem with the welfare facilities at Ballaughton.

The Assistant Chief Officer (Finance) advised that the budget for the air source heat pumps had been proposed for increase by the Executive Committee at the budget meeting when the provision had been increased from £80,000 to £91,000 funded from reserves.

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

- (i) Global Energy Systems Limited be approved under Standing Order 146 (f), to supply air source heat pumps to five greenhouse nurseries;
- (ii) The installation of the air source heat pumps by a Manx contractor be approved;
- (iii) The minute be referred to the Executive Committee for authorisation to purchase the heat pumps using Standing Order 146 (f).”

PART C -

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 12.30pm.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 19th January, 2015.

Members Present: Mr Councillor R.H. McNicholl (Chairman), the Mayor (until 1.00pm), Councillor Mrs C.A. Corlett (from 11.20am), Messrs Councillors C.L.H. Cain, W.M. Malarkey, Councillor Mrs E.C. Quirk.

In Attendance: Assistant Town Clerk, Assistant Borough Engineer, Building Control Manager (for items A1 – A7 only), Senior Accountancy Officer, Assistant Chief Officer (Corporate and Development) (for items A1 – A9 only), Democratic Services Officer.

REPORT

PART A -

Matters decided by the Committee

A1. Minutes – 15th December, 2014

The minutes of the regular meeting held Monday, 15th December, 2014 were approved and signed.

A2. Matters Arising – Minute A6 – Litter Control Notices

The Committee asked for a progress report on the service of Litter Control Notices approved by the Committee at the December meeting. The Assistant Chief Officer (Corporate and Development) advised that the Licensing Court has sought submissions on the alcohol licence for several premises including those which would receive the Notices; for this reason they would be served after the sitting of the Licensing Court.

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

A3. Schedule of Unsightly Properties

The Committee considered the Schedule of unsightly properties being dealt with on behalf of the Council by the Building Control Section. Members reviewed the schedule and discussed a number of specific and additional properties. The Committee noted that the Schedule also appears in the Members’ Bulletin.

Members particularly discussed the cases where Committee approval has been given for service of a Notice, but the Notice has not yet been served. The Assistant Chief Officer (Corporate and Development) advised that the approach taken by his section has been to reduce the time between the different warning letters sent to the owners so that owners are more aware at an earlier stage of the Council’s expectations in relation to their properties. Committee approval has been sought sooner rather than later for owners to be given formal Notice requiring specific improvements work. The timing of the service of the formal Notice then varies. Whilst improvement work is continuing, the Notice will not usually be served. Although it is hoped that receipt of a formal Notice will ensure that owners carry out and/or complete improvement works, officers need to ensure that the case can proceed to court if there isn’t compliance with the Notice.

The Assistant Chief Officer (Corporate and Development) further advised that the preparation of a Notice is very time-consuming and there is a need to be realistic about the resources needed to serve and process Notices and prepare cases for court. At the Committee’s request, he undertook to have outstanding Notices served as soon as possible. The Committee recognised that this may result in longer timescales between expiry of Notices and prosecutions due to increased officer workload.

The Committee discussed the Council’s ability to carry out improvement works and to charge the owners for the cost of those works. Officers advised that the Council does have some powers, but in order to reclaim the costs, the owner must have been found guilty by the Court of a failure to comply with a Notice and that the Council can only carry out essential work. The costs of the works done by the Council would be pursued as a civil debt.

Members asked for a full update for the next meeting on the work carried out to 72 Derby Road, and the payment for those works.

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

Councillor Mrs C.A. Corlett joined the meeting at 11.20am during consideration of this item.

A4. Matters being Dealt with by the Office of Environmental Health on Behalf of the Council

The Committee reviewed the Schedule of matters being dealt with on behalf of the Council by the Office of Environmental Health and noted that the information also appears in the Members' Bulletin.

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

A5. Information on Planning Matters

The Committee discussed the availability of information on planning matters now that the list of applications is not published in the newspaper. Officers advised that the applications can be viewed on the government website. Members requested that the list of applications or the link to view that list be emailed to all Members regularly.

Members asked for an update on planning applications that have been considered by the Committee. Question was raised on one application and officers advised that the decision has not yet been made by the Planning Committee.

Resolved, "That the discussion be noted on the minutes, approval be given to regularly circulate the list of current planning applications, and to inform the Committee by way of a Briefing Note of the outcome of any planning application which had been considered by the Committee."

A6. Planning Application 14/01440/B – 1 Bray Hill, Douglas

The Committee considered planning application 14/01440/B seeking approval for a change of use from retail to a takeaway food shop at 1 Bray Hill, Douglas. The property was formerly used as a small convenience store. There is limited provision for parking on the premises although access to that parking may be difficult due to the close proximity of a pedestrian crossing and traffic lights at the junction. The Building Control Manager reported that the application states that the intended opening hours would be from 11am to 10pm six days a week and that a flue would be installed to reduce any potential nuisance arising from smells.

Resolved, "That the application be noted on the minutes and an objection be raised on the grounds that the planned use would create parking, traffic, and pedestrian safety issues; and that the intended use would be likely to create problems for neighbouring properties arising from noise, smells and litter arising from the property."

A7. Adjournment and Resumption

The meeting adjourned at 12.08pm and resumed at 12.15pm with the same Members present.

A8. Shaw's Brow Car Park

The Committee considered a report seeking clarification on several issues related to Shaw's Brow Car Park on which further reports would be prepared. The Committee first discussed the operation of the help facility for the car park. It was confirmed that this is operated by the reception desk during office hours, then by the Borough Wardens in the early evenings. Many of the calls to the help desk are problems which are resolved immediately although some are matters which require the assistance of the Electrical Services or the ICT sections. The number and type of calls varies considerably from day to day. There doesn't appear to be a pattern to the calls, although in general there are more calls in poor weather. The Committee asked that a specific log be kept and a report brought back to Committee with the information for review.

There was discussion of the possible ways to reduce the running costs by reduction of energy costs. The change to LEDs is on-going; and there was discussion as to whether installation of motion-sensitive controls is possible, and if possible, whether it is better to do the work in small stages or the whole car park as a one-off project. The report to Committee should include both the technical information and the potential costs.

Finally, the Committee discussed the overnight use of the car park and the potential for a change of policy to close overnight. The statistics gathered show that there is very little activity between 7.00pm and 7.00am, although there are cars entering the car park before 6.00am and others leaving after 11.00pm. When the car park was originally built it was closed every night; this policy changed with the installation of the barrier system. Question was raised about the residents' parking permits in Shaw's Brow. Officers confirmed that although there were extensive discussions with the Department of Transport several years ago when changes were being made to parking provision on North Quay, the matter had never progressed and no such permits were ever issued.

Resolved, "That the report and discussion be noted on the minutes and further reports be brought to Committee on the matters raised."

A9. Items for Future Consideration

The Committee considered a report setting out items on which there are reports outstanding.

The Chairman asked that a report be brought back on car boot sales in Shaw's Brow Car Park.

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

PART B -

Matters to be decided by the Executive Committee

B10. 7.5 Tonne Refuse Collection Vehicle

The Committee considered a report on the tenders received for the supply of a 7.5 tonne refuse collection vehicle to be used in areas which are difficult or impossible to access by full-size refuse vehicles. Details of the four tenders received were set out in the report. The Senior Accountancy Officer advised the Committee that the annual costs for the vehicle would be approximately £18,300 not the figure stated in the report. This figure includes both the annual replacement costs and the annual running costs.

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

- (i) Approval be given for the acquisition of an Isuzu N75.190 Urban complete with a FAUN Micro Press refuse body from B&C Transport Ltd at a cost of £73,761.00 plus VAT; and
- (ii) That the report be referred to the Executive Committee for approval of the expenditure from the Plant Renewals Fund; and
- (iii) That consideration of disposal of the two caged tipper vehicles be deferred until a clear indication is received from the Department of Infrastructure as to changes in local authority functions in relation to waste management."

PART C -

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 1.20pm.

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

MISCELLANEOUS BUSINESS

1. The Council, by ballot if required, to appoint one Member to serve on the Standards Committee until April 2016 to fill the vacancy created by the appointment of Mr Councillor J.E. Skinner to the Chair of the Regeneration and Community Committee (Standing Order 82).