



## Borough of Douglas

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**COUNCILLOR MRS SARA DAWN ANDREA HACKMAN, JP  
MAYOR**

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Town Hall,

Douglas,

9<sup>th</sup> October, 2015

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 14th day of OCTOBER, 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;
- (vi) The Housing Committee;
- (vii) The Regeneration and Community Committee;
- (viii) The Environmental Services Committee;

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

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

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

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

# AGENDA

III – Chief Executive to read minutes of the Council Meeting held on Wednesday, 12<sup>th</sup> August, 2015.

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

## EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 25<sup>th</sup> September, 2015.

Members Present: Mr Councillor D.W. Christian, MBE (Chair), the Mayor, Mr Councillor S.R. Pitts, Mr Councillor D.J. Ashford, Mr Councillor R.H. McNicholl, Mr Councillor J.E. Skinner.

Officers in Attendance: Chief Executive, Borough Treasurer, Assistant Borough Engineer, Assistant Town Clerk (Clauses A1 to A9).

### REPORT

#### **PART A –**

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

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

No apologies for absence were received.

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

No declarations of interest were submitted.

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

The minutes of the meeting held on Friday 24<sup>th</sup> July 2015 and the Special Meeting held on Wednesday 16<sup>th</sup> September 2015 were approved and signed.

##### **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 following referrals from the Environmental Services Committee meeting held on Monday 14<sup>th</sup> September 2015:

Clause B17 – Public Lighting ‘Lucy Zodion WiMAC’ Central Management System: the switching on and off of the Borough’s existing four-thousand-three-hundred public lighting installations was currently done either by individual time clocks or by photo-electric cells which responded to changes in light levels. The Committee had considered a proposal to introduce a new lighting management system, which would wirelessly control the entire public lighting system. If approved, it was planned to phase in the changeover to the new system on a three-year programme.

Clause B18 – Public Lighting Capital Scheme 2015 / 2016: the Committee had considered the rescheduling of the public lighting capital scheme for 2015 / 2016, in conjunction with the proposed introduction of the ‘Lucy Zodion WiMAC’ public lighting central management system (see above). Previously, the emphasis for capital schemes had been to replace lighting columns because of their structural condition or to improve locations, however, because the number being replaced for these reasons was reducing, it was proposed to undertake a review to investigate the value-for-money and service delivery benefits associated with the current capital scheme replacement programme.

Resolved, “(i) That particulars of the referrals from the Environmental Services Committee be noted;

(ii) That approval be given for the implementation of the ‘Lucy Zodion WiMAC’ public lighting central management system throughout the Borough to replace the time clock or photo-electric cell controls, this to be phased in through general maintenance, public lighting capital schemes or projects; and

(iii) That approval be given for the rescheduling of the public lighting capital scheme for 2015 / 2016, subject to a public lighting programme review being undertaken and a further report being submitted to the Environmental Services Committee in December 2015.”

##### **A6. Minutes and Referrals of the Regeneration and Community Committee**

The Committee considered the following referral from the Regeneration and Community Committee meeting held on Tuesday 15<sup>th</sup> September 2015:

Clause B13 - Drawdown of Funds for Ballaughton Nursery Automated Plant Production Equipment: the Committee had been advised that, following two expressions of interest being received for the supply of this equipment, only one company had subsequently submitted a tender. The company concerned had provided a tender based on the specification supplied, but had also offered alternative equipment at a lower cost, which would be more applicable to the size of the nursery while still achieving the volume of plants produced.

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

(ii) That approval be given for expenditure of £64,000 from General Revenue Reserves, and for £1,055 to be vired from an existing Nursery revenue budget, for the purchase and installation of automated plant production equipment at Ballaughton Nursery.”

#### **A7. Membership of Committees**

Members considered the appointment of one Member to fill a vacancy on the Regeneration and Community Committee and, at the same time, agreed the appointment of the Council’s two new Members onto Committees, for the remainder of the Municipal Year.

Resolved, “(i) That Councillor Miss D.A.M. Pitts be appointed as a Member of the Regeneration and Community Committee, having relinquished her membership of the Housing Committee;

(ii) That Councillor Mrs E.C. Quirk be appointed as a Member of the Housing Committee, having relinquished her membership of the Environmental Services Committee; and

(iii) That Councillor Ms C.R. Turner and Councillor Mrs C.L. Wells be appointed as Members of the Environmental Services Committee, replacing Councillor Mrs E.C. Quirk and Councillor Mrs R. Chatel, who had also relinquished her membership of the Environmental Services Committee.”

#### **A8. Public Service Commission**

The Committee considered a written report by the Assistant Chief Officer (Human Resources) in relation to the Public Service Commission Act 2014, and the implications for local authorities employing manual workers on Whitley Council Terms and Conditions of Employment.

Members were advised that the formation of the Public Service Commission (PSC) had been approved by Tynwald in July 2015. It replaced the Civil Service Joint Negotiating Committee and Whitley Council, and would take over the role of negotiating terms and conditions and other employment matters, such as pay. It was also intended that provision would be made for other staff to become part of the PSC at a later date. In respect of the Council, this reference to ‘other staff’ related to local government manual and craft workers, currently employed by the Council.

There were a number of options available for local authorities which were not part of the PSC:

1. To adopt ‘by analogy’ the PSC Manual and Craft Workers’ Memorandum of Agreement;
2. To collectively or individually make their own arrangements for manual workers;
3. To adopt, for manual workers, the NJC (Green Book) National Scheme of Conditions of Service for Local Authorities, Administrative, Professional, Technical, and Clerical Services.

The suggested preferred option was for the Council to move to the PSC on a ‘by analogy’ basis. This would not affect the terms and conditions of manual and craft workers, who would continue to adopt the former Whitley Council Memorandum of Agreement and apply any changes that were negotiated through the PSC Joint Negotiating Committee. Although it was anticipated that the new proposals would be implemented by 1<sup>st</sup> November 2015, it was noted that the Secretary for the PSC was not confident that this date would be met. However, any posts advertised after the implementation date would apply the new terms to new starters, and the new pay scales to any staff who were promoted.

Although the Whitley Council no longer existed, due to being replaced by the PSC, the terms and conditions of the Whitley Council Memorandum of Agreement remained valid until such time as the Council decided if it wished to be linked ‘by analogy’ to the PSC. UNISON had stated that it supported the analogue of pay awards to one body, possibly the PSC, and had suggested that, if possible, annual negotiations between the Council and officers should be avoided.

It was noted that, at the present time, the PSC had no local authority representation, therefore, if the PSC was adopted by analogy, a Local Authority Joint Consultative Committee would be established, which would feed into the PSC negotiation process. Members were of the view, however, that there should be political representation on the main PSC Board from both the Council and the Isle of Man Municipal Association.

Members were advised that employees engaged under the NJC (Purple / Green Book) and the Joint Negotiating Committee (Chief Officers and Assistant Chief Officers) Terms and Conditions of Employment did not form part of these considerations, as they related (in terms of Council staff) to

Whitley Council employees only. It was recalled that there had been a local agreement in place with UNISON since 1999, whereby agreement had been reached that annual staff pay awards would be determined by reference to the best of two indicators - that was, either the Whitley Council Manual Workers' Pay Award or the Manx Civil Service Pay Award.

UNISON had been notified in writing (on 25<sup>th</sup> February 2014) that the Council wished to rescind the local agreement as it was no longer viable or achievable. An email response from UNISON stated that it did not support the move away from the 1999 local agreement as this formed part of employees' terms and conditions of employment, and could only be removed by consultation and agreement with its members. UNISON had, however, indicated that it favoured being analogous to the PSC Joint Negotiating Committee award, and that, should there be different awards between different classes of employees, then the most appropriate comparator would need to be established. It had also confirmed that it did not favour the annual negotiation of an award on a local basis.

It was noted, however, since that time, there had been no pay award by either the Whitley Council or the Civil Service.

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

(ii) That authority be given for Douglas Borough Council to adopt the Public Service Commission (JNC) Terms and Conditions of Employment by analogy;

(iii) That, once ratified by full Council in mid-October, all employees engaged under Whitley Council Terms and Conditions of Employment be advised in writing of the changes that would affect them as a result of being linked to the Public Service Commission Joint Negotiating Committee on a by analogy basis;

(iv) That the Chief Executive write to the Isle of Man Government (Human Resources Office) putting forward the Committee's view that a political representative from both Douglas Borough Council and the Isle of Man Municipal Association should be appointed to the Public Service Commission Joint Negotiating Committee; and

(v) That NJC employees be offered, from 2015, pay awards on a local agreement analogous to the Public Service Commission Joint Negotiating Committee award, to form part of the NJC employees' terms and conditions of employment, this replacing the 1999 local agreement."

#### **A9. Consultation Document – Streamlining of the Income Tax System**

The Committee considered a written report by the Assistant Town Clerk in relation to a Consultation Document issued by the Isle of Man Treasury.

Members were advised that the Government intended to streamline the process by which personal income tax was assessed and collected. The principal changes were:

1. The cessation of the 10% rate of income tax, leaving only the 20% rate, with a compensatory increase in personal allowances to minimise any adverse affect;
2. The removal of the need for individuals, whose annual income was within the increased personal allowance, to complete a return;
3. The removal of the need for an annual return by individuals whose income was derived solely from employment or benefits;
4. A requirement for individuals, who did not have to submit a return, to notify the Income Tax Division of any change in circumstances that might affect their tax status.

The proposed changes should make the system less bureaucratic and, in many cases, residents would be released from the requirement for annual returns.

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

(ii) That the Isle of Man Treasury be advised that the Council supported the Government's proposals to modernise the system for the collection of personal income tax, including the cessation of paying refunds of under £10.00, but requested the following points be taken into consideration -

- That in ceasing the 10% rate of income tax, a commitment be made to set the personal tax allowance at £14,750, thereby ensuring that individuals were not placed in a detrimental position;
- In relation to the tax code being used to deal with underpayment of tax, the impact this increase in frequency of changes to codes could have on small businesses, especially those which did not use payroll software."

#### **A10. 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."

**A11. Treasury Management Out-turn 2014 / 2015**

The Committee considered a written report by the Assistant Chief Officer (Income) setting out details of treasury management, including Prudential Indicators.

This out-turn report was a key aspect of delivering the Treasury Management Strategy, which had been approved in 2011. It summarised treasury management activities undertaken in respect of long-term loans and short-term investments; and also outlined information in relation to Prudential Indicators for 2014 / 2015 in respect of affordability.

Members were advised that all the Prudential Indicators for 2014 / 2015 were within Plan. It was noted that the indicator for prudence - that net external borrowing would not exceed the capital financing requirement - had been complied with, as had the indicator for treasury management, because the CIPFA Treasury Management Code of Practice and Cross-Sectoral Guidance Notes had already been adopted by the Council in 2011.

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

(ii) That the achievement of the Prudential Indicators for affordability, prudence, and treasury management, also be noted."

**A12. Treasury Management Plan 2015 / 2016**

The Committee considered a written report by the Assistant Chief Officer (Income) detailing the Council's plans and related Prudential Indicators for 2015 / 2016.

The plan was a key aspect of delivering the Treasury Management Strategy, as approved in 2011. It summarised planned treasury management activities in respect of long-term loans and short-term investments; and also outlined information in relation to Prudential Indicators for 2015 / 2016 in respect of affordability.

Members noted that the indicator for prudence was that net external borrowing would not exceed the capital financing requirement, and this Plan stipulated that this would be complied with. It was also noted that the indicator for treasury management was whether the CIPFA Treasury Management Code of Practice and Cross-Sectoral Guidance Notes had been adopted by the organisation, and it was confirmed that these had been adopted by the Council in 2011.

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

(ii) That the Treasury Management Plan 2015 / 2016 be approved."

**A13. Statement of Accounts for Year Ending 31<sup>st</sup> March 2015**

The Committee considered a written report by the Assistant Chief Officer (Finance) in relation to the Statement of Accounts for the year ending 31<sup>st</sup> March 2015.

It was noted that the Accounts and Audit Regulations 2013 required local authorities to have their Statement of Accounts approved and certified by the external auditor by 31<sup>st</sup> October each year. The Borough Treasurer, as Responsible Financial Officer, had approved the issue of the accounts for audit in July 2015 in accordance with those Regulations.

As in previous years, the Council's auditor had also asked that a Letter of Representation be issued by the Council, alongside the Statement of Accounts. This provided added assurances to the auditor on the accuracy and integrity of the accounts, including the control systems that underpinned them, in order that certification could take place.

The matters arising from the audit had been discussed and, as a result, a review of contract management would be conducted.

It was noted that Members would receive their own bound copy of the accounts once they had been certified by audit.

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

(ii) That the Statement of Accounts for the year ended 31<sup>st</sup> March 2015 be approved;

(iii) That the Letter of Representation be signed and presented to the Council's external auditor; and

(iv) That the Completion Letter also be noted, with the responses given therein being approved accordingly."

#### **A14. Town Hall Remedial Works, Phase 2 (Internal)**

The Committee considered a written report by the Assistant Property Manager (Assets) seeking approval to appoint a Principal Contractor to undertake the internal remedial works to the Town Hall.

Members were advised that phase 1 of the Town Hall Remedial Works (External) Contract had been completed. The internal works would now follow, and initial investigation and survey work had been undertaken to identify the scope and sequence of works. The duration on site for the internal works was programmed to be three months, commencing in February 2016, with completion of the works to be achieved before June 2016.

In liaison with the Borough Treasurer, it had been agreed that his staff would be relocated to ensure they were not working adjacent to an environment consisting of noise and dust. The Members' Room would be out of use during the time of the works and an alternative location was to be considered. Stripping-out and noisy works to the Housing Section would have to be programmed for out-of-hours weekend working, and, as the contractors would be on-site during non-working hours, security supervision would be required, which included key-holder access.

It was noted that the Borough Treasurer's Department and the Members' Room were to be secured separately from the remaining areas of the Town Hall, thus preventing access by the contractor except in an extreme emergency situation. It had also been agreed with the Assistant Chief Officer (Housing & Property) that it would be beneficial for the Housing staff to be relocated within the Town Hall, as this would be less disruptive. This would allow the contractor to undertake less-noisy elements of the work during normal hours, but would be restricted to a maximum of ten working days.

Members noted that two tenders had been received, the lowest of which was from J Clawson Limited. A check had been undertaken to ensure that all items had been included and all elements of the work had been priced as intended; and they had successfully completed the Competence and Resource assessment and financial check for consideration for appointment as the Principal Contractor.

As part of the relocation of the Borough Treasurer's Department and Housing staff, removal and storage costs would be incurred. Additionally, during the weekend works in the Housing office, it was noted that it may be deemed necessary for an external key holder to attend on site to open and close, plus the presence of a security guard to be in the building.

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

(ii) That the tender received from J Clawson Limited be accepted, and that authority be given for them to be appointed to act as the Principal Contractor to undertake the internal remedial works to the Town Hall; and

(iii) That expenditure for the project, including construction costs, professional fees, removal fees, security, and key-holder services, be funded from General Revenue Reserves."

#### **A15. Isle of Man Municipal Association**

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

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

#### **A16. 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."

### ***PART B –***

#### ***Matters requiring Council approval***

#### **B17. Attendance at CIPFA Conference**

The Committee considered a written report by the Borough Treasurer detailing the content from the Chartered Institute of Public Finance and Accountancy's conference, held in London on the 7<sup>th</sup> to 9<sup>th</sup> July 2015.

The conference had been an opportunity for Council Members to hear world-class speakers and commentators, discuss key issues, take part in practical workshops, and to network. It was also a main plank of the Borough Treasurer's compulsory Continuing Professional Development, required to retain his qualification.

The Borough Treasurer reminded Members that the Council's Constitution stated (at Section 5(K)) that 'Members and officers attending events in the UK as representatives of the Council must submit a

report on their attendance to the authorising Committee within two months of the event, including in the recommendations reference to whether the Committee should consider representation at the following year's event'.

The Committee had, in the past, rejected the recommendation to attend in future on the basis that attendance should depend on the expected content of the conference, which was usually only released a short time ahead of the event. Therefore, as there was no recommendation for the Committee to make, the Borough Treasurer proposed the requirement in the Council's Constitution be changed from a report to a Briefing Note.

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

(ii) That the details from the CIPFA Conference also be noted;

(iii) That approval for continuing to attend CIPFA conferences be subject to a report to the Committee; and

(iv) That it be recommended that the Council's Constitution be amended at Section 5(K) to read, 'Members and Officers attending events in the UK as representatives of the Council must circulate a Briefing Note on their attendance to the authorising Committee Members within two months of the event. A recommendation whether the Committee should consider representation at the following year's event to be reported, together with details of the Conference content, well in advance of the Conference to obtain best prices for flights and accommodation.'

The Committee rose at 4.25pm.



# EXECUTIVE COMMITTEE / ENVIRONMENTAL SERVICES COMMITTEE

EXECUTIVE COMMITTEE / ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Special Joint Meeting held on Friday, 25<sup>th</sup> September, 2015.

Members Present: Mr Councillor D.W. Christian, MBE (Chair), the Mayor, Councillor Mrs C.A. Corlett, Mr Councillor S.R. Pitts, Mr Councillor D.J. Ashford, Councillor Mrs R. Chatel, Mr Councillor C.L.H. Cain, Councillor R.H. McNicholl, Mr Councillor J.E. Skinner, Councillor Mrs E.C. Quirk.

Officers in Attendance: Chief Executive, Borough Treasurer, Assistant Borough Engineer, Assistant Town Clerk, Assistant Chief Officer (Corporate & Development).

## REPORT

### **PART A –**

#### ***Matters within the scope of the Joint Committees' delegated authority***

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

No apologies for absence were received.

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

No declarations of interest were submitted.

##### **A3. Use of Car Park Tariffs to maximise Town Centre Car Parking Capacity and support the Town Centre Economy**

The Joint Committee considered a written report by the Assistant Chief Officer (Corporate & Development) recommending a revised car park tariff structure for the Drumgold Street and Chester Street Car Parks, aimed at maximising Town Centre parking capacity; and making recommendations in relation to potential initiatives, aimed at supporting the Town Centre economy.

The Assistant Chief Officer (Corporate & Development) advised, now that the Town Centre regeneration improvements were well progressed, car parking was becoming the main point of concern for retailers and the public in relation to the future success of Douglas Town Centre. While Shaw's Brow Car Park and the Bottleneck Car Park were mainly used by commuters, Chester Street and Drumgold Street Car Parks were predominantly used by shoppers and, therefore, the operation of these two car parks impacted to a greater extent on the Town Centre economy.

The current tariffs had been set when the Council had taken over the operation of Chester Street and Drumgold Street on 1<sup>st</sup> June 2015, in order to unify the charging structure across all four car parks. It was now being recommended that this approach be not continued with, as shoppers' first choice would always be Drumgold Street. However, because of its popularity, motorists struggled to find a free space, leading to the perception that there was nowhere to park in Douglas Town Centre. It was therefore suggested that, now that the Council managed all four car parks, there was an opportunity for a tariff structure to be implemented that would support the economy of the Town Centre and ensure that all spare car parking capacity was used.

Members noted current occupancy levels. A survey of usage, undertaken as part of the recent Douglas Car Parking Study, revealed that, at peak times, all of the public car parks in the Town Centre (apart from Chester Street) were effectively at full capacity, i.e., over 85% full. The Study also showed that, while during the Friday peak, Drumgold Street was 96% occupied, Chester Street was only 61% occupied.

The proposal was therefore to encourage more drivers to use the spare capacity in Chester Street as a first choice. To achieve this, it was suggested that the tariff structure be changed which would result in Drumgold Street being the most expensive in the Town Centre, with Chester Street (being the least popular) being the cheapest. The tariffs for Shaw's Brow and the Bottleneck Car Parks would not be affected.

The Assistant Chief Officer (Corporate & Development) reported that towns and cities in the United Kingdom were using tariff incentives at certain times to generate increased footfall outside of peak times. One such incentive, known as 'free after three' encouraged shoppers to visit town centres during the late afternoon. Members were also advised that the Chairman of the Chamber of Commerce Retail Committee had requested the Council consider offering a year-round flat rate tariff of £2.00 to park all

day in Chester Street on a Saturday. While the introduction of these initiatives in Douglas would aim to encourage more overall visitors to the Town Centre, creating economic benefit, they would also likely lead to a modest reduction in overall car park revenues.

Members discussed the proposals at length before voting on the recommendations. On a vote being taken Members voted 2 For; 7 Against, and the recommendations therefore fell. The Chair and Councillor Mrs E.C. Quirk requested their votes in favour of the proposals be recorded on the minutes.

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

(ii) That approval be not given for the tariffs at the Drumgold Street Car Park to be increased as proposed;

(iii) That approval be not given for the tariffs at the Chester Street Car Park to be reduced as proposed;

(iv) That approval be not given for the proposed ‘free after three’ initiative to be trialled in the Chester Street Car Park; and

(v) That approval be not given for the proposed flat-rate tariff of £2.00 all day on Saturdays to be trialled in the Chester Street Car Park.”

## **A2. Parking Charges at Christmas**

The Joint Committee considered a written report by the Assistant Town Clerk seeking approval to the continuation of the provision of free parking on Thursday evenings and Saturdays at the Council’s car parks at Shaw’s Brow and the Bottleneck.

The Council had, for many years, provided parking free of charge in its Town Centre car parks on Thursday evenings and Saturdays over the Christmas period (with Sundays being free all year round), for the purpose of encouraging people to shop in Douglas in the period immediately before Christmas, and also contributing to the promotion of retail businesses in the Town.

During discussion of the suggested concessions, it was proposed and seconded that free parking on Thursday evenings and on Saturdays in the run-up to Christmas also be implemented at the Chester Street Car Park. On a vote being taken, Members voted 7 For; 2 Against, and Mr Councillor D.J. Ashford and Mr Councillor J.E. Skinner requested their votes against this proposal be noted on the minutes.

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

(ii) That the provision of free parking on Thursday evenings and Saturdays at the Council-owned car parks at Shaw’s Brow and the Bottleneck be approved to apply from Thursday 26<sup>th</sup> November to Thursday 31<sup>st</sup> December 2015, inclusive;

(iii) That the provision of free parking on Thursday evenings and Saturdays at the Council-operated car park at Chester Street be approved to apply from Thursday 26<sup>th</sup> November to Thursday 31<sup>st</sup> December 2015, inclusive;

(iv) That the provision of free parking be not applied to the Council-operated car park at Drumgold Street; and

(v) That, as provided for in the licence agreement, the Department of Infrastructure be advised of the Council’s intention to change the tariffs at the Chester Street Car Park from Thursday 26<sup>th</sup> November to Thursday 31<sup>st</sup> December 2015, inclusive.”

## **PART B –**

### ***Matters requiring Council approval***

There were no matters requiring Council approval.

The Joint Committee rose at 2.35pm.

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

# PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 9<sup>th</sup> September, 2015.

Members Present: Mr Councillor D.J. Ashford (Chair), Mr C.L.H. Cain, Mr Councillor R.H. McNicholl, Mr Councillor J.E. Skinner, Councillor Ms K. Angela, Mr A. Thomas (Independent Member).

In Attendance: Mr Mark Freeman, Scheme's Investment Advisor - Hymans Robertson, Mr Josh Pilley - Hymans Robertson, Mr Alistair McKissack - Hymans Robertson (item A13), Mr Martin Corkish - Investasure (item A14), Mr Simon Betteley, Mr James Ayling, Mr Adam Grimsley and Mr Paul Tebbit – BlackRock (item A15), Borough Treasurer, Assistant Democratic Services Officer.

## REPORT

### **PART A –**

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

##### **A1. Election of a Vice-Chairman**

It was unanimously agreed that Councillor Ms K. Angela serve as Vice-Chairman for the 2015/2016 municipal year.

##### **A2. Apologies**

The Worshipful the Mayor submitted apologies for the meeting.

##### **A3. Declarations of Interest**

There were no declarations of interest.

##### **A4. Minutes – 27<sup>th</sup> May 2015**

The minutes of the meeting held Wednesday, 27<sup>th</sup> May, 2015, were approved for signature.

##### **A5. Matters Arising from the Minutes – Clause A14**

The Borough Treasurer advised that the appointments of Canaccord and Investasure as Fund Managers are now both confirmed by signed contracts and the officers together with Hymans Robertson are in the process of organising the transfer of the funds. In response to a query regarding the delay, the Borough Treasurer explained that the transfer of the funds is a complicated process and the timing of the transfer is crucial. The Council are working with Hymans Robertson to make the transition and are hoping to transfer in September. Mr Freeman advised paperwork requires agreement from the Council's Advocate before the transition, and in order to minimise the period between the selling of the assets and the transfer, the officers and Hymans Robertson are working closely with BlackRock, St. James's Place and Canaccord.

Resolved, "That the matter arising be noted on the minutes."

##### **A6. Minutes – 26<sup>th</sup> June 2015**

The minutes of the special meeting held Wednesday, 26<sup>th</sup> June, 2015, were approved for signature.

##### **A7. Training – Committee Investment Training**

The Committee participated in a training exercise identifying various investment terms as a quiz. Mr Freeman then explained the terms and agreed to supply the slides as a reference for the Committee.

Resolved, "That the training presentation be noted on the minutes."

##### **A8. Capital Market Service**

The Committee considered a presentation by Mr Freeman on the quarter two 2015 market update.

Mr Freeman presented the market returns for the quarter, it was noted quarter two had been difficult for all markets except property and cash. A series of graphs were presented to Members demonstrating the Purchase Managers Index manufacturing indicators, core Consumer Price Index inflation, private sector wages growth, December 2016 interest rate expectations, global equity performance and the UK property sector valuation.

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

#### **A9. Review of Investment Managers' Performance**

The Committee considered a report by Hymans Robertson reviewing the Investment Managers' performance for the second quarter of 2015.

Mr Pilley began by providing the historic returns for markets and highlighted the key events during the quarter.

Members were presented with a portfolio summary detailing the valuation summary, the performance summary gross of fees and the absolute quarterly and annualised cumulative performance.

In answer to question, Mr Pilley confirmed the Scheme was overweight in cash for the period, Mr Pilley explained the cash holding is nominal and considering the downturn in markets during the quarter, would likely to have had a positive effect on the Scheme.

It was noted that bonds were underweight for the quarter due to BlackRock's overweight position in equities; Mr Pilley reminded Members that bonds will be restructured before the end of the third quarter.

Mr Pilley moved on to the overall quarter performance from BlackRock and Capital International, both managers reported a negative return during the difficult quarter.

Members were provided with a BlackRock overview for the quarter. The mandate marginally underperformed the benchmark over the quarter with a negative absolute return of -2.4% compared to the benchmark of -2.3%. It remains ahead of benchmark over one and three years and marginally behind over a five year period before fees.

The report continued to support BlackRock for their Corporate Bond and Property portfolios, however Hymans Robertson continue to believe that there are better alternative managers for UK equity, overseas equity and gilts as agreed and due to be implemented by the Scheme.

Members were presented with BlackRock's performance summary and attribution. On a relative basis only the UK equity allocation outperformed its benchmark over the quarter.

The Capital International Fund returned -2.4% over the quarter. Over a 12 month period the Fund has provided a positive absolute return, although trails the target return marginally. Since inception, the Fund has produced strong returns, comfortably outperforming the target return. It was noted that while the fund had a negative return over the quarter, it outperformed both global equity and UK fixed income indices.

Members noted that there have been no material changes to Capital International's investment philosophy, process or team over the quarter. Hymans Robertson continued to support Capital International for the management of this mandate.

The Borough Treasurer read an e-mail received from Mr Bell explaining the reason for the negative absolute return during the quarter. Mr Bell advised that the quarter end happened to be right in the middle of the Greek uncertainty and virtually all of the quarter's decline occurred in the last two weeks of June. Since the quarter end, Mr Bell has reported that the portfolio is already positively performing at 1.4% as the Greek situation has to some extent been resolved.

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

#### **A10. The Statement of Investment Principles (SIP)**

The Committee considered a report submitted by the Assistant Chief Officer (Finance) and Hymans Robertson to update the version of the SIP on the Council's website.

Members were reminded that the Local Government Superannuation Scheme Regulations make it mandatory for Administering Authorities to publish a SIP.

At a previous meeting the SIP was updated but it was agreed that it not be published until the new fund managers were in place. Canaccord and Investasure have now both been appointed as fund managers. Members were advised that no substantive changes are required to the SIP.

Resolved, "That particulars of the report be noted on the minutes and the Chairman and Borough Treasurer be authorised to sign the updated SIP."

#### **A11. Regular Report of Funding Updates**

The Committee considered a report submitted by the Assistant Chief Officer (Finance), in response to a request made in the May Pensions Committee meeting, on the regular reporting of funding updates.

Members were advised that a full valuation is conducted every three years which informs the setting of contribution levels. This is a comprehensive exercise and the total cost for the last valuation was £63,000. A valuation is a costly exercise but it does have an important outcome, i.e. the setting of the contribution levels for the forthcoming years.

An updated estimate of liabilities could be provided to Committee by the fund actuary, Hymans Robertson, on a quarterly or an annual basis. An example of the format of report that could be provided was attached to the report.

Such an update report does provide interesting information, however, it would not be based on up to date information about members or demographic trends, which introduces an element of inaccuracy until the next triennial valuation is carried out.

Members accepted that when a scheme is nearing the elimination of a funding deficit then quarterly funding updates could be useful in giving an indication of when the de-risking of assets could be considered further. This would help reduce the chance of further falls in the funding level in the future. However, the Isle of Man Local Government Superannuation Scheme is planning to eliminate its deficit over a 20 year period and the Scheme is some way off achieving the 100% funding level target. There is therefore not a significant benefit to be gained from funding update reports in the near future.

Resolved, "That particulars of the report be noted on the minutes and interim updates on funding levels not be implemented."

#### **A12. Investment Research Insights**

The Committee received a presentation from Mr Alistair McKissack, Head of Equity Research, Hymans Robertson, on investment research insights.

Mr McKissack began by introducing the Hymans Robertson research team and listed their roles and responsibilities.

Mr McKissack went on to explain Hymans Robertson's research approach combining asset strategy, market outlook, and client solution and manager implementation.

Members were presented with a list of asset class research undertaken by the research team and the relative value framework.

The presentation explained the manager research process overview, how Hymans Robertson undertake qualitative and quantitative research together with the use of the eVestment database to help advise clients.

Mr McKissack provided a five step diagram listing the five steps undertaken in a manager search process, and listed the qualitative and quantitative factors considered as part of the process.

Mr McKissack explained the process in place to monitor managers; managers are scored between one and five, five being the preferred manager and one being an alert to sell immediately. Members were presented with the key monitoring parameters.

The presentation finished with an oversight in to the operational due diligence.

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

Mr McKissack was thanked for his presentation and the meeting adjourned for a lunch break.

#### **A13. Adjournment and Resumption**

The meeting adjourned at 12.05pm and resumed at 1.00pm, the same Members and officers were in attendance.

Mr Martin Corkish of Investasure joined the meeting.

#### **A14. Characteristics and Features of the Underlying Managers in the Global Equity Portfolio and a recap on the philosophy and process at St James's Place – presentation from Investasure.**

The Committee received a presentation from Mr Corkish of Investasure providing an overview of the various fund managers chosen for the Global Equity Portfolio.

Mr Corkish began by advising there have been changes to the Investment Committee due to a retirement and then explained the membership of the Committee, which continues to be supported by independent consultants (Stamford Associates).

Mr Corkish reminded the Committee that a key role of the St. James's Place Investment Committee is to 'select, monitor and change where necessary' expert fund managers from a global universe. Many of these fund managers are employed often by both well-known and more boutique institutions and manage funds for those employers, however money being invested on behalf of clients is not pooled with ordinary 'retail or institutional' clients, but in fact are deliberately invested in St. James's Place own funds. This has the benefit of enabling the St. James's Place Investment Committee and asset management team better control in terms of; managing risk in general, liquidity, understanding the granular detail of each fund, to set the objectives for each fund manager and again, monitor performance against those objectives. Ultimately fund managers are replaced when necessary.

Members were presented with various slides demonstrating the global equity composite fund manager allocation, in particular, Mr Corkish explained the various styles for each fund manager and the importance of diversification across; investment technique, philosophy, geography, market capitalisation and sector of industry.

Mr Freeman queried the BlackRock Core passive fund listed, however, after further discussion it was confirmed this was managed by BlackRock but is a St. James's Place fund not a BlackRock in house fund.

Mr Corkish advised that the fund is split 60% passive and 40% active management.

Mr Corkish explained the active manager styles and definitions of the investment styles were provided to Members.

Mr Corkish provided a detailed explanation of the funds which make up the Global Equity portfolio; Global Equity 30%, Global 30%, Global Equity Income 30% and Emerging Markets Equity 10%. Members were provided with Fund Managers details, the philosophy and process for each fund, style positioning relative to the benchmark, the regional sector positioning relative to the primary benchmark, cumulative performance since appointment and stock examples.

Following the presentation, in response to question by Members, Mr Corkish explained the reason for the delay in signing the new agreement and transferring the funds.

Mr Corkish explained that Investasure hold the required licence to provide investment advice and had assumed that as the tender was on this basis that they would not have a problem. Investasure therefore believed they had the necessary licence required at the time that they presented to the Committee. After discussions with the Financial Supervision Commission (FSC), Investasure were advised by the FSC that a further licence was required in order to be able to provide financial advice to an occupational pension fund.

Investasure argued that they would not be providing 'pension advice' in terms of the contributions each employee or employer should be making, nor would they be providing advice on any other actuarial calculation and argued that irrespective of the size of the sum being invested, the investment approach and advice process would be exactly the same as it would for any other client. In addition Investasure reiterated that the suitability of their advice was being guaranteed by St. James's Place Wealth Management (FTSE100 company). Despite this the FSC insisted that an additional license be obtained.

Mr Corkish agreed that in hindsight they should have contacted the FSC before tendering for the contract. Unfortunately, it took quite some time to agree a licence with the FSC, and Mr Corkish thanked the Committee and the Borough Treasurer for their patience during the process. Mr Corkish confirmed that Investasure have now purchased the required licence from FSC, and have agreed to cover some of the additional costs of the Council's Advocate bill incurred during the lengthy process.

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

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

#### **A15. Property, Corporate Bonds and Absolute Return – Specialist Team Presentation from BlackRock**

The Committee received a presentation from Mr Simon Betteley, Mr James Ayling, Mr Adam Grimsley and Mr Paul Tebbit of BlackRock.

The Committee agreed, due to the upcoming transfer of the funds, not to discuss the performance of the fund during the quarter in detail.

Mr James Ayling provided an overview on the BlackRock Diversified Dynamic Growth Strategy (DDG) to which 10% of the Fund is to be transferred. Mr Ayling began by providing a background to the Fund, its core beliefs, the dynamic asset allocation, the Fund growth and the Diversified Strategies Team.

Mr Ayling provided an insight into the investment process and the key macro themes. Members were presented with trade examples of the Fund.

Mr Ayling finished with a portfolio comparison of the IOMLGSS currently invested with BlackRock versus the DDG.

Mr Grimsley presented to Members the Fixed Income Portfolio. The presentation began with a performance and market background of the Fund, the credit market background, the inflation linked market background and strategy themes. Mr Grimsley finished with an overview on the Ascent (UK) All Stocks Corporate Bond Fund to which 8% of the Fund is to be transferred.

Mr Paul Tebbit presented the BlackRock UK Property Fund (BUKPF) which will remain 12% of the Scheme's assets. Members were provided with an overview detailing the Property Fund Team, the historic Fund net asset value, number of unit holders, historic yield to investors and the number of

investments. Members were presented with the portfolio as at 20<sup>th</sup> June 2015 by Net Asset Value (NAV).

Mr Tebbit went on to explain the forecast and weightings of the Fund, the sector spread, the UK forecast total returns 2015-2019 and the real estate total return forecast.

The presentation listed the acquisitions and disposals in the Fund during quarter 2 of 2015.

Mr Tebbit explained the asset management leasing updates, and the portfolio vacancy as at 30<sup>th</sup> June 2015 was provided to Members together with drivers of performance.

The presentation finished with the strategy update, in particular, the BlackRock Industrial Trust, the BlackRock Student Housing Trust and the BlackRock Workspace Property Trust. Members were advised of the top five detractors to portfolio relative returns.

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

The presenters were thanked for their attendance and left the meeting.

#### **A16. Items for Future Report**

The Committee considered a report submitted by the Borough Treasurer setting out items that are to be considered at future meetings and to review any future training requirements. Where there has been a delay in reporting, the reason for this is outlined.

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

#### ***PART B –***

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

There were no matters requiring Executive Committee approval.

#### ***PART C –***

##### ***Matters requiring Council approval***

There were no matters requiring Council approval.

The Committee rose at 3.30pm.

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

# STANDARDS COMMITTEE

STANDARDS COMMITTEE – Minutes of Meeting held on Monday, 21<sup>st</sup> September, 2015.

Members Present: Councillor Mrs R. Chatel (Chair), Councillor Miss D.A.M. Pitts, Mr D.M. Booth (Independent Member).

In Attendance: Assistant Town Clerk, Democratic Services Officer.

## REPORT

### **PART A –**

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

##### **A1. Election of Vice-Chair**

Councillor Miss D.A.M. Pitts was elected to serve as Vice-Chairman for the remainder of the municipal year.

##### **A2. Apologies for Absence**

Councillor Mrs Ann Corlett submitted apologies for the meeting.

##### **A3. Declarations of Interest**

No declarations of interest were submitted.

##### **A4. Minutes – 27<sup>th</sup> July, 2015**

The minutes of the meeting held Monday, 27<sup>th</sup> July, 2015, were approved and signed.

##### **A5. Matters Arising – A6: Dates of Future Meetings**

At the previous meeting, the Committee had agreed to meet six times a year. A Member noted that the electronic agenda had included the note that this was a regular quarterly meeting. It was accepted that it was incorrect to refer to it as a quarterly meeting, and so this wording would not be used in future.

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

##### **A6. Training Exercise**

The Committee undertook a training exercise in which they discussed a series of scenarios based on the activities of six fictitious councillors. Topics considered and discussed included Members' interests and when and why they should be declared; the distinction between acting in a personal capacity and as a public Councillor; issues which arise from the use of social media; and data protection issues. Not all of the scenarios were discussed, and so Members agreed to continue the training at the next meeting.

Resolved, "That the training be noted on the meetings"

##### **A7. Dates of Future Meetings 2015/2016**

The Committee were presented with the dates and times of meetings for the remainder of the municipal year, given the Committee's previous decision to meet six times a year.

Resolved, "That the schedule be noted on the minutes and the approval be given for the Committee to meet at 10.30am on the following dates in 2015/16:-

Monday, 7<sup>th</sup> December, 2015; Monday, 25<sup>th</sup> January, 2016; Monday, 21<sup>st</sup> March, 2016."

##### **A8. Review of Forward Plan**

The Committee reviewed the Forward Plan. In the training needs of Council Members and Officers it was suggested that a formal training needs analysis be carried out to determine what topics are best covered in training / refresher sessions for all Councillors. It was suggested that Members be surveyed to see if they would wish to have training on the use of electronic communication, especially in the light of social media; or on declarations of interest and guidance on managing multiple roles.

Resolved, "That the Forward Plan be noted on the minutes and the recommendation made to the Chief Executive that a survey of Councillors be carried out to establish training needs."

### **PART B –**

#### ***Matters requiring Council approval***

There were no matters requiring Council approval.

The meeting ended at 12.20pm.



VI(vi) – The proceedings of the HOUSING COMMITTEE as follows:

# HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 16<sup>th</sup> September, 2015.

Members Present: Mr Councillor D.J. Ashford (Chair), the Mayor (until 11.40am), Councillor Mrs C.E. Malarkey, Councillor Miss D.A.M. Pitts, Mr Councillor S.C. Cain, Councillor Ms K. Angela.

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

## REPORT

### **PART A –**

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

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

There were no apologies for absence.

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

There were no declarations of interest.

##### **A3. Minutes - 15<sup>th</sup> July, 2015**

The minutes of the meeting of the Housing Committee held Wednesday, 15<sup>th</sup> July, 2015 were approved and signed.

##### **A4. Matters Arising C6 – Willaston External Refurbishment**

It was reported to Committee that the actual petition figure for Phase 2 of the Willaston External Refurbishment Scheme was £1,627,993.10 with the borrowing over thirty years. Based on that borrowing, the estimated annual amount payable would be £101,833.30; the estimated total amount payable would be £3,054,999.00; and the estimated total interest would be £1,427,005.90.

These figures had been reported to Council at the meeting on 12<sup>th</sup> August, 2015, wherein the full report including approval of the borrowing petition was received, approved and adopted by the Council.

Resolved, "That the updated figures be noted on the minutes."

##### **A5. Vacant Properties Refurbishment Scheme**

The Committee considered a report seeking approval for the business case for a capital scheme to refurbish forty vacant properties so as to ensure that these are in a suitable condition to be re-let. These vacancies have arisen due to re-housing tenants in newly constructed accommodation. The properties which have been identified require elements of refurbishment work that would normally be carried out under a capital scheme, which is more than what is normally carried out through maintenance. Attached to the report was the formal business case which included information on the properties to be included in the scheme and the specification and standard for the work.

In response to query, the Assistant Chief Officer (Housing and Property) advised that the incorrect specification document was attached to the report and that the properties would be refurbished to the Council's Void Property Standard.

In response to further query, officers confirmed that the work to be included in this scheme does not overlap with work to be carried out under the Willaston external refurbishment programme.

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

- (i) Approval is given to the business case appended to the report; and
- (ii) Approval is given to the use of capital receipts from the sale of Council housing assets to fund the full capital cost of the scheme which is estimated to be in the region of £180,000."

##### **A6. Housing Section Performance Data**

The Committee considered performance data on the Housing Section as of August, 2015. Only two of the eleven projects in the schedule are shown as behind schedule; those are the Hillside Kitchen Refurbishments Scheme which is now estimated to start in January, 2016 due to a change in the framework contractor; and the Willaston Sheltered Housing Complex which is awaiting Department of Infrastructure business case approval.

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

**A7. Items for Future Consideration**

The Committee considered a report setting out items which will be considered at future meetings. The Chair asked for development of a capital scheme to repair and replace windows with blown glass in housing properties throughout the Borough.

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

***PART B –***

***Matters requiring Executive Committee approval***

There were no matters requiring Executive Committee approval.

***PART C –***

***Matters requiring Council approval***

There were no matters requiring Council approval.

The meeting ended at 11.42am.

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

# REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Tuesday, 15<sup>th</sup> September, 2015.

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

In Attendance: Assistant Chief Executive, Assistant Town Clerk, Assistant Chief Officer (Finance), Assistant Chief Officer (Housing and Property), Head of Parks, Assistant Democratic Services Officer.

## REPORT

### **PART A –**

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

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

Mr Councillor E.A. Joyce submitted apologies for absence.

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

No declarations of interest were submitted.

##### **A3. Minutes – 14<sup>th</sup> July, 2015**

Minutes of the meeting held on Tuesday, 14<sup>th</sup> July, 2015, were approved and signed.

##### **A4. Summerhill Glen - Hop Tu Naa**

The Committee considered a report submitted by the Head of Parks, following an application from PSS Services Ltd, to hold a Hop Tu Naa event in Summerhill Glen.

During August 2015, the Council were approached by PSS Services Ltd with a proposal to hold a Hop Tu Naa event in Summerhill Glen between 29<sup>th</sup> October and 1<sup>st</sup> November 2015.

The proposed event is the same as the event held in Summerhill Glen for Hop Tu Naa in 2014, which was organised by the same company. The 2014 event proved to be a great success with visitor numbers estimated at around 2000.

Members were asked to consider a rental fee for the event. Based on the 2014 agreement, Members agreed to charge a nominal fee to cover the Council's expenses in association with the event, but to charge no site rental.

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

- (i) The proposal presented by PSS Services Ltd. for a Hop Tu Naa event to be held 29<sup>th</sup> October to 1<sup>st</sup> November, be noted on the minutes; and
- (ii) A fee agreed by the Committee be charged, to cover the cost of services provided by the Council in conjunction with the event."

##### **A5. Reayrt Y Sheear Fencing**

The Committee considered a report submitted by the Assistant Borough Engineer on tenders received for the supply and installation of fencing to the Reayrt Y Sheear amenity land, Johnny Watterson's Lane, Douglas.

Seven contractors submitted tenders for the installation of the fencing; Auldyn Construction Limited submitted the lowest tender.

Members queried if the installation of the fence is a requirement. There was some deliberation about the requirement for fencing as part of the landscaping budget and a possible planning condition; however the item was deferred pending confirmation of this.

Resolved, "That particulars of the report and discussion be noted on the minutes and the item be deferred pending further information on the requirement for fencing in the area."

##### **A6. Items for Future Report**

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

Officers ensured that future Market Liaison Group meeting minutes will feature on the Regeneration and Community Committee agenda.

The Assistant Chief Officer (Finance) provided an update on the Library move and the timescales involved.

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

***PART B –***

***Matters requiring Executive Committee approval***

**B7. Drawdown of Funds for Ballaughton Nursery Automated Plant Production Equipment**

The Committee considered a report submitted by the Head of Parks on tenders received for the purchase and installation of automated plant production equipment for Ballaughton Nursery.

Following advertisement for expressions of interest for the supply and installation of automated planted production equipment, two expressions of interest were received. Officers gained technical information from three suppliers of the equipment at a supplies show and subsequently produced a specification based on the information covering the equipment sold by the companies. Members noted that the equipment is specialist equipment and there are a small number of suppliers in the UK.

Following the expressions of interest and the application evaluation, both companies were asked to tender for the supply and installation of the equipment. One company, Rotomation (UK) Ltd. visited the Nursery and offered technical advice more applicable to the size of the Nursery the Council operates. Rotomation subsequently provided a tender based on the specification supplied (option A) and offered alternative equipment which would achieve the volume of plants produced by the Nursery at a reduced cost (option B). It was noted only one company submitted a tender.

In answer to question, the Head of Parks confirmed the majority of the scheme is to be funded from general revenue reserves with the remaining being funded by virement from the existing Nursery revenue budget.

The Head of Parks advised that a £24,000 saving per annum in relation to staff has already been realised in anticipation of the scheme and the extra efficiencies generated by this installation would help facilitate taking on extra responsibilities like hedges and grass cutting from the Department of Infrastructure.

Resolved, "That option B from Rotomation (UK) Ltd. be approved following tendering for the purchase and installation of automated plant production equipment for Ballaughton Nursery."

***PART C –***

***Matters requiring Council approval***

There were no items requiring Council approval.

The meeting ended at 11.15am.

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

# ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 14<sup>th</sup> September, 2015.

Members Present: Mr Councillor R.H. McNicholl (Chair), the Mayor (until 11.20am), Councillor Mrs C.A. Corlett (from 10.25am), Councillor Mrs R. Chatel, Mr Councillor C.L.H. Cain, Councillor Mrs E.C. Quirk.

In Attendance: Assistant Town Clerk, Assistant Chief Officer (Corporate and Development), Building Control Manager, Accountancy Manager, Assistant Borough Engineer, Senior Engineering & Waste Services Manager, Democratic Services Officer.

## REPORT

### **PART A –**

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

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

Apologies for lateness were submitted by Councillor Mrs C.A. Corlett.

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

There were no declarations of interest.

##### **A3. Minutes – 13<sup>th</sup> July, 2015**

The minutes of the regular meeting held Monday, 13<sup>th</sup> July, 2015 were approved and signed.

##### **A4. Matters Arising – A5 Disabled Parking in Council Car Parks**

A Member asked if the decision to allow an additional hour of car parking for disabled users has been implemented. Officers advised that in the pay-and-display car parks the decision has been immediately implemented.

Officers advised that the machines in Shaw's Brow and Bottleneck Car Parks have been configured to allow disabled users of the car park an additional hour; but those changes have not yet been tested, and implemented. A pre-payment card will need to be used in order to be allowed the extra time. There was some further discussion on parking.

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

##### **A5. Matters Arising – A8 Environmental Campaigns**

A Member asked if the pavement stencils to warn against dog fouling were in use. The use of the stencils was suggested by the Member at the July meeting. Biodegradable paint is used with a stencil to put an anti-dog fouling message on the pavement. The Member stated that the system is in use in Wirral, and is proving to be very effective as the message against fouling is on the pavement where dog walkers normally look. The paint used to highlight the issue weathers away in time.

Resolved, "That the suggestion that pavement stencils be used to warn against dog fouling and to highlight areas of concern be investigated, assessed and a report including the costs of implementation be brought back for consideration by the Committee."

##### **A6. Attendance**

Councillor Mrs C.A. Corlett joined the meeting at 10.25am during consideration of the previous item.

##### **A7. Planning Application 13/91222/REM – Corner of Bridge Road and South Quay**

The Committee considered a planning application relating to the former bridge works site located between Old Castletown Road and the River Douglas, immediately to the west of the Bridge Road / South Quay roundabout.

The Committee considered planning application 13/91222/REM which addresses the conditions set out in the approval in principle which was granted to planning application 11/00527/A for an office development to replace the former bridge works site. The reserved matters include a green travel plan, a flood risk assessment, and a daylight analysis report.

The Committee considered the application, the officer's report, and viewed plans and other documents via the Government website. Members commented that the proposed development would be an improvement on the current site. It was noted that whilst the application made provision for some cycle parking, the plans did not include any staff facilities such as lockers, showers or changing facilities. Lack of these would be likely to limit the extent to which staff utilised the cycle parking.

Resolved, "That the application be noted on the minutes and no objection be raised, subject to the following conditions being attached to any approval which may be granted:-

- That the entrance ramp or barrier to the vehicular access should be set above the predicted flood level of 5.6m AD and include an additional 300mm freeboard allowance giving protection to a level of 5.9m AD.
- That the car park should incorporate waterproof construction, with non-return valves fitted to drains.
- That a system be established for preventing cars from accessing the site during a foreseeable extreme tidal flood event.
- That a flood plan should be produced advising site users of the potential flood risk to the car park: and the safe access/egress route to be used during a flood event.
- That suitable changing facilities, staff lockers and showering facilities be incorporated within easy access of the cycle parking in the car park.
- That the Annual Travel Plan for the building be made publicly available for scrutiny through the Department of Infrastructure Planning & Building Control Division."

#### **A8. 1 Castle Drive, The Manningham**

The Committee considered a report on the condition of The Manningham, 1 Castle Drive. Although improvements have been made to the exterior of the property, works have been somewhat sporadic and are not yet completed.

Resolved, That the report be noted on the minutes and approval is given for the service of a notice under Section 24 of the Building Control Act 1991, on the owner of The Manningham, 1 Castle Drive, Douglas. The notice would require the repainting of front entrance portico and the balcony above. The notice may also include repainting of the window frames to the front elevation."

#### **A9. Schedule of Unsightly Properties**

The Committee considered the Schedule of unsightly properties being dealt with on behalf of the Council. Members reviewed the schedule and raised some questions on particular properties. Question was raised about the powers available to the Council to force a landowner to remove sycamore trees from a small garden when they are at a young stage and relatively easy to remove. Officers advised that trees within a garden would not generally be considered unsightly, and so it would be difficult to enforce a Notice requiring their removal. If a Notice cannot be enforced, it would not be served.

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

#### **A10. Sea Defences – Douglas Promenade and Douglas Harbour**

The Committee considered a report on proposals for sea defences for Douglas Promenade and Douglas Harbour. This report is a follow-up to a presentation on proposals for sea defences which was given to Councillors on the 22<sup>nd</sup> July, 2015 by the Department of Infrastructure and their appointed consultants. The purpose of the presentation was to inform the Council of the proposals being examined by the Department for sea defences in Douglas. These proposals are at a very preliminary stage with no plans for any immediate start to work because Douglas has a lower risk of flooding than other areas on the Island which are under a more immediate threat. This is a very long-term project on which the Council's views are being sought. Further detailed reports will be brought when the proposals are to be progressed.

The report set out options with indicative drawings for each option for three different areas; Douglas Harbour, Douglas Promenade and the rocky area opposite Summerland. Members discussed the options in light of the very long timescales before these are likely to be progressed. Question was raised about the proposals for Douglas Harbour. It was noted that there has been a great deal of work in recent years to improve the physical environment in and around the harbour. The access to the boats and the view of the boats in the harbour from the walkway has been a key part of the upgrading of that area, so it is important not to construct a new sea wall which impedes the view or access.

Resolved, "That the report be noted on the minutes and subject to the options not being at the expense of the Promenade refurbishment works, including the tramline relocation works approval be given to these preferred options for sea defences in Douglas:-

- (i) Option DOCA1 - to construct a sea wall on Douglas Promenade along the line of the existing railings with suitable decorative motifs incorporated into the construction.
- (ii) Option DH2 - to construct a sea wall back from the existing North Quay harbour wall edge, incorporating suitable seating and lighting.
- (iii) Option DOCB1 - to add rock armour to the bottom of the sea wall opposite the old Summerland complex.”

**A11. Adjournment and Resumption**

The meeting adjourned at 11.20am and resumed at 11.30am with the same Members present except for the Mayor who gave her apologies for the remainder of the meeting.

**A12. Green Waste Composting**

The Committee considered a report on alternatives for the disposal of green waste, timber and hard core. A new licenced composting facility has been developed next to the Energy from Waste plant. Currently the Council uses the composting facility at Ballanevin in St John’s. Savings could be achieved by the reduction in travel time as the facility is much closer to Douglas.

Resolved, “That the report be noted on the minutes and approval be given for green waste, timber and hard core to be disposed of at the newly developed licenced composting adjacent to the Energy from Waste Plant and that the transport and disposal of these materials at the Ballanevin green waste facility cease.”

**A13. Big Tidy-Up**

The Committee considered a report setting out details of the Big Tidy-Up which will take place on the 3<sup>rd</sup> October, 2015, with a schools event on Friday, 2<sup>nd</sup> October, 2015. All Councillors will be invited to attend as will Beach Buddies.

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

**A14. Attendance**

Councillor Mrs R. Chatel left the meeting at 12.20pm prior to consideration of the following item.

**A15. Items for Future Consideration**

The Committee considered a report setting out items which will be considered at future meetings. The Chair asked for a report on the sale of refuse wagons. A Member requested a report on erection of a directional sign on Douglas Head indicating the opening hours of the Camera Obscura.

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

**PART B –**

***Matters requiring Executive Committee approval***

**B16. Public Lighting WiMAC Central Management System**

The Committee considered a report on a proposed lighting management system to replace the lantern controls on the four thousand three hundred public lighting installations throughout the Borough. The existing lights are switched on and off either by individual time-clocks or by photo electric cells which respond to changes in light levels.

Council officers have carried out research into emerging technologies to identify improved methods of controlling and managing public lighting which is a significant Council asset. The report set out details of the types of systems available and the manufacturers and suppliers of those systems.

There is on-going work to fit public lights with LED lanterns as these are more efficient, reduce energy consumption and over time will reduce costs. The report recommended introduction of a Lucy Zodion WiMAC central management system to wirelessly control the entire public lighting. This system requires specific LED lanterns fitted in the lighting columns and so the two elements are best introduced at the same time. A three-year programme for the changeover to the new system is planned.

Resolves, “That the report and discussion be noted on the minutes and approval given to the implementation for Lucy Zodion WiMAC public lighting central management system to replace ‘time clock or photo electric cell’ controls, phased in through general maintenance, public lighting capital schemes or projects.”

**B17. Public Lighting Capital Scheme 2015/2016**

The Committee considered a report on the rescheduling of the public lighting capital scheme for 2015/2016. Over the past five years, the emphasis for public lighting capital schemes has been to replace lighting columns either based on their structural condition or in order to improve sub-standard locations.

Columns classed as “Class 4 or higher” by structural condition reports were replaced as these were deemed to be unsafe and presented a significant health and safety risk to highway users and highway workers. The number being replaced for these reasons is now reducing. The Electrical Services Manager is now undertaking a policy review of the public lighting capital programme. The review is intended to investigate the value for money and service delivery benefits associated with the current capital scheme replacement programme.

The Committee discussed this report in conjunction with the previous report on the WiMAC central management system.

Resolved, “That the report be noted on the minutes and approval given to the rescheduling of the public lighting capital scheme for 2015/2016, subject to a public lighting programme review on which there will be a report to Committee in December 2015.”

***PART C –***

***Matters requiring Council approval***

There were no matters requiring Council approval.

The meeting ended at 12.30pm.



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

## MISCELLANEOUS BUSINESS

1. The Chief Executive to report that:
  - 1.1 Councillor Mrs R. Chatel has relinquished her membership of the Environmental Services Committee;
  - 1.2 Councillor Mrs E.C. Quirk has relinquished her membership of the Environmental Services Committee;
  - 1.3 Councillor Mrs D.A.M. Pitts has relinquished her membership of the Housing Committee;
  - 1.4 Councillor Miss D.A.M. Pitts was appointed by the Executive Committee on 25<sup>th</sup> September, 2015, to be a Member of the Regeneration and Community Committee for the remainder of the municipal year;
  - 1.5 Councillor Mrs E.C. Quirk was appointed by the Executive Committee on 25<sup>th</sup> September, 2015, to be a Member of the Housing Committee for the remainder of the municipal year;
  - 1.6 Councillor Ms C.R. Turner and Councillor Mrs C.L. Wells were appointed by the Executive Committee on 25<sup>th</sup> September, 2015, to be Members of the Environmental Services Committee for the remainder of the municipal year.
2. Appointment of one Member to serve as a Member of the Standards Committee until April 2016.