



## Borough of Douglas

---

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

---

Town Hall,

Douglas,

4<sup>th</sup> March, 2016

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 9th day of MARCH, 2016, 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 Special Council Meeting held on Friday, 5<sup>th</sup> February and monthly Council Meeting held on Wednesday, 10<sup>th</sup> February, 2016.

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

## EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 26<sup>th</sup> February, 2016.

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

Officers in Attendance: Chief Executive (Miss K. Rice), Assistant Chief Officer (Finance) (Mr P. Pierce), Assistant Chief Officer (Regeneration) (Mr C. Pycroft) (from Clause 5 onwards), Assistant Town Clerk (Mr P. Cowin) (for Clauses A1 to A10), Executive Officer (Mrs J. Keig) (taking minutes).

### REPORT

#### **PART A –**

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

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

Apologies for absence were submitted on behalf of Mr Councillor S.R. Pitts, the Director of Finance (Mr G. Bolt), and the Assistant Chief Officer (Environment) (Mr A. Donnelly).

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

No declarations of interest were submitted.

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

The minutes of the meeting held on Friday 29<sup>th</sup> January 2016 were approved and signed.

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

There were no matters arising from the previous minutes.

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

The Committee considered the following referral from the minutes of the Environmental Services Committee meeting held on Monday 15<sup>th</sup> February 2016:

Clause B1 - Douglas Promenade Steps: the Environmental Services Committee had considered a report on the ownership and condition of the steps, following a request from this Committee that costings be obtained for undertaking repair works to the steps. The five sets of steps along the length of the Promenade were in the Council's ownership, although it had also been noted that the Department of Infrastructure had indicated that it was considering the status of the steps, with a view to carrying out localised repairs to improve the stability of the sea wall.

There was some uncertainty about whether the figure reported to the Environmental Services Committee was for the repair of each set of steps or for the removal of each set of steps, and it was requested that this point be clarified. Members noted that the steps acted as a wave-break; and also discussed their usefulness in terms of providing a means of rescue / escape from the sea. It was further noted that the railings along the Promenade Walkway, together with the gates across the top of each set of steps, belonged to the Department of Infrastructure, and it was suggested that the Department should be asked to replace the gates with solid railings.

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

(ii) That the resolution of the Environmental Services Committee be endorsed as follows -

- That ownership of the steps be transferred to the Department of Infrastructure;
- That no repairs be undertaken to the steps by the Council;
- That the Department of Infrastructure be requested to lock the gates to the steps, to prohibit access to the beach by way of the steps; and

- That signage be erected in the area to prohibit access to the steps from the beach;

(iii) That clarification be provided as to whether the figure reported to the Environmental Services Committee was for the repair of each set of steps or for the removal of each set of steps; and

(iv) That if a positive response regarding replacement of the gates with railings at the top of each set of steps was not forthcoming from the Department of Infrastructure, and the gates were not locked by them, then this would be undertaken by the Council.”

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

The Committee considered the following referral from the minutes of the Regeneration and Community Committee meeting held on Tuesday 16<sup>th</sup> February 2016:

Clause B1 - Twinning and Affiliations: the Committee had considered an invitation for a party from the Council to visit Ballymoney from the 18<sup>th</sup> to 20<sup>th</sup> March 2016, and had resolved to refer it to this Committee for consideration. It had also been noted that Ballymoney Borough Council no longer existed as such, but had been subsumed into a larger authority - the Causeway Coast and Glens Borough Council.

The invitation – extended to the Mayor, Mayoress, Deputy Mayor and ‘Chair of the Twinning Committee’ (it was presumed this was intended for the Chair of the Regeneration and Community Committee) – was to also attend a meeting of the Ballymoney Twinning Association during the visit, in order to discuss the twinning link and future exchanges.

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

(ii) That approval be given for the Mayor and Mayoress to accept the invitation, although it be agreed that the Deputy Mayor should remain on-Island to provide any cover required in the absence of the Mayor (the Chair of the Regeneration and Community Committee being unable to attend);

(iii) That funding for the visit be from the Mayoral Budget;

(iv) That the visit be taken as an opportunity to advise the Ballymoney Twinning Association that the Council wished to continue its link with the Twinning Association, as it provided benefits through sporting and educational exchanges, and also to share the Council’s experience in relation to the current regeneration of Douglas Town Centre;

(v) That a report on the discussions with the Ballymoney Twinning Association be provided to the Executive Committee following the visit;

(vi) That an invitation be extended for two representatives of the Ballymoney Twinning Association to attend the Council’s forthcoming Annual Business Reception, scheduled to take place on Friday 15<sup>th</sup> April 2016;

(vii) That, if the invitation to attend the Business Reception was accepted, the two representatives of the Twinning Association be invited to attend a meeting with Council representatives on the morning of Friday 15<sup>th</sup> April 2016 (ahead of the Business Reception) to discuss the future of the twinning arrangement; and

(viii) That a budget to a maximum of £500 be approved from Revenue Reserves to pay for accommodation for the two Ballymoney Twinning Association representatives.”

#### **A7. Consultation Document – Disability Discrimination Act (Guidance and Code of Practice)**

The Committee considered a written report by the Assistant Town Clerk in relation to consultation documents issued by the Department of Health and Social Care, the closing date for comments on which was Friday 4<sup>th</sup> March 2016.

The Department was seeking comments on the content of two documents ahead of the Disability Discrimination Act 2006 being brought into effect in stages over the next four years. These documents were -

- Draft Code of Practice – setting out rights of access to goods, facilities, services, and premises; and
- Draft Guidance – on matters to be taken into account in determining questions relating to the definition of disability.

The documents presented straightforward explanations of how people and organisations would be affected, and what action they would need to take to comply with the legislation.

It was noted that the Council would be obliged to take action under the Disability Discrimination Act to ensure that its premises and services were accessible.

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

(ii) That the Department of Health and Social Care be advised that the Council supported the two documents, which were the subject of the consultation, as presenting clear, comprehensive, and readily understood guidance on the application of the Disability Discrimination Act.”

**A8. Consultation Document – Road Transport Legislation (Amendment) Bill 2016**

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Department of Infrastructure, the closing date for comments on which was Friday 4<sup>th</sup> March 2016.

The proposed Bill was intended to update the Road Transport Act 2001, and the Licensing and Registration of Vehicles Act 1985. It would bring into effect a requirement for the operators of goods vehicles to be registered, and the Council would need to register as such. However, as the requirements were based on ensuring vehicles were maintained in good condition, there would not be any major issues for the Council as it already had in place documented regimes of servicing and inspection.

Adjustments were also to be made to the Licensing and Registration of Vehicles Act 1985. The most significant change was the dispensation of the need to display a vehicle tax disc, although the requirement would remain until such time as this provision was brought into effect.

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

(ii) That the Department of Infrastructure be advised that the Council supported the draft Bill as modernising legislation and promoting safety.”

**A9. Consultation Document – Neighbourhood Planning and Related Issues**

The Committee considered a written report by the Assistant Town Clerk in relation to a letter received from Mr G Cregeen, MHK, seeking views on the proposed introduction of a Bill in Tynwald in regard to neighbourhood planning and related matters. It was noted that no fixed date had been set for the submission of comments.

Members were advised that a copy of the United Kingdom Neighbourhood Planning (General) Regulations had been attached to Mr Cregeen’s letter, with the assumed inference that his proposed Bill would be based on that legislation. These UK regulations provided a framework for planning matters to be decided with local input through neighbourhood planning forums, however, it was recommended that this approach be not supported, as the Island already had a structure of strategic and local plans, formulated after wide public consultation.

It was noted that local authorities on the Island were already consulted on all planning applications, and the Council had promoted the idea that first-stage planning - the consideration of straightforward planning applications - should be a matter for local authorities (whose Members had local knowledge and a mandate from their electorate to act on their behalf). It was therefore suggested that the principle of there being local input into planning decision-making be welcomed, but that, in the context of the Isle of Man, such input should be through effective liaison between the planning authority and the existing local authorities.

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

(ii) That support be expressed for the principle of planning decisions being made on a local basis;

(iii) That Mr Cregeen be advised that the Council did not support the introduction of regulations reflecting UK Planning Regulations, as they were over bureaucratic and unnecessary in the context of the Isle of Man, where local area plans were already in place; and

(iv) That Mr Cregeen be recommended to explore the possibility of greater involvement in planning decisions by existing, elected, local authorities in the Island in order to promote local input into decision-making, rather than seeking to introduce regulations similar to those applying in the UK (with the associated additional layer of bureaucracy).”

*Mr Councillor J.E. Skinner requested his vote against the resolutions be noted on the minutes.*

**A10. Monthly Financial Review**

The Committee considered a written report by the Director of Finance setting out details of progress made compared to key performance indicators in relation to:- strategic governance objectives; 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, “(i) That particulars of the report be noted on the minutes.”

**A11. Replacement Vehicle – Panel Van (HMN 588M)**

The Committee considered a written report by the Transport & Plant Manager seeking approval for the replacement of a panel van, operating within the Housing and Property Department.

Members were advised of the age, mileage covered, and the mechanical reasons for replacement in respect of vehicle HMN 588M. It was noted, in order to maintain service provision, that the condition and reliability prioritised this vehicle for replacement.

It was additionally noted that the current vehicle was a large panel van but, due to operational changes, the vehicle recommended for replacement was medium sized, thus reducing the cost of vehicle excise, fuel, and running costs in general.

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

(ii) That approval be given for the procurement of one Citroen Dispatch 1200 L2 H2 van, via the Department of Infrastructure’s procurement process, to be funded from the Plant Renewals Fund; and

(iii) That approval be given for the disposal of HMN 588M via the auction method.”

**A12. Replacement Vehicle – Small Van (HMN 772H)**

The Committee considered a written report by the Transport & Plant Manager seeking approval for the replacement of a small van, operating within the Housing and Property Department.

Members were advised of the age, mileage covered, and the mechanical reasons for replacement in respect of vehicle HMN 772H. It was noted, in order to maintain service provision, that the condition and reliability prioritised this vehicle for replacement.

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

(ii) That approval be given for the procurement of one Citroen Nemo LX Hdi 75 van, via the Department of Infrastructure’s procurement process, to be funded from the Plant Renewals Fund; and

(iii) That approval be given for the disposal of HMN 772H via the auction method.”

**A13. 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.”

**A14. Time and Date of Next Meeting**

The Committee noted that the next meeting was scheduled to take place on Thursday, 24<sup>th</sup> March 2016, commencing at approximately 2.15pm.

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

**A15. 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 subject to Council approval***

No public matters subject to Council approval were considered.

The Committee rose at 3.35pm.

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

# PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 24<sup>th</sup> February, 2016.

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

Officers in Attendance: Mr M. Freeman, Scheme's Investment Advisor – Hymans Robertson (agenda items A1 to A13), Mr S. Betteley – BlackRock (agenda item A6 only), Mr M. Corkish – Investasure, Mr T. Knight – St. James's Place (agenda item A9 only), Assistant Chief Officer (Finance) (Mr P. Pierce), Democratic Services Officer (Mrs D. Atkinson).

## REPORT

### **PART A –**

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

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

The Mayor and the Director of Finance (Mr G. Bolt) submitted their apologies for the meeting.

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

There were no declarations of interest.

##### **A3. Minutes – 25<sup>th</sup> November 2015**

The minutes of the meeting held Wednesday, 25<sup>th</sup> November, 2015, were approved and signed.

##### **A4. Investing for Growth, Income and Protection – Committee Training**

The Committee received a training presentation from Mr M. Freeman, Hymans Robertson, on the road to resilient investment strategy for defined benefit schemes.

Mr Freeman explained that the presentation is to consider how the Isle of Man Local Government Superannuation Scheme (the Scheme) will evolve over time. The Scheme is viewed as an immature scheme on the basis that it has been investing for approximately fifteen years, it is still open to future accrual and new members and contributions exceed pensions in payment. Members were presented with a diagram demonstrating a schematic view of liability cashflows and how these could be paid from an income portfolio.

The presentation went on to demonstrate the Scheme's expected cash flows based on assumptions, the graph demonstrated members receiving their pension, deferred members, members currently working and accruing pensions and future membership. Mr Freeman explained that as the Scheme is still open to new members, there is an expected future income from contributions, and therefore no requirement to sell down assets at the moment. However, within the next five years or so, the Scheme will more than likely need to consider making small changes to the current investment style.

Members considered the ultimate long term targets, the presentation divided the Scheme into three different portfolios based on past service liabilities and future service liabilities; with investments split between growth, income and protection objectives. In response to question, Mr Freeman confirmed that there is no recommendation to consider two different funds; the strategy would be to have one overall fund allocated over three different types of investment. The presentation explained the different types of investment assets for the three different portfolios and the types of assets that could sit within each type. Mr Freeman explained the Scheme is currently focussing on growth assets with a small amount of income and protection assets to ensure diversification within the fund.

Mr Freeman finished by explaining where the Scheme's assets sit in the three portfolios and how the fund could develop in the future.

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

##### **A5. Review of Investment Managers' Performance**

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

Mr Freeman began by providing the historic returns for markets and highlighted the key events during the quarter. It was noted that global equity markets rebounded strongly from the setback of quarters 2 and 3. Members discussed the current economic issues, in particular the EU referendum. Members

agreed to ask the Investment Managers in attendance at the meeting what they are doing to protect portfolios based on the current economic news. Mr Freeman went on to explain the 'hot topics' 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. The Scheme increased in value by £2.2 million during the quarter, mainly due to returns but there was some cash injection during the quarter (£0.3m). Mr Freeman discussed the performance summary graph highlighting a four year outperformance relative to benchmark; this demonstrates good investment returns since the last valuation.

Mr Freeman summarised St. James's Place's performance during the quarter. The St. James's Place global equity mandate returned 6% (gross of fees) since the fund's inception on 1<sup>st</sup> October 2015, underperforming the fund's composite benchmark over the same period. Mr Freeman explained that although the fund underperformed, it still produced good returns for the first quarter since inception. A Member queried the 5.9% cash holding, it was agreed to raise a question about the holding with St. James's Place during their presentation later in the meeting.

The BlackRock Dynamic Diversified Growth Fund returned 1.8% (gross) over the quarter, outperforming its LIBOR + 4% per annum target return over the period. In answer to question, Mr Freeman explained how Hymans Robertson rate Investment Managers on a quarterly basis.

The presentation confirmed that the Capital International Fund returned 3.6% (gross) over the quarter and 1.8% over a 12 month period. Since inception in October 2012 the fund has returned positive absolute and relative returns but has not been able to achieve its target return of LIBOR + 3% over the last 12 months. Hymans Robertson explained that the market environment, particularly in the second half of 2015, has been particularly volatile for risk assets.

The presentation finished with a BlackRock Property performance summary. The Fund delivered a net return to investors of 2.8% (gross) in the fourth quarter of 2015.

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

#### **A6. Investment Manager Presentation - BlackRock**

Mr S. Betteley joined the meeting to present the BlackRock performance for quarter four of 2015. It was noted that quarter four has been the first full quarter of the new investment strategy.

Mr Betteley explained the strong market returns to 31<sup>st</sup> December 2015 and together with the Committee, discussed the potential impact on markets if Britain exits the European Union.

Members were presented with the BlackRock Property Fund total returns demonstrating a positive return for the fund over a longer period and an underperformance in the short term. Members were advised of the types of properties sold and acquired during the period and a summary of the property fund during the period.

The Committee considered the Dynamic Diversified Growth Fund during the quarter. BlackRock reported consistent returns with low volatility during the period. Mr Betteley explained the key drivers during the period, particularly high end consumer brands in emerging markets.

Mr Betteley finished with a summary of the Ascent All Stock UK Corporate Bond Fund performance during the quarter. He explained the investment philosophy and approach being based on key insights in relation to asset valuation, fundamental economic conditions and market sentiment.

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

Mr A. Thomas submitted his apologies and left the meeting during the presentation.

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

#### **A7. Capital Market Service**

The Committee considered a presentation by Mr Freeman on the market update for quarter 4 (October-December 2015).

Mr Freeman presented the market returns for the quarter and up to the end of January 2016. A series of graphs were presented to Members demonstrating the global oil supply and demand, China's Gross Domestic Product (GDP), GDP growth, core Consumer Price Index (CPI) inflation, UK wage growth, 10-year conventional Government bonds, 10-year Eurozone government debt for Spain and Italy and the Global Equity performance.

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



#### A8. **Adjournment and Resumption**

The meeting adjourned at 1.05pm and resumed at 2.00pm, the same Members and officers were in attendance.

#### A9. **Investment Manager Presentation – Investasure**

Mr M. Corkish of Investasure and Mr T. Knight of St. James's Place joined the meeting to present the first quarter since inception investment review.

Mr Corkish reported a positive performance during a challenging quarter of net 6%. The presentation provided a scheme overview listing the funds and asset allocation. A Member queried the 5.9% holding in cash. Mr Knight explained that the cash figure arises from the number of stocks bought and sold on a daily basis which results in a default cash holding.

The Committee considered the annualised performance of the funds during the quarter compared to the benchmark, Mr Corkish explained that St. James's Place are trying to actively outperform rather than replicate the benchmark.

Mr Corkish presented the market update for the quarter, in particular the uncertainty over the US interest rates and the impact of China's stock market fall.

Members were presented with the fund objectives and manager summary.

Mr Knight provided a detailed explanation of how St. James's Place deploy, manage and change fund managers.

Mr Corkish and Mr Knight finished with a question about the Scheme's investment strategy. Mr Freeman provided a detailed answer.

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

Mr Corkish and Mr Knight were thanked for their attendance and left the meeting.

#### A10. **Annual Review of Investment Managers Performance (BlackRock and Capital International)**

The Committee considered a report submitted by Hymans Robertson comparing the performance of the Scheme's investment managers (BlackRock and Capital International) with their benchmarks and peer groups over twelve months to 31<sup>st</sup> December, 2015.

Members noted that in the latter part of 2015, the Scheme underwent a significant asset restructuring process following the agreement by the Pensions Committee to implement a new investment strategy for the Scheme. The report detailed the previous and new strategic asset allocation.

The report provided performance information on the Scheme's investment managers in the year to 31 December 2015. Compared to the Scheme's previous investment strategy, only two investment funds – BlackRock's property fund and Capital International's absolute return fund – have been maintained in the new investment strategy. For the terminated BlackRock funds, the report provided performance information up to 29 September 2015, which was the date of termination.

Performances are compared against the funds' respective benchmarks and peer groups. For the BlackRock funds, the peer group consists of managers appearing in the Mellon CAPS survey of pooled funds. As Mellon CAPS does not monitor an appropriate absolute return peer group, the performance of Capital International is compared with the returns of 17 absolute return managers in the Hymans Robertson diversified growth fund peer group. This includes the key UK managers operating in this space.

BlackRock's UK equity portfolio was in the second quartile of fund managers' performance over a 1 year period to 29 September 2015. Over 3 years the portfolio was broadly in-line with the median fund manager and the portfolio was in the third quartile of returns over a 5 year period.

The overseas equity portfolio has significantly underperformed its composite index benchmark over one, three and five year time periods to 29 September 2015, however it has outperformed since inception. BlackRock's overseas equity portfolio performed broadly in line with the median fund manager over a 1 year period to 29 September 2015. Over 3 years the portfolio's performance was in the fourth quartile and over 5 years in the third quartile.

The fixed interest portfolio marginally underperformed the benchmark index over a 1 year period and marginally outperformed over a 3 year period. BlackRock's fixed interest portfolio performed in the fourth quartile of fund managers' returns over both 1 year and 3 year periods to 29 September 2015.

The property fund has underperformed its benchmark index (after fees) over all periods shown to 31 December 2015. BlackRock's property fund has performed broadly in line with the median fund manager's performance over 1 and 3 year periods to 31 December 2015. BlackRock's property portfolio

has performed reasonably well over the past five years relative to its peer group. Hymans Robertson confirmed they continue to support BlackRock's pooled property fund.

Capital International underperformed its performance target over 1 year, however has outperformed since its inception in October 2012. Capital's return placed it in the second quartile of the peer group in 2015.

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

**A11. Government Actuary Department (GAD) Guidance on Transfers**

The Committee considered a report submitted by the Director of Finance on the GAD guidance on transfers.

The report advised that the Local Government Superannuation Scheme (LGSS) Regulations set out that an election to transfer must be made within 12 months of becoming an active member. Where a Member elects to transfer outside this timeframe, their employer's consent is required. In the GAD guidance (currently in draft) it confirms that the 'relevant date' of a non-club transfer in is the date of joining the Scheme or, where the transfer payment date is received after 1 year of joining the Scheme, the date payment is received.

Members noted that as the GAD guidance is only just being finalised, it has not been possible before to process these transfers. This is through no fault of the transferee, however quite a number will be disadvantaged, some significantly, from the length of time since they applied for the transfer. Processing these transfers under the regulations is open to challenge due to the long delay.

Resolved, "That particulars of the report be noted on the minutes and the an approach be made to the Minister for the Department of Infrastructure to:-

- (i) Allow the 12 month time limit to commence from the date that the GAD guidance is issued;
- (ii) Allow calculations for all transfer requests made from 1<sup>st</sup> April 2012 to the date that the GAD guidance is issued to be made using a relevant date of the date of commencement of employment;
- (iii) Allow all Club transfers to proceed under Club terms even where the 12 month time limit has expired;
- (iv) Authorise the Director of Finance to make the request on behalf of the Council as Administration Authority."

**A12. Items for Future Report**

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

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

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

***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 3.22pm.

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

## STANDARDS COMMITTEE

STANDARDS COMMITTEE – Minutes of Meeting held on Wednesday, 3<sup>rd</sup> February, 2016.

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

Officers in Attendance: Assistant Town Clerk (Mr P. Cowin), Democratic Services Officer (Mrs D. Atkinson).

### REPORT

#### **PART A –**

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

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

Apologies for absence were submitted on behalf of Councillor Mrs E.C. Quirk.

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

Mr D.M. Booth declared an interest in Agenda Item B6 and retired during consideration of it.

##### **A3. Minutes - 7<sup>th</sup> December, 2015**

The minutes of the meeting held Monday, 7<sup>th</sup> December, 2015, were approved and signed.

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

The Assistant Town Clerk confirmed that he was drafting an induction programme for new Council Members and would be consulting Members for their views and suggestions. Although induction would cover the whole area of the Council's activities, Standards would be a significant element and Members views on this area would be invited at the same time.

##### **A5. Draft Annual Report**

Copies had been circulated of a draft Annual Report to be issued at the end of March as required by the Council's Constitution.

Members suggested that the requests from Members of the Council for more information on the training undergone by Standards Committee Members should be addressed, some Councillors having asked to see the training scenarios that had been considered. It was agreed that rather than simply circulating copies on paper or electronically, a wider training session should take place, open to all Council Members. It was suggested that this session take place before the General Election of Councillors and be repeated after the election if appropriate.

Resolved, "That the draft annual report be approved, subject to confirmation at the next meeting of the Committee."

##### **A6. Next Meeting**

The date of the next meeting of the Committee was confirmed as Monday, 21<sup>st</sup> March, 2016. Members asked that a training session for Council Members be arranged in conjunction with it.

#### **PART B –**

##### ***Matters requiring Council approval at the Special Council Meeting convened under Standing Order No. 8***

Mr Booth declared an interest in the following item and retired at 10.45am whilst it was considered.

##### **B7. Appointment of Independent Member 2016-2018**

The Assistant Town Clerk reported that following the advertisement inviting applications for the post of Independent Member for the next two years, two applications had been received. Copies of the applications were circulated to Members. One was from the current Independent Member and the other from another individual.

The Assistant Town Clerk advised that under the Constitution, the Committee was to make a recommendation to the Council. The term of the appointment would be two years, with provision for extension for a further two, and a requirement for it to be advertised at least every four years. There was no bar to reappointing the current Member, who was appointed in 2012, when the Committee was first established.

Both applications were considered and discussed in detail. Members recognised the contribution made by the current Independent Member in the formative years of the Committee, but also the potential merit of a fresh independent viewpoint.

Members expressed their appreciation of the current Independent Member's input and felt that having helped the Committee develop so far, consideration should be given to retaining his services in order to continue progress without interruption. In respect of the other candidate, whose legal qualifications the Members considered impressive, they felt that with the Committee's current workload and infrequent meetings, there might be insufficient opportunity to become familiar with the Committee and its role and to contribute effectively.

Resolved unanimously, "That the recommendation be made to the Council that Mr Derek Malcolm Booth, the current Independent member of the Standards Committee, be reappointed to that role for the municipal years 2016 to 2018."

The meeting ended at 11.10am.

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

# EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE – Minutes of Meeting held on Thursday, 18<sup>th</sup> February, 2016.

Members Present: For Douglas Borough Council – Mr Councillor R.H. McNicholl (Chairman). For Onchan District Commissioners – Mr D. Crellin, Mr P.M. Hulme (Chief Executive/Clerk). For Braddan Parish Commissioners – Mrs M. Hodge (Member), Mr J.C. Whiteway (Clerk). For Lonan Parish Commissioners – Mr N. Dobson (Member). For Santon Parish Commissioners – Mr N. Kelly (Member).

Officers in Attendance: Secretary – Mr P.E. Cowin. Department of Infrastructure Representative – Mr J. Quayle. Contractor's Representative – Mr S.A. Crook.

Apologies for Absence – Mr A. Moore, Laxey Village Commissioners.

## REPORT

### **PART A –**

#### ***Matters within the scope of the Joint Committee's Delegated Authority***

##### **A1. Minutes – 10<sup>th</sup> December, 2015**

The minutes of meeting held on Thursday, 10<sup>th</sup> December, 2015, were noted and approved for signature.

##### **A2. Matters Arising from the Minutes**

Mr Crook advised the Joint Committee that due to falling resale values, the separation of small WEEE items at the Site had been suspended. Such items were still being accepted but diverted into other streams where possible rather than into the general waste for the incinerator.

##### **A3. Operational Statistics**

Copies had been circulated of the spreadsheet showing the monthly throughput of the various waste streams from April 2015 to January 2016.

**It was agreed:** that the statistics be noted.

##### **A4. Operational Issues – Cardboard Containers**

Mr Crook advised that some cardboard was being lost due to weather damage. The cardboard affected had to be disposed of through the Energy from Waste Plant at the full disposal cost, rather than being recycled to generate revenue.

He had produced a report, as requested at the last meeting, on procurement of suitable covered storage containers to replace the open skips currently in use. The cost of two such containers would be £10,990 including transport costs. That sum could be paid out of the equipment provision in the current Contractor's budget and would be recovered in a period of shortly over twelve months according to the calculation of losses over recent months.

Members were concerned about the containers being accommodated in the disposal bays at the Site and the method of operation that would be used. Mr Crook undertook to circulate further information, with a promotional video if one can be obtained, and a method statement for how they will be used. As the proposed purchase would be in the current financial year, it was approved in principle, subject to all the authorities concurrence following the circulation of the information.

**It was agreed:** that approval be given to the purchase, subject to all six authorities indicating their concurrence once the information has been circulated.

##### **A5. Operational Issues – Height Restriction Barrier**

Mr Crook reported that at a recent meeting of representatives of all four Civic Amenity Sites, the height barrier at the Eastern Site appeared to cause some contention. It was alleged that drivers of large vans being refused access to the Eastern site were simply using other Sites. The Western Site in particular took exception to it, in the belief that the practice was burdening that Site with inappropriate costs.

Mr Quayle confirmed that there had been heated discussion of the issue.

The Chair referred to an e-mail he had received from Mr J. Houghton M.H.K., urging the removal of the height restriction. Members of the Joint Committee referred to the relaxation of the height barrier on Wednesday and Sunday afternoons with the suggestion that an additional afternoon might reduce user dissatisfaction.

There was discussion over the history and effectiveness of the height restriction in deterring commercial operators accessing the Site. The Joint Committee was clear in its wish to deter commercial use of the Site but Members queried whether simple height of a vehicle was a major factor in determining the nature of the waste within it. It was suggested that smaller vans visiting more frequently might be a more accurate reflection of misuse and Members asked the Secretary to pursue again the question of Automatic Number Plate Recognition systems that could monitor frequency of visits.

**It was agreed:** that should a suitable and effective system be identified of monitoring usage to prevent commercial operators using the Site, further consideration be given to whether the height barrier should be retained;

**Further agreed:** that Mr Crook review with the Manager on Site whether the height restriction could be relaxed on an additional weekday afternoon.

#### A6. **Joint Committee Agreement**

Copies had been circulated of legal advice received confirming the need to update the Joint Committee Agreement to reflect the changes in Garff from the end of the current municipal year.

It was suggested that the new Garff Authority have one representative on the Joint Committee, with voting rights equal to those of Laxey and Lonan combined, with the Garff Authority contributing funding based on the rateable values of Laxey and Lonan.

The legal advice also referred to changes that had been made previously but never formally signed off.

**It was agreed:** that the Secretary proceed with the legal adviser to draft all the necessary updates to the Agreement so that it could be formally approved and signed by each of the Authorities.

#### A7. **Next Meeting**

The date and time of the next meeting were fixed as 3.00pm on Friday, 1<sup>st</sup> April, 2016, at Douglas Town Hall.

The meeting ended at 4.15pm.

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

# HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 17<sup>th</sup> February, 2016.

Members Present: Mr Councillor D.J. Ashford (Chairman), the Mayor, Councillor Mrs C.E. Malarkey, Councillor Ms K. Angela, Councillor Mrs E.C. Quirk.

In Attendance: Director of Housing and Property (Mrs S. Harrison), Assistant Town Clerk (Mr P. Cowin), Assistant Chief Officer (Housing and Property) (Mr G Atkin), Assistant Chief Officer (Income) (Mrs C. Pulman), Democratic Services Officer (Mrs D. Atkinson).

## REPORT

### **PART A –**

#### ***Matters decided by the Committee***

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

Mr Councillor S.C. Cain submitted his apologies for absence.

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

There were no declarations of interest.

##### **A3. Minutes - 20<sup>th</sup> January, 2016**

The minutes of the meeting of the Housing Committee held Wednesday, 20<sup>th</sup> January, 2016, were approved and signed.

##### **A4. Matters Arising – C8 – Willaston External Refurbishments – Phase 3**

In answer to question, the Chairman clarified that the Manor Court external refurbishment phase will commence in 2017. Members had a discussion about the percentage of the total housing budget retained and allocated to the maintenance budget. It was recognised that there are issues surrounding the decreasing budget and the increasing demands for maintenance in Council properties.

##### **A5. Items for Future Report**

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

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

### **PART B –**

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

##### **B6. Spring Valley External Refurbishment**

The Committee considered a report submitted by the Assistant Property Manager (Capital) to progress the Spring Valley External Refurbishment capital housing scheme.

Members had in front of them the Spring Valley external refurbishments business case, professional fees petition build up and the Spring Valley Estate Condition Survey Report.

The report explained that properties at Spring Valley are suffering with decaying lintels and window cills which are at an advanced stage. The render which is original to the properties has also reached the end of its useful life and requires replacing to ensure weathertight homes. A recent condition survey and report was conducted of the properties which confirmed that they are currently in good structural condition, however, if the decaying lintels and cills are not replaced, the properties would eventually suffer with structural issues. It is therefore considered essential that a programme of work to replace the lintels and cills is progressed as quickly as possible.

Members were advised that due to the nature of the work, it is considered good practice to re-render the properties as part of the scheme. To carry this out as a separate project is not economical and the properties are overdue a new render application. If the properties are not re-rendered during the replacement lintels and cills work, the dwellings will look very unsightly and piecemeal.

Officers anticipate that the construction work will take between 18 and 24 months with a commencement on site in February 2017, subject to all statutory approvals being in place.

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

- (i) The business case to externally refurbish the dwellings at Spring Valley as a capital funded scheme be approved;
- (ii) The proposed design team as follows be approved:
  - (a) MacOwan Collett – Consulting Engineers & Contract Administrators;
  - (b) Cameron Hall – Quantity Surveyors;
  - (c) Pegasus Safety Consulting – Planning Supervisors;
  - (d) Ferncroft – Asbestos Surveyors;
- (iii) That the Committee authorises the Chief Executive to petition the Department of Infrastructure for borrowing powers in the amount of up to £140,833.00, being the maximum sum required to defray the cost of the professional fees; which is subject to Department of Infrastructure concurrence;
- (iv) That the Department of Infrastructure be advised that an assessment of the Council's Housing Reserve Fund has been undertaken to establish if sufficient monies are available to fund the proposed scheme via that source."

The meeting ended at 11.25am.



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, 16<sup>th</sup> February, 2016.

Members Present: Mr Councillor J.E. Skinner (Chairman), Councillor Miss D.A.M. Pitts, Councillor Ms K. Angela.

In Attendance: Director of Housing and Property (Mrs S. Harrison), Assistant Town Clerk (Mr P. Cowin), Assistant Chief Officer (Finance) (Mr P. Pierce), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Senior Engineering and Waster Services Manager (Mr A. Crook), Head of Parks (Mr D. Hewes), Democratic Services Officer (Mrs D. Atkinson).

## REPORT

### **PART A –**

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

##### **A1. Welcome**

The Chairman welcomed Councillor Ms K. Angela to the Committee.

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

The Mayor, Councillor Mrs R. Chatel and Mr Councillor G.J. Faragher submitted apologies for absence.

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

There were no declarations of interest submitted.

##### **A4. Minutes – 19<sup>th</sup> January, 2016**

Minutes of the meeting held on Tuesday, 19<sup>th</sup> January, 2016, were approved and signed.

##### **A5. Matters Arising – Clause A4 – Public Events**

In light of the Peel Carnival event scheduled for Sunday, 7<sup>th</sup> August, 2016, the Committee agreed to change the date of the Noble's Park Fun Day to Saturday, 6<sup>th</sup> August, 2016.

##### **A6. Douglas Carnival**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) seeking approval to the entry categories for the Carnival, the amendment of the start time of the parade and to report on investigations into the use of Walpole Avenue for the demounting of floats.

The Committee considered the list of proposed entry categories. The Chairman queried the People's Choice and Best Overall Entry Award and the Assistant Chief Officer (Regeneration) advised that the award would be voted for by the public during the week following the Carnival using social media.

Members were advised that following investigation of the ferry timetable for 2016, it is proposed to move the start time of the parade from 4.00pm to 3.00pm in order to minimise any impact on ferry traffic arriving and departing from the Sea Terminal. There is an opportunity between the sailing departing to Liverpool at 3.00pm and the arrival of the Heysham sailing at 5.45pm. Members agreed the amended start time could be better suited to local catering outlets.

The report advised that Walpole Avenue, as previously recommended, had been explored to be used for allowing participants to alight from floats safely. An examination of the site concluded larger vehicles such as floats and buses would be unable to negotiate the right turn into Walpole Avenue; it was therefore proposed to use this route for smaller vehicles to exit the site, but to halt floats on Loch Promenade to allow dismounting to take place safely prior to the float vehicles exiting the closed roads. It was suggested the floats be stationed in rows of three to increase the space available and ensure participants can dismount safely.

In answer to question, the Assistant Chief Officer (Regeneration) confirmed that in previous years, a small number of participants have arrived late for the start of the parade, but this year the importance of being on time will be emphasised in the participant pack and the parade will set off at the specified time. The Chairman opined that participants are likely to arrive earlier this year as judging will take place before the parade sets off.

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

- (i) The following categories be used for judging the 2016 Carnival;
  - (a) Best Float
  - (b) Best Youth Group
  - (c) Best Charity Entry
  - (d) Best Corporate Entry
  - (e) Best Vehicle
  - (f) Best Walking Group or Band
  - (g) Mayor's Prize
  - (h) Best National Group
  - (i) Best Dancing Group
  - (j) People's Choice and Best Overall Entry
- (ii) The start time of the Parade be amended to 3.00pm rather than 4.00pm as previously approved in order to minimise any impact on ferry traffic arriving and departing the Sea Terminal;
- (iii) The Committee noted that allowing participants to alight from floats in Walpole Avenue is not feasible and that it is proposed to halt floats on Loch Promenade instead."

#### **A7. 2016 Public Events Sponsorship Proposals**

The Committee considered a report submitted by the Democratic Services Officer to consider and approve sponsorship proposals for the 2016 public events.

Members were advised that an advertisement inviting sponsorship proposals for the Council's 2016 public events, namely the Noble's Park Fun Day, Fireworks Display and Christmas Lights Ceremony, had been placed in the local media.

Two sponsorship proposals have been received. The first submission is to sponsor the Noble's Park Fun Day, this proposal has been submitted by Appleby Trust (Isle of Man) Limited with a monetary value detailed in the report and volunteer assistance on the day. It is proposed that the submission be accepted and the additional funds be used to enhance the event.

The second proposal received had been submitted by Celton Manx to sponsor the 2016 Fireworks Display for a monetary value detailed in the report. It was noted that Celton Manx has sponsored the display for five consecutive years. Members discussed the logistics of the fireworks display and officers advised that the final format of the event is unknown at this stage.

Members welcomed both sponsorship proposals.

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

- (i) Appleby Trust (Isle of Man) Limited be approved as the 2016 Noble's Park Fun Day event sponsor;
- (ii) Celton Manx be approved as the 2016 Fireworks Display sponsor;
- (iii) Officers continue to seek sponsorship for the 2016 Christmas Lights Ceremony."

#### **A8. 2016 Public Events Media Support Package**

The Committee considered a report submitted by the Democratic Services Officer to consider and approve a media partner for 2016 public events.

Members were advised that an advert inviting proposals for a media partner for three events organised by the Council in 2016, namely the Noble's Park Fun Day, Fireworks Display and Christmas Lights Ceremony, had been circulated to the Island's three radio stations.

The report detailed the media partner criteria and confirmed two radio stations, Manx Radio and Three FM, submitted a proposal for all three events.

The two proposals offered similar publicity for all three events, it was therefore recommended, based on value for money, that the Manx Radio media proposal be accepted. Members noted that Manx Radio had successfully acted as the event media partner for the 2015 public events.

Resolved, "That particulars of the report and discussion be noted on the minutes and Manx Radio be approved as the media partner for the 2016 Noble's Park Fun Day, Fireworks Display and Christmas Lights Ceremony."

**A9. Items for Future Report**

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

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

***PART B –***

***Matters requiring Executive Committee approval***

**B10. Twinning and Affiliations**

The Committee considered a report submitted by the Assistant Town Clerk on an invitation received from Ballymoney for a party from Douglas Borough Council to visit from 18<sup>th</sup> to 20<sup>th</sup> March 2016.

Members noted in 2015, during consideration of the 2015/16 budget, the small provision the Council had previously made to the Twinning and Affiliations budget was removed. At that time Ballymoney Council was subsumed into a larger authority, the Causeway Coast and Glens Borough Council. The resolution of the Executive Committee at that time was that any further Twinning events and consequent requests for funding should be put to the Regeneration and Community Committee on an individual basis in order to identify the merits and funding source in each case and then to the Executive Committee to determine where funding was to be met from.

In light of the Executive Committee resolution, Members agreed to refer the invitation to the Executive Committee for consideration and asked that Officers obtain an expected cost for the flights and travelling fares.

Resolved, "That particulars of the report and discussion be noted on the minutes and the invitation received from Ballymoney be referred to the Executive Committee for consideration."

***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, 15<sup>th</sup> February, 2016.

Members Present: Mr Councillor R.H. McNicholl (Chairman), Councillor Mrs C.A. Corlett, Councillor Ms C.R. Turner (to 10.55am), Mr Councillor C.L.H. Cain, Councillor Mrs C.L. Wells.

In Attendance: Assistant Town Clerk (Mr P. Cowin), Assistant Chief Officer (Environment) (Mr A. Donnelly), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Accountancy Manager (Mr R. Davies), Senior Engineering and Waste Services Manager (Mr A. Crook) (Items A, B9 and C10), Electrical Services Manager (Mr D. Cullen) (Items A6 and C10), Building Control Manager (Mr N. Kaighin) (Items A1 to A5), Democratic Services Officer (Mrs D. Atkinson).

## REPORT

### **PART A –**

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

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

The Mayor submitted apologies for the meeting.

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

No declarations of interest were submitted.

##### **A3. Minutes – 18<sup>th</sup> January, 2016**

The minutes of the meeting of the Environmental Services Committee held Monday, 18<sup>th</sup> January, 2016 were approved and signed subject to an amendment in Clause A6 – Planning Application 15/01375/B to show that Councillor Mrs C.R. Turner voted against the resolution and the vote was therefore For: 4 - Against: 1.

##### **A4. Schedule of Neglected, Dilapidated, Ruinous and Dangerous 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 and the Building Control Manager was made aware of a further property for inspection.

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

##### **A5. Planning Application 16/00019/B Erection of a dwelling (amendments to PA 15/00975/B) Ballaughton Manor, Saddle Road, Douglas**

The Committee considered a report submitted by the Building Control Manager on the planning application seeking the erection of a dwelling at the Ballaughton Manor site.

Members noted a previous application (PA 15/00975/B) for the site had been approved by the Planning Committee, the previous application related to the partial demolition of the current building, remodelling and significant extension. Following the approval the applicant commissioned an asbestos survey that identified the presence of asbestos both internally and externally.

The applicant’s agent advised that given the age of the property a small amount of asbestos was reasonably anticipated; however its use in the external fabric of the building was not. The accompanying report suggests that reference to asbestos use in the external fabric of the building relates to asbestos in the masonry paint to parts of the external walls. The agent’s report concluded to avoid the asbestos risk the building should be demolished.

Members noted the building has not been Registered; and a number of heritage bodies have either expressed a wish to see the building Registered, or have questioned why the building, having been acknowledged as being of architectural and historic interest, has not been placed on the register.

The Building Control Manager explained that the matter for consideration is the erection of a replacement dwelling, as the building has not been listed as Registered building; approval is not required to demolish the building.

A photograph of the current building and architectural plans for the new dwelling were circulated to Members.

Resolved, "That particulars of the report and discussion be noted on the minutes and the Council raise no objection to the erection of a dwelling at Ballaughton Manor site and in doing so express the view that any approval should not set a precedent for the demolition of a Registered Building or a building in a Conservation Area simply on the grounds of the presence of asbestos."

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

#### **A6. Heritage Columns Installation in Douglas**

The Committee considered a report submitted by the Electrical Services Manager advising of the current status and criteria regarding the installation of heritage style public lighting installations in Douglas.

Members were advised that at present, there is no written policy for the installation of new lighting schemes in conservation areas; however heritage style lighting has been installed in Squares and other locations throughout the Borough. The development of a selection criterion on the basis of location or architecture/appearance of the area could be in direct conflict with the commitment to rationalise and standardise lighting column types in the Borough and impose additional costs on lighting schemes.

Resolved, "That particulars of the report be noted on the minutes and the Committee consider the locations of proposed future heritage lighting schemes on the basis of location and budget when schemes are proposed, developed and approved by the Committee."

#### **A7. Trial of Dog Fouling Stencils**

The Committee considered a report submitted by the Assistant Waste Manager (SS & ECAS) to inform of the results of the trial of anti-dog fouling stencils.

Members noted that a trial of 'bag it, bin it' dog fouling stencils had been carried out in the Murray's Road area of Douglas during the months of December 2015 and January 2016. The stencil was circulated to Members.

The Senior Engineering and Waste Services Manager explained that the results of the trial proved to be inconclusive as to the effectiveness of the stencils and opined that the recent wet weather may have resulted in higher than expected reductions in the second surveys due to waste being washed away.

The stencils were generally well received by the public with four positive comments received and one negative comment. The report recommended conducting a further trial during a period of drier weather and that the stencils are given limited use until such a trial has been carried out.

Members debated the recommendation to limit the use of the stencils. The Assistant Chief Officer (Regeneration) advised that an officer meeting had been scheduled to develop a process for dealing with dog fouling incidents and hotspots and he recommended deferring the item until the proposals from this meeting can be considered in conjunction with the recommendation.

Resolved, "That particulars of the report be noted on the minutes and the report be deferred to the March meeting of the Committee pending further proposals for dealing with dog fouling and hotspots."

#### **A8. Items for Future Consideration**

The Committee considered a report setting out items which will be considered at future meetings. Members discussed the reports listed for consideration at the March meeting of the Committee and Officers advised of further reports to be added to the schedule.

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

### ***PART B –***

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

#### **B9. Douglas Promenade Steps**

The Committee considered a report submitted by the Assistant Chief Officer (Environment) on the ownership and condition of the Douglas Promenade steps.

The report had been produced in response to an Executive Committee minute recommending that the Environmental Services Committee obtain costings for undertaking repair works to the steps. The Environmental Services Committee prior to that resolution had recommended transferring the steps to the ownership of the Department of Infrastructure. There is a risk in allowing the public to use the steps to access the beach due to their poor condition.

The Assistant Chief Officer (Environment) explained that the Promenade steps are in the ownership of the Council and they act as a wave break dissipating at high tide. The Department of Infrastructure has indicated they are considering the status of steps with a view to carrying out localised repairs to improve the stability of the sea wall.

Members noted the estimated cost to repair the steps would be in the region of £30,000 per set of steps; there are five sets of Promenade steps.

The Senior Engineering and Waste Manager highlighted that access to the steps could still be gained from the beach if access is prohibited from the walkway. It was suggested that signs be erected in the areas to prohibit access to the steps from the beach.

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

- (i) The ownerships of the steps be transferred to the Department of Infrastructure;
- (ii) No repairs be undertaken to the steps by the Council;
- (iii) The Department of Infrastructure be requested to lock the gates to the steps to prohibit access to the beach from the steps;
- (iv) Signage in the area be considered to prohibit access to the steps from the beach."

***PART C –***

***Matters requiring Council approval***

**C10. Heritage Style Street Lighting Columns, Fort William, Douglas Head Road**

The Committee reconsidered a minute withdrawn by the Chairman at the February Council meeting in relation to the installation of heritage style lighting at Fort William, Douglas Head Road. The minute was a result of a Motion moved by Mr Councillor D.J. Ashford.

The Committee considered a report at their January meeting to replace 18 columns in the area at a cost of £29,613.96. It has since been highlighted at the February Council meeting that the Motion refers only to Fort William area of Douglas Head Road and the number of columns that will require replacing would considerably reduce. The Chairman subsequently withdrew the minute for further consideration.

The Committee considered an updated report on the subject submitted by the Assistant Chief Officer (Environment). The report advised that a site visit confirmed there are two columns installed at Fort William, Douglas Head Road. The cost to replace the two columns with a heritage style lantern would be £3290.44. The works required involve removing the existing lantern, installing a heritage lantern, bracket arm embellishment kit and repainting the installation black. It was noted that the removed LED lantern can be reused.

In answer to question, the Assistant Chief Officer (Environment) confirmed the new columns had been installed three months ago, and the previous columns were not of a heritage style.

In response to a Member's concern about the condition of the recently installed columns in the Fort William area, Officers advised that the contractor chemically cleans and paints the lower half of the column after installation. The Electrical Services Manager advised that due to the recent wet weather, the contractor has been unable to treat the columns but following completion this should improve their overall appearance.

Members agreed not to replace the new lighting columns with heritage style columns as they were concerned the replacement could set precedence to other rate payers in the Borough, the current lighting columns have only been recently installed and to ensure consistency in the area.

Resolved, "That the Committee do not support the upgrade of public lighting columns at Fort William, Douglas Head Road, Douglas."

The Electrical Services Manager was thanked for his attendance and left the meeting.

The meeting adjourned at 1.50pm.