



Borough of Douglas

**MR COUNCILLOR JOHN EDWARD SKINNER, JP
MAYOR**

Town Hall,

Douglas,

3rd June, 2016

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 8th day of JUNE, 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, 6th May, 2016 and the Annual Council Meeting held on Wednesday, 11th May, 2016.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 27th May, 2016.

Members Present: Mr Councillor D.W. Christian (Chair), the Mayor, Councillor Mrs C.A. Corlett, Mr Councillor S.R. Pitts, Mr Councillor D.J. Ashford, Mr Councillor R.H. McNicholl.

Officers in Attendance: Chief Executive (Miss K. Rice), Director of Finance (Mr G. Bolt), Director of Environment & Regeneration (Mrs D. Eynon), Democratic Services Officer (Mrs D. Atkinson) (for Clauses A9 to A12), Transport & Plant Manager (Mr S. Dugdale) (for Clause A8), 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

No apologies for absence were submitted.

A2. Appointment of Vice Chair

Resolved, “That it be unanimously agreed that Mr Councillor D.J. Ashford be appointed as Vice-Chair of the Committee for the ensuing municipal year.”

A3. Declarations of Interest

No declarations of interest were submitted.

A4. Minutes

The minutes of the meeting held on Thursday, 24th March, 2016 were approved and signed.

A5. Matters Arising From Previous Minutes

Clause A8 – Monthly Financial Review: Members had requested a review be undertaken of the key performance indicator in respect of non-cash or cheque payments, with a view to increasing the target. The Director of Finance confirmed that this had accordingly been increased from 250 to 750 items per year.

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

A6. Referrals from the Environmental Services Committee

The Committee considered the following referrals from the Environmental Services Committee meeting held on Monday 16th May 2016:

Clause B14 – Chester Street Car Park Special Initiatives: Members had noted, since the introduction of the two special initiatives in November 2015, that there had been a noticeable increase in the use of the car park. However, revenue from the Chester Street Car Park was still down, while the Drumgold Street Car Park had performed better than anticipated. The Environmental Services Committee had approved a virement of £21,548 from the Drumgold Street Car Park budget to the Chester Street Car Park budget, leaving a shortfall of £33,261 to be funded from Reserves.

Members of the Executive Committee agreed that the initiatives had been well received by the public, but recognised that, ultimately, charges at the Chester Street Car Park would have to be increased so that ratepayers would not be paying for the short-fall each year.

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

(ii) That approval be given for the ‘free after three’ initiative and the £2.00 flat-rate Saturday tariff to be extended for a further six months, with any shortfall in revenue being funded from Reserves.”

4 For. 1 Against. Councillor Mrs C.A. Corlett requested her vote against resolution (ii) be noted on the minutes.

Clause B15 – Capital Out-turn Report 2015 / 2016: the financial year-end out-turn position on the Capital Programme had been considered, and Members had noted the values spent on all Capital schemes in 2015 / 2016, together with reports on variances to the Revised Estimates, and the amounts to be carried forward.

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

- (ii) That approval be given for all unspent balances, on projects where work was on-going or retentions were payable, to be carried forward to 2016 / 2017.”

Clause B16 – ‘Enevo’ Bin Sensors: the Committee had been advised that the ‘Enevo’ sensors were a bin-monitoring and reporting system which measured the degree of fill in a standard litter bin. The system, which had been trialled during the last year, was proving successful and approval was accordingly given to increase the number of sensors to one-hundred (which would account for approximately 25% of the bins around the Borough) for a period of thirty-six months.

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

- (ii) That approval be given for £3,600 to be expended from the 2016 / 2017 General Revenue Reserves to fund the shortfall required to expand the number of ‘Enevo’ bin sensors to one-hundred, for a period of thirty-six months.”

A7. Referrals from the Regeneration and Community Committee

The Committee considered the following referral from the Regeneration and Community Committee meeting held on Tuesday 17th May 2016:

Clause B1 – Capital Out-turn Report 2015 / 2016: the financial year-end out-turn position on the Capital Programme had been considered, and Members had noted the values spent on all Capital schemes in 2015 / 2016, together with reports on variances to the Revised Estimates, and the amounts to be carried forward.

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

- (ii) That approval be given for all unspent balances, on projects where work was on-going or retentions were payable, to be carried forward to 2016 / 2017.”

A8. Replacement Vehicle – 7.5T Tipper Vehicle

The Committee considered a further report seeking approval for the replacement of HMN 121N, a tipper vehicle operating within the Electrical Services Department.

The Committee had considered its replacement on two previous occasions – in May 2015, and again in March 2016. At the March 2016 meeting, Members had sought further information relating to the vehicle’s use, so that a decision could be made on its renewal. It was noted that the vehicle was utilised every working day, supporting Electrical Services, to transport public lighting equipment and columns, barriers, signage, cable drums, decorative lighting, Christmas trees, and machinery. It was also engaged in civil works, whereby it collected and disposed of materials such as spoil, sand, concrete, and tarmacadam. Occasionally, the vehicle was also engaged in cross-Sectional operations, including Recycling, Property Maintenance, and Parks - transporting recycling materials and playground equipment.

Members were advised that the vehicle had failed its Annual Roadworthiness Inspection in April 2016, and had had to be taken off the road and repaired. This had been necessary in order for the vehicle to be re-tested, and for its use to be continued. It was noted that hiring a suitable vehicle rather than replacing HMN 121N would be neither practical nor efficient.

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

- (ii) That approval be given for the procurement of an Iveco Euro Cargo, complete with hiab and tipping body; and
(iii) That approval be given for vehicle HMN 121N to be disposed of via the auction method.”

A9. Consultation Document – Review of the Functioning of Tynwald

The Committee considered a written report by the Assistant Town Clerk seeking guidance on the response to an invitation to make written and / or oral submissions to a Review of the Functioning of Tynwald, the closing date for which was 2nd June 2016.

Members were advised that Tynwald had appointed Lord Lisvane to conduct a review into the functions of the branches of Tynwald, their efficacy, and the scrutiny structure; and to recommend any options for reform. It was noted that the Council and all other local authorities had been invited to make submissions.

Little was known to the Council of the brief that Lord Lisvane had, however, the Chief Executive had attended the first session of oral evidence (on Monday 16th May 2016) in order to establish more clarity

as to the direction the Review would be taking. Members noted the topics on which Lord Lisvane had sought information at that first session, all of which were significant.

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

(ii) That a copy of the report and invitation letter be circulated to all Members, and that they be invited to submit any written comments to the Assistant Town Clerk by Wednesday 1st June 2016, in order that they could be collated and forwarded to the Secretary to the Review, as the Council’s submission; and

(iii) That the following comments be submitted to the Assistant Town Clerk as this Committee’s collective response:

- *The role and functions of Statutory Boards* – it was agreed that there were too many Statutory Boards, and that the role and functions of those that did exist should be assessed;
- *Whether the Legislative Council should be directly elected* – this was generally agreed. It was suggested that the number be reduced from the current eight to five Members and that, if Members were not permitted to sit on Committees, that they would be able to commit more time to a scrutiny role;
- *That time be spent on local issues, rather than national* – it was agreed that too much time was spent on local issues, and that local government reform needed to be proceeded with;
- *All Members being offered posts in Government Departments, which could interfere with a scrutiny role, and whether Ministers should have sole responsibility for their Departments* – it was agreed that posts should not automatically be offered to all Members;
- *The role of the Attorney General* – it was agreed that this should continue as at present;
- *The role of the Bishop, and whether he should have a vote* – it was agreed that the Bishop should remain a Member of Tynwald, but that he should not have a vote;
- *Whether the Ecclesiastical Committee should be part of Tynwald* – it was agreed that this Committee should remain, but that its constitution should consist of those people who were actually introducing legislation;
- *Method of election of the Chief Minister* – it was generally agreed that the current system should be retained, but that the Keys be the first branch to vote; and that the recent Tynwald amendment that it not be a secret ballot was welcomed;
- *The amount of consultation that takes place* – it was agreed that consultation should only take place on major issues (the elected Members were, after all, elected to make decisions), but that where consultation was appropriate, that a longer period for the submission of comments be allowed;
- *An Appointments Commission, or similar, to elect the Legislative Council* – as above, it was generally agreed that the Legislative Council should be directly elected;
- *How Members’ remuneration was decided* – it was agreed that a basic salary should be paid, and that expenses should form part of that salary.”

A10. Consultation Document – Draft Fire Precautions (Houses in Multiple Occupation and Flats) Regulations 2016

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Department of Home Affairs, which proposed draft Regulations specifying fire safety measures to be taken in flats, houses in multiple occupation, and in buildings which contained flats and houses in multiple occupation.

The view of officers was that the proposed draft Fire Regulations largely duplicated the requirements of the Building Regulations; but also that they would fill a gap in the regulatory framework applying to houses in multiple occupation and flats.

Members were advised that, while inspections were undertaken in line with Building Regulations (when work was carried out to a property), but once completed and signed off, there was no provision for a follow-up inspection to ensure continued compliance. The proposed new Regulations would enable inspections by the fire authority and the regulatory authority at any time. There was also provision for the Department of Home Affairs to issue exemptions in circumstances it considered appropriate, which may enable those cases, where the Building Regulations allowed alternative means of addressing fire risk, to comply with the new Fire Precautions Regulations. This was not, however, specially stated and

it was suggested that confirmation should be sought from the Department that that was the intention of the provision.

Members were also informed that it had been clarified by the Department of Home Affairs that these new Regulations would apply to local authority social housing. Whilst this, in general, should not cause any major issues as they were similar to the previous 1996 Regulations which all Council-owned flats complied with, the new testing and inspection requirements would likely cause significant resource and financial issues for the Housing Maintenance Section if implemented.

As the Consultation Document stated that the draft Regulations would be subject to revision and possible change before they were finalised, depending on the outcome of the consultation, it was agreed that there should be further consultation in order to clarify exactly how these new Regulations would be applied and enforced in relation to the Council's social housing flats, given that the Council was the Island's largest social housing provider.

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

- (ii) That the introduction of the Draft Regulations be supported as a potential contributor to public safety;
- (iii) That the Department of Home Affairs be recommended to refine the draft to ensure total compatibility with the Building Regulations and the various Housing Regulations wherever possible, in order to create a common standard between the regulatory authorities;
- (iv) That it be suggested that the Fire Service be the regulatory authority with responsibility for carrying out inspections to premises;
- (v) That further consultation be carried out in order to clarify exactly how the new Regulations would be applied and enforced in relation to the Council's social housing flats;
- (vi) That the start date of 1st January 2017 for the introduction of the Regulations be not supported – instead it be suggested that the lead-in period should be five to ten years, in order to allow sufficient time for the necessary works to be carried out to properties;
- (vii) That the Department be asked to expand on the proposal to permit exemptions from the Regulations, the purpose of such exemptions, and the circumstances in which they would be permitted;
- (viii) That the refusal of exemptions should initially be an administrative process, and that a formal appeal process only be introduced at a later date should it be found necessary; and
- (ix) That no response be made on the technical questions within the Consultation Document."

A11. **Consultation Document – Manx Retail Prices Index**

The Committee considered a report written by the Assistant Town Clerk in consultation with the Director of Finance, in relation to a consultation document issued by the Cabinet office.

Members were advised that the Manx Retail Prices Index (RPI) had been widely used as a measure of inflation for many years. The Consumer Prices Index (CPI) had been published since 2008, and was generally slightly lower than the RPI because the method of calculation used a different set of criteria. The CPI was seen as a more accurate measure because it included all households and spending by visitors. It was noted that, while the United Kingdom had ceased using the RPI as a measure of inflation in 2013, preferring the CPI (in common with most European countries), the RPI was, however, still measured.

The consultation document assumed that the Manx RPI would be discontinued, and put forward three options for measuring inflation in the future -

Option 1 - to stop publishing the Manx RPI and rely solely on the CPI;

Option 2 - to continue to publish the Manx RPI, but calculate it in line with the United Kingdom RPIJ (the RPIJ being a measure of inflation which used a different formula to calculate averages and produce more reliable figures); or

Option 3 - to continue to publish the Manx RPI, but publish it alongside the UK RPIJ to demonstrate the effect.

The Director of Finance had suggested that Option 1 would be preferable for the Council. The Manx CPI would be based on a 'fixed basket of goods', and consideration should be given to making that the same as used in the UK, to enable direct comparison. It was noted, however, that the UK included tuition fees and Council tax, neither of which applied on the Island, and that measures would need to be put in place to use local equivalents.

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

- (ii) That the Cabinet Office be thanked for the opportunity to comment, and that the following views be submitted -
- That the Council's favoured suggestion was for the Manx Retail Prices Index to cease to be published – but to continue to be measured and still be available, if required - subject to a lead-in period to enable the Council and other parties affected to re-negotiate legal agreements as necessary;
 - That such lead-in period should be no shorter than five years, to facilitate the natural expiration of as many Manx Retail Prices Index-linked legal agreements as possible; and
 - That the future calculation of the Manx Consumer Prices Index should be based as closely as possible on the United Kingdom method, but with substitution of suitable alternatives for items such as tuition fees and Council tax, which did not apply locally.”

A12. Members' Attendances and Allowances 2015 / 2016

The Committee considered a written report by the Assistant Town Clerk seeking approval to submit to the Department of Infrastructure the schedule of meetings attended and allowance payments paid during the financial year ended 31st March 2016.

The Council was required by Schedule 2 of the Local Government Act 1985 to publish a report detailing the number of meetings of the Council and its Committees, and the total sums paid to Members. It was also obliged to send a copy of the report to the Department of Infrastructure with a certificate by the Council's auditors.

Following changes in the structure of Members' Allowances by the Department of Infrastructure in 2014, the Council had resolved that payments should be made on the basis of a minimum of two hours' attendance at any meeting, together with provision for preparation time spent by Members in advance of meetings. Therefore, in addition to the number of meetings attended, the schedule also set out the total number of hours claimed by each respective Member, covering both attendance and preparation.

In previous years, Members had expressed concern that meetings not attended because of a Member being occupied elsewhere on Council business had not been noted separately. In 2015 / 2016, because of attendance at exhibitions and a conference in the United Kingdom, one Member had missed two meetings, and one Member had missed one meeting.

Resolved, “(i) That particulars of the report and the schedule setting out Members' attendances at meetings, and allowances paid, during the year ended 31st March 2016 be noted on the minutes;

- (ii) That approval be given for the submission of the schedule to the Council's auditors with the annual accounts, and thence to the Department of Infrastructure; and
- (iii) That the schedule be made available to the public through the Council's website and at the Town Hall Reception desk, and be circulated to all Members with the Council Agenda for the June 2016 meeting.”

A13. Monthly Financial Review - March (End of Year) 2015 – 2016

The Committee considered a written report by the Director of Finance setting out monthly figures for various financial items during the 2015 / 2016 financial year. The report was required to monitor progress against Corporate Plan commitments, and it was noted that the closing balances remained subject to amendment during the year-end accounts closure process.

It was noted that the target for non-cash and cheque payments had been achieved (although the target had subsequently been reviewed and increased as per the Committee's request); that the target for sundry debtors had been achieved; that all Accounts had been approved; and that all key performance indicators for Finance had been achieved as per the Corporate Plan.

It was further noted that an allowance was made available each year for Sheltered Communal Facilities. The Director of Finance reported that expenditure on communal areas had been identified during the accounts closure exercise, and authority was therefore sought to fund this expenditure from the Housing Community Facilities Reserve.

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

- (ii) That approval be given for expenditure on communal areas in Sheltered Housing during 2015 / 2016, amounting to £74,694.31, this to be funded from the Community Housing Facilities Reserve Fund.”

A14. Monthly Financial Review – April 2016

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.”

A15. Capital Out-turn 2015 – 2016

The Committee considered a written report by the Assistant Chief Officer (Finance) in relation to the financial year-end out-turn position on the Capital Programme.

The report listed the values spent on all capital schemes in 2015 / 2016, together with variances to the revised estimates.

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

- (ii) That approval be given to carry forward to 2016 / 2017 all unspent balances on Environmental Services, Regeneration and Community, and Executive Committee projects, where work was on-going or retentions were payable; and
- (iii) That the level of Capital Expenditure in 2015 / 2016 also be noted.”

A16. ‘Parkex’ Car Parking Exhibition

The Committee considered a written report by the Director of Environment and Regeneration seeking approval for attendance by herself and the Chair of the Environmental Services Committee at the ‘Parkex’ Exhibition to be held in Coventry on 15th and 16th June 2016.

It was noted that the Environmental Services Committee had requested a report be submitted to it on a Car Parking Strategy, which was likely to recommend changing the current payment machines to more up-to-date and robust technology. Attendance at the Conference would aid with that decision-making process, and ensure that Members were aware of what new operating systems were available, and their cost-efficiency and effectiveness.

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

- (ii) That approval be given for the Chair of the Environmental Services Committee and the Director of Environment and Regeneration to attend the ‘Parkex’ Exhibition in Coventry on 15th and 16th June 2016; and
- (iii) That funding of £1,112 from General Revenue Reserves be approved to enable attendance at the Exhibition.”

A17. 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.”

A18. 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 4.40pm.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 25th May, 2016.

Members Present: Mr Councillor D.J. Ashford (Chairman), the Mayor, Councillor Mrs C.A. Corlett, Mr Councillor S.R. Pitts, Mr Councillor C.L.H. Cain, Councillor Ms K. Angela, Mr A. Thomas (Independent Member).

Officers in Attendance: Mr M. Freeman, Scheme's Investment Advisor – Hymans Robertson, Mr C. Bell, Capital International (agenda item A7), Director of Finance (Mr G. Bolt), Assistant Chief Officer (Finance) (Mr P. Pierce), Democratic Services Officer (Mrs D. Atkinson), Assistant Democratic Services Officer (Miss C. Cullen) (agenda item A1 to A8).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Apologies

There were no apologies for absence submitted.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 23rd March 2016

The minutes of the meeting held Wednesday, 23rd March, 2016 were approved and signed.

A4. Election of Vice-Chairman

The Chairman invited nominations for the appointment of Vice-Chair for the municipal year 2016/2017.

Mr Councillor C.L.H. Cain and Councillor Ms K. Angela were duly nominated.

The votes were cast as follows;

Mr Councillor C.L.H. Cain	6
Councillor Ms K. Angela	2

Resolved, "That Mr Councillor C.L.H. Cain having obtained a simple majority of the votes be elected Vice-Chair for the municipal year 2016/2017."

A5. Introductory Training

The Committee received an introductory training presentation from Mr Mark Freeman, Hymans Robertson for the purpose of informing the new Committee Members.

Mr Freeman covered the following topics during the presentation; Members role and responsibilities, investment objectives, asset classes, investment risk for pension schemes and the importance of investment strategy.

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

A6. Review of Investment Managers' Performance

The Committee considered a report by Hymans Robertson reviewing the Investment Managers' performance for the first quarter of 2016 (January to March 2016).

Mr Freeman began by explaining the purpose of the report. He referred back to elements of the training presentation demonstrating how it applied to the content within the report.

Mr Freeman provided an insight into the world markets to the 31st March 2016, notably it was a volatile quarter, and a particularly turbulent first six weeks for equity and credit markets.

Members considered the portfolio summary, the table listed the asset classes and their values, actual and target proportion. Mr Freeman explained that the target proportions are reviewed triennially; the last review had taken place prior to the appointment of the new fund managers.

The Committee received a breakdown of the different asset class returns during the quarter in comparison to the benchmarks, together with returns in the past twelve months, three and five years. Mr Freeman provided information about the various fund managers and the type of funds they manage.

In response to question, Members were advised that the Committee set the benchmark for each manager and managers will then invest based on the Schemes agreed investment beliefs.

Mr Freeman finished by providing an insight into the fee structure applied to different managers.

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

A7. Investment Manager Presentation – Capital International

Mr Bell (Capital International) joined the meeting to present Capital International's review of the first quarter of 2016.

Mr Bell began by explaining the key economic and market themes during the quarter. He went on to explain portfolio strategy thoughts.

Members were advised that the fund gained 2.08% an outperformance of the benchmark of 1.21% during the quarter. In response to query, Mr Bell explained that the 4.69% cash holding will allow them to take advantage of an opportunity driven venture, possibly in infrastructure when the appropriate investment arises. He also confirmed there is no intention to reposition broad assets in the near future.

Mr Bell finished with his report on the economy and market outlook.

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

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

A8. Adjournment and Resumption

The meeting adjourned at 1:10pm and resumed at 2:10pm, the same Members were in attendance.

A9. Capital Market Service

The Committee considered a presentation by Mr Freeman on the market update for first quarter of the period, January to March 2016.

Mr Freeman provided the market returns for the quarter. A series of graphs were presented to Members demonstrating the global purchasing managers index (PMI), the manufacturing PMI, global equity performance (based on the MSCI AC World Index), real earnings per share, price-earnings ratios, ten-year conventional Government bonds, ten-year Eurozone government debt for Spain and Italy and the IPD UK monthly index.

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

A10. Update of Investment Beliefs and Investment Decisions

The Director of Finance explained that Hymans Robertson was asked to review and update the six investment beliefs adopted by the Council on 14th August, 2013. Members were presented with a table listing the six updated beliefs together with an explanation for each belief, the policy outcome and a new column determining an action point. The Director of Finance highlighted the importance of reviewing the beliefs periodically.

Members individually considered each belief, it was noted that the investment strategy will be reviewed this year alongside the actuarial valuation.

During consideration of the item, Members discussed the fund manager fee structure. A Member requested that future reports included asset returns net of fund manager fees. The Chairman reminded that the Committee previously resolved to consider returns net of fees on an annual basis as it is difficult to calculate the figure quarterly. Mr Freeman agreed to include the fee percentage for each manager in the quarterly investment manager review report and provided a background into the fee structure. It was noted that fees have significantly reduced since the selection of the new fund managers.

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

- (i) The six updated investment beliefs and actions be approved;
- (ii) The Hymans Robertson quarterly review of investment managers report include the fee percentage charged by each fund manager going forward."

A11. Douglas Borough Council Corporate Plan Monitoring

The Committee considered a written report by the Director of Housing and Property setting out a review of progress made in respect of the Action Plan as contained in the Corporate Plan 2013 / 2017.

Members were advised that forward planning provided the framework for the Council's future activities and, by publishing a Corporate Plan, the Council was providing a documented demonstration to its stakeholders of its intentions.

The Corporate Plan was a strategic document, focusing on major priorities, and was also an essential element of the Council's responsibilities as part of good governance. Over-arching aims fed into

Department and Section plans, with these then being converted into actions assigned to individual officers at the relevant levels.

Members considered the latest monitoring schedule for items specific to the Pensions Committee (as appended to the written report).

Resolved, "That particulars of the report be noted on the minutes and the Committee review the monitoring schedule from the new Corporate Plan 2013-2017 every six months in respect of the responsibilities relevant to the Pensions Committee."

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.

The Director of Finance confirmed that training is to be arranged for new Council Members as the administering authority.

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

C13. Required Changes to the Local Government Superannuation Scheme Investment Regulations

The Committee considered a report submitted by the Director of Finance to seek approval to approach the Department of Infrastructure (DOI) to request the update of the Isle of Man Local Government Superannuation Scheme (LGSS) Investment Regulations.

The Director of Finance explained that when the 2012 regulations for the LGSS were introduced, they specifically excluded updating the latest Investment Regulations laid in respect of the Local Government Pensions Scheme (LGPS) in England and Wales on which the Isle of Man Local Government Superannuation Scheme regulations are based. The Statutory Instrument which was not enacted on the Isle of Man was 2009/3093. The report set out the changes required to the legislation.

Members were advised that in March 2016 the Committee considered the Administrative and Benefit regulations which have not been updated since 2012. In respect of these changes, the Committee could have decided to leave the regulations as they are. In the case of the Investment Regulations, due to changes in the legislation which are referred to in the current regulations, these have become unworkable.

Resolved, "That particulars of the report be noted on the minutes and the Director of Finance be authorised to ask the Department of Infrastructure to update the Investment Regulations."

The Committee rose at 3.25pm.

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

HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 18th May, 2016.

Members Present: Mr Councillor D.J. Ashford (Chairman), Councillor Ms C.E. Malarkey, Councillor Mrs E.C. Quirk, Mr Councillor C.L.H. Cain, Councillor Mrs C.L. Wells.

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) and Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters decided by the Committee

A1. Apologies for Absence

The Mayor and Mrs J. Quaggan (Independent Member) submitted apologies for absence.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes - 16th March, 2016

The minutes of the meeting of the Housing Committee held Wednesday, 16th March, 2016, were approved and signed.

A4. Minutes - 30th March, 2016

The minutes of the special meeting of the Housing Committee held Wednesday, 30th March, 2016, were approved and signed.

A5. Appointment of Vice-Chair

The Chairman invited nominations for the appointment of Vice-Chair for the municipal year 2016/2017.

Councillor Ms C.E. Malarkey was nominated by Councillor Mrs E.C. Quirk and seconded by Mr Councillor D.J. Ashford.

Mr Councillor C.L.H. Cain was nominated by Councillor Mrs C.L. Wells and seconded by Mr Councillor C.L.H. Cain.

The votes were cast as follows;

Councillor Ms C.E. Malarkey 3

Mr Councillor C.L.H. Cain 2

Resolved, “That Councillor Mrs C.E. Malarkey having obtained a simple majority of the votes be elected Vice-Chair for the municipal year 2016/2017.”

A6. Voids Report May 2016

The Committee considered a list of void properties for May 2016.

Members noted the list and discussed a number of properties detailed in the report. The Chairman asked the Assistant Chief Officer (Housing and Property) to circulate the list of deferred properties and to include them in future reports.

Members unanimously agreed that the date on which a property had become void should be added to the list in future.

A Member asked for clarification on the categorisation given to the type of repair, the Assistant Chief Officer (Housing & Property) affirmed that it is the length of time after a property becomes void in which it takes to turn it around for reallocation, type one equates to seven days, type two equates to thirty five days and type three eighty four days. Officers agreed to circulate the criteria for assessing void properties.

Resolved, “That the list of vacant properties and discussion be noted on the minutes.”

A7. Housing Request Refusals

The Committee considered a report by the Assistant Chief Officer (Housing & Property) advising on the proposed housing request refusals, all such refusals are made by housing management officers in accordance with current Council Policy, Government Regulations and Guidance.

A Member queried case number 6 and asked why, a mutual exchange could not take place if it were to be beneficial to both parties. The Assistant Chief Officer (Housing & Property) advised that this particular application had been refused as it had not met the criteria, in that the two bedroom house in Douglas would become under occupied. Members discussed the benefits to approving this mutual exchange and unanimously agreed that approval be granted.

Members opined that mutual exchanges should be reviewed on an individual case basis although it was understood that Housing officers refer to the criteria to ensure there is consistency in decisions.

The Chairman and Members requested that a full explanation be included in notification letters to applicants.

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

- (i) The Committee approves the list of proposed housing request refusals (excluding case number 6) shown in Appendix 1, which comply with current Council policy and current Department of Infrastructure regulations and guidance and;
- (ii) Approval is granted to the mutual exchange request, case number 6, as shown in Appendix 1."

A8. Capital Outturn 2015/2016

The Committee considered a report submitted by the Assistant Chief Officer (Finance) reporting the financial year end outturn position on the capital programme. Members noted the values spent on all capital schemes in 2015/16 and reports on variances to the revised estimates and amounts to be carried forward.

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

- (i) The Committee approve the carry forward to 2016/17 of all unspent balances on projects where work is ongoing or retentions are payable;
- (ii) The Committee note the level of Capital Expenditure in 2015/16."

A9. Adjournment and Resumption

The Committee adjourned at 11.40am to 11.45am; the same Members and officers were present.

A10. Allocations Policy

The Committee considered a report by the Assistant Chief Officer (Housing and Property) setting out the revised and updated allocation policy.

The Assistant Chief Officer (Housing and Property) affirmed that the allocation policy had previously been introduced in April 2011 and that the policy is revised and updated annually by housing management. The new 2016 allocation policy includes changes made to the Council's departmental structure and recent changes in the sheltered person's acceptance criteria, together with other minor changes.

Members discussed at length section 4 of the Allocation Policy Transfers and Exchanges, Members opined that transfers by mutual exchange should be on the basis of individual circumstances. Members raised concern that under the current policy mutual exchange requests are being refused (in accordance with Department guidelines), where there is a benefit to one of the parties even though the other property may remain under occupied. It was agreed that, depending on the housing need, applications for mutual exchanges could diverge from standard policy subject to Housing Committee discretion based on individual circumstances. The Committee agreed that if like for like exchanges meet one of the criteria listed in the policy then the application should be considered for approval.

Members suggested a number of minor changes to the wording of the policy;

Section 3 – Applicant Assessment; 2 bedroom bungalow; should be priority for applicants with special requirements.

Section 4 - Transfers and Exchanges; "each application to be judged on individual circumstances and if there is a benefit to the Council's housing stock to reflect the current social housing needs."

Section 6 – Allocation Process; Committee Member to be added to the allocation panel (subject to their availability)

Section 12 – General Policy Notes; "to be reviewed by the Housing Committee biennially."

During the discussion, Members were advised that tenants are permitted to participate in the Government's Home Stay Scheme however the Council must be notified in advance and the tenant must remain in the property throughout the stay. It was agreed to include information regarding terms and conditions of Home Stay in the next Housing Newsletter.

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

- (i) The Committee new allocation policy be approved subject to the amendments noted herein;
- (ii) That the final version be circulated to Members of the Committee."

A11. 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 June meeting of the Committee and Officers advised of three reports on the schedule which had been completed.

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

PART C –

Matters requiring Council approval

C12. Lheannag Park, Waverley Court and Willaston Kitchen Refurbishments

The Committee considered a report by the Assistant Chief Officer (Housing and Property) setting out the progress on this capital housing project.

The Department of Infrastructure has confirmed that the Kitchen Framework capital budget is for the sole purpose of kitchen refurbishment and cannot be transferred to any other capital projects; this phase of work includes ninety eight kitchen refurbishments at Lheannag Park and seventy four at Waverley Court. Seventy four kitchen refurbishments have also been included for at Willaston, which will be carried out in conjunction with the external refurbishments being undertaken by N K Construction Limited. A total of 246 kitchen refurbishments have been included in the phase of work. It is anticipated that work will commence on site during the first two weeks of August 2016 and be complete by May 2017 apart from some kitchens at Willaston which will be carried out in accordance with the external refurbishments programme before moving onto the next phase of work under the framework yet to be established. Future phases of kitchen refurbishments are required at Willaston and Lower Pulrose.

A Member queried if work carried out to the kitchens would be checked upon completion, the Assistant Chief Officer (Housing & Property) advised that there is an appointed Clerk of Works responsible for overseeing all refurbishments and tenants are also required to sign off the property to a satisfactory standard.

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

- (i) The Committee accepts the tender received from Tooms Limited for kitchen refurbishments at Lheannag Park, Waverley Court and Willaston;
- (ii) The Committee authorises the Chief Executive to petition the Department of Infrastructure for borrowing powers in the amount of £1,805,059.20 being the sum required to defray the cost of these works;
- (iii) The Committee agrees to the rescheduling of the capital programme to reflect the impact of the scheme;
- (iv) The Department of Infrastructure be advised that an assessment of the Council's housing reserve fund has been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source."

The meeting ended at 12.36pm.

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, 17th May, 2016.

Members Present: Mr Councillor S.R. Pitts (Chair), Councillor Mrs R. Chatel, Councillor Miss D.A.M. Pitts, Councillor Ms J. Thommeny.

In Attendance: Director of Housing and Property (Mrs S. Harrison), Director of Environment and Regeneration (Mrs D. Eynon), Assistant Town Clerk (Mr P. Cowin), Assistant Chief Officer (Finance) (Mr P. Pierce), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Head of Parks (Mr D. Hewes), Democratic Services Officer (Mrs D. Atkinson), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Apologies

The Mayor submitted apologies for absence.

A2. Declarations of Interest

There were no declarations of interest submitted.

A3. Minutes – 15th March, 2016

Minutes of the meeting held on Tuesday, 15th March, 2016, were approved and signed.

A4. Election of Vice-Chairman

Councillor Miss D.A.M. Pitts was unanimously elected to serve as Vice-Chairman for the 2016/2017 municipal year.

A5. Christmas Lights Switch On Event 2016

The Committee considered a report submitted by the Democratic Services Officer to consider the logistics of the Christmas Lights switch on event 2016.

The event is scheduled to take place on Thursday, 24th November, 2016. The report recommended continuing with the revised layout trialled at the 2015 event. Officers explained the revised layout, locating the stage at the Ridgeway Street and Lord Street junction, improved the crowd congestion experienced in previous years.

Members were asked to review the nature of entertainment provided. It was agreed to invite the pantomime and the Douglas Town Band to attend, a Member suggested a further possible act. Officers were asked to report back with further suggestions to the June Committee meeting.

Members made a number of suggestions to improve the event, including an improved sound system and raising the stage.

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

- (i) A Christmas Lights switch on event be organised in the evening of Thursday, 24th November, 2016;
- (ii) The stage be located at the Ridgeway Street and Lord Street junction;
- (iii) A curtain sided vehicle be utilised as an event stage;
- (iv) The local Christmas pantomime and Douglas Town Band be invited to attend the event (the Douglas Town Band subject to a specific Committee request);
- (v) A further report on entertainment for the event be considered at the June Committee meeting;
- (vi) The use of snow machines and a short Christmas themed fireworks display be approved;
- (vii) The relevant officers be authorised to proceed with arrangements for the event and to report back to the Committee as necessary."

A6. Items for Future Report

The Committee considered a report by the Democratic Services Officer regarding reports for future consideration by the Committee. In addition, Members requested two additional reports, and agreed to arrange a visit of the various Regeneration and Community managed sites for the benefit of the new Committee Members, a date will be agreed following the Murrays Ward by-election.

The Director of Housing and Property advised of the new tenants at the Noble's Park Café and Pavilion Restaurant.

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

PART B –

Matters requiring Executive Committee approval

B7. Capital Outturn 2015/16

The Committee considered a report submitted by the Assistant Chief Officer (Finance) to receive the financial year end outturn position on the capital programme.

Members had in front of them a table listing values spent on all Regeneration and Community capital schemes in 2015/16, the totals and notes on variances to the revised estimates. A total of £2,161,300 was expended in 2015/16. The amounts recommended for carry forward had also been set out in the report.

Members received an update on various ongoing capital programmes.

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

- (i) The Committee recommend to Executive Committee the carry forward to 2016/17 of all unspent balances on projects where work is ongoing or retentions are payable; and
- (ii) The level of Capital Expenditure in 2015/16 be noted."

PART C –

Matters requiring Council approval

There were no items requiring Council approval.

The meeting ended at 11.05am.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 16th May, 2016.

Members Present: Mr Councillor R.H. McNicholl (Chairman), Councillor Ms C.R. Turner, Councillor Ms K. Angela, Mr Councillor F. Pabellan.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Director of Finance (Mr G. Bolt) (Items A1 to A8), Assistant Town Clerk (Mr P. Cowin), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Accountancy Manager (Mr R. Davies), Senior Engineering and Waste Services Manager (Mr A. Crook) Building Control Manager (Mr N. Kaighin) (Items A1 to A6), Democratic Services Officer (Mrs D. Atkinson), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

Part A- PUBLIC

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 – 14th March, 2016

The minutes of the meeting of the Environmental Services Committee held Monday, 14th March, 2016, were approved and signed.

A4. Appointment of Vice-Chair

The Chairman invited nominations for the appointment of Vice-Chair for the municipal year 2016/2017.

Councillor Ms C.R. Turner was nominated by Councillor Ms K. Angela and seconded by Councillor Ms C.R. Turner.

Councillor Ms K. Angela was nominated by Councillor Ms C.R. Turner and seconded by Councillor Ms K. Angela.

The votes were cast as follows;

Councillor Ms C.R. Turner 3

Councillor Ms K. Angela 1

Resolved, “That Councillor Ms C.R. Turner having obtained a simple majority of the votes be elected Vice-Chair for the municipal year 2016/2017.”

A5. 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.

A member queried, further to discussion at the March Council meeting, whether the Castle Mona was to be added to the list, the Building Control Manager advised that he has since visited the property for inspection and confirmed the building could not be considered dilapidated at this time.

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

A6. Planning application – 16/000379/B – Douglas Promenade

The Committee considered a report submitted by the Building Control Manager on the planning application for the re-construction of the highway and footpaths and creation of a low speed streetscape on and along Loch and Harris Promenades, and creation of an area to provide seating, sculpture, lighting, display screens, bike storage areas, bus shelter and landscaping. The report recommended that the Council raise no objection to the application.

Members raised concern over the shared space scheme proposed and on this basis agreed to raise an objection to the planning application.

Resolved, "That particulars of the report and discussion be noted on the minutes that the recommendation be not accepted and that the Council object to planning application 16/000379/B on the basis that members did not support the proposed shared space scheme."

For: 3 Against: 1

Councillor Ms C.R. Turner requested that her name be recorded as voting against the resolution.

The Building Control Manager was thanked for his attendance and left the meeting at 11.15am.

A7. Adjournment and Resumption

The Committee adjourned at 11.15am to 11.20pm; the same Members and officers were present.

A8. Energy from Waste Facility Charging Mechanism

The Committee considered a joint report submitted by the Director of Finance and Senior Engineering and Waste Services Manager updating on the Governments charging proposals for domestic waste.

The Department of Infrastructure, during the Waste Working Group meetings, announced an intention to move away from the current method of charging a gate fee at the Energy from Waste Facility (EfW), based on actual weight disposed of. It was proposed that a combined charge of an availability fee, based on population or household numbers, and a reduced gate fee, based on actual tonnages, would be introduced from 2017-18. Members were advised that the larger part of the new charge, the 'availability fee' was to be calculated initially using historical tonnages as the basis for 'cost per household/population'. The 'availability fee' is a charge that all local authorities would be obliged to pay, irrespective of future tonnage disposed of at the EfW facility.

The report explained that the proposed charging mechanism was at odds with Tynwald's policy of reducing, recycling and re-using waste, as the imposition of a fixed 'availability fee' would seriously undermine the business case for recycling; where the benefit of diversion no longer exists, apart from the modest saving in the proposed £20.50 gate fee. More importantly the proposed mechanism was not supported, in the Council's view, by existing legislation.

The Council first wrote expressing its concerns in December 2015, in response to a press release from Government announcing the imminent introduction of an 'availability fee', as the Minister had previously stated that the new mechanism would not be introduced until 2017 at the earliest. The Government's current position, affirmed in letter from the Minister dated 4th May 2016, is that the mechanism has been introduced on 1st April 2016.

The Director of Finance explained that, having expressed concerns regarding the introduction of the charging mechanism, which appeared to conflict with current legislation, officers have sought legal advice on the matter. The advice received confirms the Council's concern that Section 67 of the Public Health Act 1990 only allows the Department to make a change for the actual disposal of waste at the EfW and not for making the EfW available, which is the intention of the proposed availability fee. Thus, the Council should not agree to the imposition of this charge as there is no legal basis for it and, in the absence of proper legal authority, payments to the Department could be challenged pursuant to the provisions of the Audit Act 2006. The Minister has been made aware of this in a letter.

The report recommended that the Director of Finance write to the Minister setting out the Committee's position and, should this fail to resolve the issue, that the Council makes a formal request for arbitration, pursuant to Section 67 (6) of the Public Health Act 1990.

The Director of Finance circulated a draft letter (to show the full legal position) addressed to the Minister for the Department of Infrastructure for Committee's information. It was noted that the draft letter covered all of the recommendations and, if agreed, would also be copied to all local authorities. It was suggested to circulate the correspondence to all Douglas MHK's.

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

- (i) The Committee authorise the Director of Finance to write to the Minister;
 - (a) requesting clarification as to how the proposed charging mechanism sits with Tynwald's policy of reducing, recycling and re-using waste;
 - (b) confirming this Authority's rejection of the legal basis for the charging mechanism;
 - (c) requesting an urgent meeting between the Chair, Leader of the Council, Officers of the Council and the Minister to discuss a way forward, and;
 - (d) failing the above, that the Council makes a formal request for arbitration, pursuant to Section 67(6) of the Public Health Act 1990;
- (ii) The above letter be copied to all local authorities and Douglas MHKs."

The Director of Finance was thanked for his attendance and left the meeting at 11.40am.

A9. Electric Vehicle Car Park Tariff and Charging Points

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to consider adopting the standard parking tariff for electric vehicles using the charging points in Chester Street Car Park and to seek the Committee's support for Officers to investigate options to increase the number of electric vehicle charging points in car parks operated by the Council.

The Assistant Chief Officer (Regeneration) advised that there are currently two electrical charging points for electric vehicles on Level 2 of Chester Street Car Park. Feedback has been received from electric vehicle users suggesting that some customers using the electric charging points are leaving their vehicle parked there all day, at no charge, thus preventing others being able to use the charging points. It was noted that all electric vehicle owners spoken to so far have agreed that it would be beneficial to apply the standard car parking tariff to the two existing spaces as this would encourage greater turnover of the spaces.

A Member advised that she had received comments about the spaces not being clearly marked as electric charging points, the Assistant Chief Officer (Regeneration) advised that improvements to be made to the car park are currently under review.

The Assistant Chief Officer (Regeneration) advised that there had been several enquiries in recent months from electric vehicle owners asking whether the Council plans to provide more charging points in other Council owned car parks as the number of electric vehicles in the Isle of Man appears to be rising sharply and consequently there is increasing demand for all existing charging points, particularly these two town centre points. Members agreed unanimously that the Assistant Chief Officer (Regeneration) should engage with the Manx Utility Authority and report back to the Committee in three months' time.

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

- (i) The Committee agrees to adopt the standard parking tariff for the two Electric Vehicle Charging spaces in Chester Street Car Park;
- (ii) Officers be requested to investigate options to increase the number of electric vehicle charging points in car parks operated by the Council."

A10. Big Tidy Up 2016

The Committee Considered a report submitted by the Senior Engineering and Waste Services Manager advising on the proposed format and funding requirements for this year's event.

There was discussion on the need to advertise the event earlier this year to gain more support for the event.

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

- (i) the Big Tidy-Up event be held on 1st October, 2016;
- (ii) the schools Tidy-Up event be held on Friday, 30th September, 2016;
- (iii) that the event be supported in the Douglas area only;
- (iv) businesses and schools be invited to take part in the event;
- (v) the housing department be authorised to liaise with tenants associations to encourage participation in tidy ups in their area;
- (vi) that all areas to be supported in the big tidy up be identified two weeks prior to the event to allow for risk assessments and support planning to occur;
- (vii) that the event is promoted to the Council's web site, social media and on local radio;
- (viii) that a reception be held to present all participants with certificates on completion of the event."

A11. Haulage Contract for Recyclable Materials

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager to advise of the tenders received for the Haulage of recyclable materials to the United Kingdom (UK).

The Senior Engineering and Waste Services Manager advised that of the two submissions received Manx Independent Carriers were the lowest in five of the six pricing categories when compared with Trade Distribution, who were lowest in one and that Manx Independent Carriers were below the pre tender estimate for all materials.

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

- (i) The Committee approve the appointment of Manx Independent Carriers as the Council's approved haulage contractor for recyclable materials for 2016 until 2019."

A12. **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 June meeting of the Committee and Officers advised of a report to be taken off the schedule.

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

PART B –

Matters requiring Executive Committee approval

B13. **Chester Street Car Park Special Initiatives**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to advise on the take up of special initiatives in Chester Street Car Park, the impact on footfall in the town centre and the impact on car park revenues.

Members were advised that since the introduction of the two initiatives in Chester Street Car Park on 1st November 2015 there has been noticeable increase in the use of the car park, namely the "Free After Three" initiative has seen an increase in use of up to 71.7%, with the £2 flat-rate Saturday tariff seeing an increase of up to 72.3%. The Assistant Chief Officer (Regeneration) advised that these figures do include the Christmas period, when car parking reaches its seasonal peak, therefore, even if the period from 1st November 2015 to 31st December 2015 is ignored, the average use of the car park has still risen by 51.6% after 3.00pm and 59.3% on Saturdays.

The Assistant Chief Officer (Regeneration) reported that although Chester Street Car Park revenue was down by £54,809, Drumgold Street Car Park had performed better than anticipated and was up from its budgeted estimate by £21,548. If this figure is vired from the Drumgold Street Car Park budget to the Chester Street Car Park budget it leaves a shortfall of £33,261 to be funded from reserves.

A Member queried whether the use of a barrier system could be implemented to deter youths from using the car park, the Assistant Chief Officer (Regeneration) advised that there were no immediate plans to introduce this but it is perhaps something that could be looked into.

Members unanimously agreed that if the initiatives are to be continued beyond the next six months, it would be beneficial to consider reviewing the overall tariff structure for 2016/17 to introduce a 4 and 5 hour tariff.

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

- (i) The trial of the Free After Three initiative and £2 flat-rate Saturday Tariff be extended for a further six months subject to agreement by the Executive Committee that any shortfall in revenue be funded from the reserves;
- (ii) The Committee approve a virement of £21,548 from the Drumgold Street Car Park budget SW037 to the Chester Street Car Park budget SW036."

B14. **Capital Outturn 2015/16**

The Committee considered a report submitted by the Assistant Chief Officer (Finance) reporting the financial year end outturn position on the capital programme. Members noted the values spent on all capital schemes in 2015/16 and reports on variances to the revised estimates and amounts to be carried forward.

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

- (i) The Committee recommend to Executive Committee the carry forward to 2016/17 of all unspent balances on projects where work is ongoing or retentions are payable;
- (ii) The Committee note the level of Capital Expenditure in 2015/16."

B15. **Enevo bin sensors**

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager advising on the success of the Enevo sensor trial on litter bins and to propose funding for a continued expanded use of the sensors.

The Senior Engineering and Waste Services Manager advised that there are currently 30 sensors fitted as part of the approved trial which are primarily fitted along the Promenade, it was noted that the support from Enevo has been excellent throughout the trial, with any sensor issues (albeit very rare) being rectified within a few days, and software queries being promptly dealt with.

There was discussion about the advantage of the Enevo sensors being a more cost effective system than the alternative big belly bins, in particular it covers route optimisation, it was noted that this approach allows for a more efficient use of plant and equipment.

The Senior Engineering and Waste Services Manager advised that if the number of sensors were to be increased to 100 this would account for approximately 25% of the bins around the Borough.

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

- (i) The Committee approve the continued use of the Enevo sensors and expand their number to 100 for a period of 36 months;
- (ii) The funding shortfall of £3,600, in 2016-2017, be met from the General Revenue Reserve and that savings are identified in the 2017-2018 budget setting round to fund the next two years' cost;
- (iii) The report be referred to the Executive Committee for General Revenue Reserve funding approval in the amount of £3,600 for 2016-2017."

PART C –

Matters requiring Council approval

C16. Douglas Promenade Public Lighting Petition

The Committee considered a report submitted by the Electrical Services Manager seeking approval to Petition the Isle of Man Government for borrowing powers for the Douglas Promenade Regeneration Public Lighting scheme in the sum of £822,709.00.

It was noted that at the Committee meeting held on 14th December 2015 approval had been given to the Thorn Design proposal, elements of which are still to be agreed by the Committee, namely column colour, final bracket, hanging basket, and banner arm designs, however it is important at this stage to petition for the funding to allow for material purchase and prevent the lighting scheme being delayed.

The Senior Engineering and Waste Services Manager advised that it is proposed for the electrical installation works to be carried out 'in-house' by the Electrical Services Section of the Environment & Regeneration Department of Douglas Borough Council, the electrical installation works will be funded by the existing Douglas Borough Council revenue budgets and are not included within the Petition fee. It was noted that the Civil engineering works for the scheme will be undertaken by the Department of Infrastructure at their expense and are not included in the petition sum.

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

- (i) The Committee authorises the Town Clerk & Chief Executive to petition the Department of Infrastructure for borrowing powers in the sum of £822,709.00 being the amount required to defray the cost of the works;
- (ii) The Department of Infrastructure be advised that an assessment of the Council's Reserve Fund has been undertaken to establish if sufficient monies are available to fund the proposed scheme via that source."

C17. LED Lantern Replacement Scheme

The Committee considered a report submitted by the Electrical Services Manager advising on the bids received for the Public Lighting LED Lantern replacement programme for the implementation of an LED Lantern replacement and a Lucy Zodion WiMAC Central Management System programme.

Members were advised that currently Douglas Borough Council purchases lanterns from three manufacturers, iGuzzini, Thorn Lighting and Urbis Schreder, each manufacturer was issued the specification and invited to bid. The Senior Engineering and Waste Services Manager advised that a formal tender process was not executed as this would not be beneficial to Douglas Borough Council securing the best product or prices over the course of the five year programme. The bid allows Douglas Borough Council to review, amend the product and price on an annual basis, maximising product development and cost efficiencies.

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

- (i) The Thorn Lighting bid coupled with the implementation of the Lucy Zodion WiMAC CMS be accepted;
- (ii) The Town Clerk and Chief Executive be authorised to petition the Department of Infrastructure for borrowing powers in the sum £1,541,995.00, being the amount required to defray the cost of the works over 5 years;
- (iii) The Department of Infrastructure be advised that an assessment of the Council's Reserve Fund has been undertaken to establish if sufficient monies are available to fund the proposed scheme via that source."

IX – Motions, of which notice has been given by Members of the Council pursuant to Standing Orders:

MOTIONS

1. Mr Councillor S.R. Pitts to move:

“That there be no charge for election posters/banners fixed to lighting columns for a two week period before the date of any election to the Douglas Borough Council or to the House of Keys for a Douglas Constituency, nor for a one week period after the completion of election, and that a suitable bond be deposited by each candidate to allow the Council to remove the posters/ banners after the expiry of one week if not removed by the candidate.”

On being moved and seconded the Motion will stand referred to the Environmental Services Committee for consideration and report.