



Borough of Douglas

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

Town Hall,

Douglas,

6th January, 2017

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 11th day of JANUARY, 2017, 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

A handwritten signature in black ink, appearing to read 'J. H. ...'.

Acting 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 monthly Council Meeting held on Wednesday, 14th December, 2016.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Wednesday, 21st December, 2016.

Members Present: Mr Councillor D.W. Christian (Chair), the Mayor, Mr Councillor I.J.G. Clague, Councillor Mrs C.L. Wells, Councillor Miss D.A.M. Pitts (Vice Chair, Regeneration & Community Committee), Mr Councillor R.H. McNicholl.

Officers in Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr G.M. Bolt), Director of Environment & Regeneration (Mrs D. Eynon), Director of Housing & Property (Mrs S. Harrison), Assistant Town Clerk (Mr P.E. Cowin) (for Clauses A1 to A12), Assistant Chief Officer (Regeneration) (Mr C. Pycroft) (for Clauses A1 to A7), Assistant Chief Officer (Digital & Information) (Mr D. Looney) (for Clause A10), Transport & Plant Manager (Mr S. Dugdale) (for Clause A8), Executive Officer (Mrs J.M. 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.

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes

The minutes of the Meeting held on Friday 25th November 2016 were approved and signed.

A4. Matters Arising From Previous Minutes

There were no matters arising from the previous minutes.

A5. Referrals from the Environmental Services Committee

The Committee considered the following referral from the Environmental Services Committee meeting held on Monday 19th December 2016:

Revised Fees for the Disposal of Domestic Fridges and Freezers: the Committee had considered a recent notification from the Department of Infrastructure in relation to a new charging structure for the disposal of fridges and freezers (effective from 1st December 2016), and the implication for the Council's Schedule of Fees and Charges.

The Council's current charges included the cost of collecting and removing items from households, and the Committee had previously agreed to increase charges in line only with the estimated inflation rate of 4%. The new charging structure, as notified by the Department, would increase the charges to £37.50 for units up to 50kg; £47.50 for units up to 100kg; and £72.50 for units over 150kg.

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

(ii) That it be agreed that the current year's charges in respect of the cost of the disposal of fridges and freezers be amended with immediate effect, to take account of the Department of Infrastructure's new charging structure."

A6. Central Douglas Masterplan and Douglas Off-Street Car Parking Strategy – Market Street and Strand Street, Douglas

The Committee considered a written report by the Assistant Chief Officer (Regeneration) seeking authority for officers to share the Douglas Off-Street Car Parking Strategy with Government colleagues and private sector stakeholders; and to commence discussions in relation to the Council's participation in the Central Douglas Masterplan.

Members recalled that the Council had approved the Central Douglas Masterplan in February 2015. It contained a range of concepts and proposals for sites in Central Douglas, and also set out suggestions as to how a number of sites might best be developed to contribute towards the co-ordinated regeneration of Douglas Town Centre.

Site SS3, situated on Market Street immediately to the south of Markwell House, was currently occupied by ground level temporary car parking. Members were advised that the suggestion in the Central Douglas Masterplan for the Market Street site was described as offering a longer-term opportunity to expand the retail offer with further car parking. A study, undertaken on behalf of the Department of Infrastructure in 2013, had concluded that during peak demand on Fridays, the optimum car parking supply levels had already been reached, and that demand for car parking in lower Douglas would outstrip supply by 2022. It was noted that use of Chester Street Car Park had increased measurably, and that the public levels of Shaw's Brow Car Park and the Bottleneck Car Park were regularly full to capacity.

At a meeting of the Douglas Car Park and Access Working Group, held on 23rd November 2016, it had been recommended that a Council and Government Officer Group be convened to consider a proposal for site SS3 in the Central Douglas Masterplan, with an issues and options appraisal being prepared. The appraisal would include the supply of modern public car parking in the Town Centre; the potential to create an improved pedestrian link into Strand Street; and the potential to create multi-storey retail units with frontage onto Strand Street.

It was agreed that a scheme of this nature would have implications in the surrounding area, and that it would be important to engage at an early stage with existing landowners and other key stakeholders. It was also agreed that there should be full engagement with the Douglas Regeneration Committee, to ensure wide-ranging support for any favourable proposals coming forward from the appraisal.

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

- (ii) That authority be given to officers to commence discussions with Government colleagues and private sector stakeholders, with a view to carrying out an appraisal of issues and options for the construction of a new multi-storey car park on Market Street, and a potentially-linked retail development fronting onto Strand Street; and
- (iii) That authority be given to officers to share the Douglas Off-Street Car Parking Strategy with stakeholders, in support of this and other car park related matters."

A7. Flag Day Street Collections 2017

The Committee considered a written report by the Town Centre Manager seeking approval of the proposed schedule of flag day street collections for 2017.

Each year the Committee considered a schedule of flag day street collections that had been notified to the Council in advance. All charities which had held flag days in 2016 had been written to, inviting them to apply for a date in 2017 and, to date, twenty-one responses had been received.

While all applications had been accommodated, it was recalled that the Committee had specifically instructed that collections should preferably not be held on consecutive days and, as a result, two charities had been offered alternative dates.

As in previous years, any applications received after the approval of the schedule by the Committee would be considered by officers, up to a maximum of twenty-eight, and with consecutive dates being avoided.

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

- (ii) That the schedule of flag day street collections for 2017 (as appended to the written report) be approved."

A8. Replacement Vehicles and Plant 2016 / 2017

The Committee considered a written report by the Transport & Plant Manager seeking approval for the replacement of various vehicles and plant.

Members were reminded that the Council's Transport and Plant Policy (as approved in November 2015 by the Executive Committee) set out a programme of replacement for vehicles and plant, and was in place to ensure that the Council's continued renewal policy was carried out, which in turn maintained a safe and sustainable fleet.

It was noted that the vehicles and plant included in this report had been included in the revised capital programme for 2016 / 2017, and had reached (or surpassed) their replacement period of nine years.

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

- (ii) That approval be given for the procurement of a Mercedes Citan Van, at a cost of £7,995 plus VAT, and for vehicle HMN 553A to be disposed of via auction at a later date;

- (iii) That approval be given for the procurement of an Iveco Daily 50C15 chassis cab 5200kg GVW 4350mm wheelbase, complete with Aldercote VZ155 platform, at a cost of £62,862 plus VAT, and for vehicle GMN 206P to be disposed of at a later date; and
- (iv) That approval be given for the procurement of a John Deere 1550 ride-on mower with 1.53m cutting width and mulching deck, including Ryetec PF1600 flail mower, at a cost of £19,275 plus VAT, to replace vehicle JMN 547J.”

A9. Corporate Plan 2013 - 2017 – Review of Progress

The Committee considered a written report by the Director of Housing & Property detailing a review of progress against the Action Plan, as contained in the Corporate Plan 2013 - 2017.

The Corporate Plan was a strategic document that provided the headline issues for the Council over the four-year period of the Plan, and its publication provided a documented demonstration of the Council’s intentions. Corporate (business) planning was an essential element of the Council’s responsibilities as part of good governance, and, although the Corporate Plan did not specifically mention every activity undertaken by the Council, it did focus on major priorities, supporting on-going tasks and functions that were important to the Council.

As a new Corporate Plan was being developed, it was intended that this would be the last report on the Corporate Plan 2013 – 2017.

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

- (ii) That the final monitoring schedule from the Corporate Plan 2013 – 2017, in respect of the responsibilities relevant to the Executive Committee, be noted and approved.”

A10. Douglas Borough Council Corporate Plan 2017 – 2021

The Committee considered a written report by the Assistant Chief Officer (Digital & Information) seeking approval for the Corporate Plan 2017 – 2021.

The Corporate Plan was a strategic document that provided the headline issues for the Council over a period of four years. The current Corporate Plan had been in place for the last four years and was due to expire on 31st December 2016, and, accordingly, a new Plan had been produced for the next four years (2017 – 2021). The Corporate Plan reinforced and encompassed the Constitution and the responsibilities that were invested in the Council, including corporate (business) planning, which was an essential element of good governance.

Forward planning provided a framework for the Council’s future activities and, by publishing a Corporate Plan, the Council was providing a documented demonstration of its intentions. The Corporate Plan did not specifically mention every activity undertaken by the Council, but instead it focussed on major priorities that would drive the content of the individual Department Service Plans, which in turn would be converted into actions assigned to individual officers at the relevant levels.

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

- (ii) That the Corporate Plan 2017 – 2021 be approved.”

A11. Consultation – Tynwald Select Committee on the Organisation and Operation of the 2016 General Election

The Committee considered a written report by the Assistant Town Clerk in relation to an invitation from the Clerk of Tynwald’s Office to give oral evidence to a Select Committee, set up to consider the organisation and operation of the 2016 House of Keys General Election.

Members were advised that the Select Committee had decided to invite representatives of the Council to provide oral evidence on the administration of local authority elections, with particular reference to the procedure used at election counts. The thirty-minute session was scheduled for 11:10 hours on Thursday 12th January 2017, and, subsequently, a request had also been made for a written submission to be provided prior to attendance, detailing the procedures followed by the Council in counting votes.

The Chief Executive had nominated the Assistant Town Clerk to attend the Select Committee Hearing and to prepare the written submission on procedures. Comments had also been invited from Council Members in relation to the matters under consideration. The draft submission, appended to the written report, focussed mainly on statutory procedures set out in the Local Election Rules, but it also referred to additional, non-statutory, guidance which had been developed in-house to assist and support the application of the Rules.

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

- (ii) That the written submission (as appended to the written report) be approved and submitted to the Tynwald Select Committee;

- (iii) That the Assistant Town Clerk be authorised to respond to any further enquiries on behalf of the Select Committee, to clarify and explain the election procedures in more detail; and
- (iv) That the Assistant Town Clerk also be authorised to give evidence on behalf of the Council to the Tynwald Select Committee on 12th January 2017.”

A12. 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, “That particulars of the report be noted on the minutes.”

A13. Members’ Attendance Allowance

The Committee considered a written report by the Director of Finance in relation to a proposed review of Members’ Attendance Allowances.

Members recalled that the current system for Members’ Attendance Allowances had been introduced on 1st April 2014. Although the then Minister for the Department of Infrastructure had been requested to increase the allowance by inflation, he had instead introduced a revised scheme, which hybridised the former sessional payments with an hourly rate.

Meetings were mostly held during the day, which could require Council Members to take time off work, or those in self-employment to not book work in. As the new rate did not properly reflect the time that Council Members put into any meeting, a number of rules had been added. However, the current system presented a number of problems and it was therefore suggested that, if it was simplified to have a session rate for any meetings, then this would reduce the time taken to check claims and could also lend itself to automation.

Looking ahead to the 2020 Local Elections, the Council will have reduced to twelve Members and this would provide an opportunity to introduce a more independent assessment, with a set annual payment depending on responsibility in relation to the Council.

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

- (ii) That the Honourable Minister for the Department of Infrastructure be requested to review the current Members’ Allowance Scheme, as set out in the Local Government (Members’ Attendance Allowances) Order 2013, with a view to simplifying the current system to a four-hour session system, payable for any meeting; and
- (iii) That the Honourable Minister for the Department of Infrastructure be requested to further review the Members’ Allowance Scheme, for introduction in 2020 after the Council had reduced to twelve Members, with a view to allowances being set by an independent body.”

A14. 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.”

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.”

A16. Time and Date of Next Meeting

Members were reminded that the next scheduled meeting - the Special Budget Meeting - was due to take place at 9.30am on Thursday 12th January 2017.

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

PART B –

Matters subject to Council approval

No public matters subject to Council approval were considered.

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

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE – Minutes of Meeting held on Monday, 19th December, 2016.

Members Present: For Douglas Borough Council – Mr Councillor R.H. McNicholl (Chair), Mrs D. Eynon (Director of Environment & Regeneration). For Onchan District Commissioners – Mr D. Crellin (Member), Mr M. Morrison (Chief Executive/Clerk). For Braddan Parish Commissioners – Mrs C. Corkill (Member), Mr J.C. Whiteway (Clerk). For Garff Commissioners – Mr T. Kenyon (Member). For Santon Parish Commissioners – Mr N.P. Kelly (Member).

In Attendance: Secretary – Mr P.E. Cowin, Accountancy Manager – Mr R.N. Davies (from 4.10pm until 4.20pm), Department of Infrastructure Representative – Mr J. Quayle, Contractor's Representative – Mr S.A. Crook.

REPORT

PART A –

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

A1. Minutes – 14th November, 2016

The minutes of meeting held on Monday, 14th November, 2016 were approved and signed.

A2. Matters Arising from the Minutes

Clause A5, Height Barrier: Mr Crook confirmed that the height barrier being opened on Monday afternoons was now in operation.

Clause A6, On-Site Signage: Mr Crook undertook to review signage in relation to engines being switched off while unloading.

Clause A7, Directional Signage: Mr Crook was to consult the landowner before changing the signage at the entry to the Middle River Estate Road.

Clause A8, Charities using Site: Chair read e-mail from Mr Councillor F. Horning supporting a change in policy to allow smaller charities to deposit waste at the Civic Amenity Site free of charge. Mr Quayle stated that each Site had a different policy and the Department of Infrastructure would like to see standardisation. Conclusion that all charities continue to be charged.

Clause A9, Skips for Cardboard: Noted that the Contractor was intending to fund the provision of covered skips.

Clause A11, Revised draft Agreement: Secretary to review and circulate amended agreement to all Authorities. Mr Kenyon advised that Garff would be happy to have two representatives on the Committee, one each for Laxey and Lonan, and the Secretary undertook to review that Clause.

A3. Operational Statistics to end of November, 2016

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

Members asked if it was possible to produce a year-on-year comparison and Mr Crook undertook to circulate one.

It was agreed: that the statistics be noted.

A4. Operational Issues – Skips

Mr Crook advised that there were no outstanding operational issues. However he advised the Committee that the eight skips provided in the Site infrastructure were proving insufficient to meet operational requirements and were being supplemented by the Contractor's own equipment.

A5. Refrigerator and Freezer Disposal Costs

Read letter from the Department of Infrastructure advised that due to falling market prices an increase in charges had been agreed by the Department with its contractor for disposal of the items. As a result, with effect from 1st December, 2016, the Civic Amenity Sites would now be charged £15, £25 and £50 respectively for small, large and very large units respectively.

In response to Members' questions, Mr Quayle confirmed that the original contract had been for three years at a fixed rate; it had expired in April 2016 and had now been extended until 31st December 2017 pending a re-tendering exercise which was now to take place during 2017.

Members were disappointed with the increase which would have to be passed on to users, and especially at the lack of notice; the increases had only been notified at the end of November.

It was agreed: that the increases be reluctantly accepted.

A6. Disposal Charges – Landfill waste

The Committee noted a letter from the Department of Infrastructure advising that due to an administrative error, invoices issued to the Committee for disposal of waste through landfill since April, 2016, had been insufficient in amount, having used the wrong cost per tonne. Revised invoices would be issued to cover the shortfall.

Mr Quayle confirmed that only certain types of waste were taken to landfill including plasterboard and insulating material, and that the amounts were small. The higher figure had actually been used in preparing the Committee's budget so there would be no impact.

It was agreed: that the letter be noted.

Mr Crook left the meeting at 4.05pm; the Accountancy Manager joined the meeting at 4.10pm.

A7. Budget 2017/18

The Committee considered its draft budget for 2017/18, which set out the contract costs, administrative costs and disposal costs for the Site and set out the apportionment between the authorities in the agreed ratio.

The final apportionment to each Authority was:

Douglas	£342,143
Onchan	£97,626
Braddan	£66,040
Laxey	£14,152
Lonan	£15,246
Santon	£9,254

There was some discussion of how the figures were calculated and which elements were variable.

There was specific note that the Contractor was responsible for maintaining the infrastructure of the Site and there should therefore be no provision for additional or replacement equipment.

It was agreed unanimously, on the motion of Mr Kelly, seconded by Mr Crellin, that the draft budget for 2017/18, as submitted, be approved.

The meeting ended at 4.20pm.

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

HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 21st December, 2016.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, Mr Councillor J. Joughin (from 10.35am), Councillor Ms C.E. Malarkey, Mr Councillor C.L.H. Cain, Councillor Mrs E.C. Quirk, Mrs J. Quaggan (Independent Member).

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

REPORT

PART A –

Matters decided by the Committee

A1. Apologies for Absence

Apologies for late attendance were submitted by Mr Councillor J. Joughin.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes - 16th November, 2016

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

A4. Voids Property List

The Committee considered the monthly report submitted by the Assistant Housing Manager (Maintenance) showing the latest position on the number of vacant social housing properties.

Members agreed that preference should be given at the time of reallocation to applicants on the social housing waiting list rather than the transfer list in the expectation that this will reduce the overall number of void properties.

In response to query from the Chair, the Assistant Chief Officer (Income) advised that Government guidelines suggest a 2% target for void properties against the social housing stock. She further reported that there is on-going liaison with the Department as to whether that percentage is a target or ceiling.

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

A5. Housing Request Refusals

During discussion of the item the Mayor submitted his apologies for the remainder of the meeting and left at 10.45am.

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) advising on three proposed housing request refusals. All such refusals are made by housing management officers in accordance with current Council policy, Government regulations and guidance.

Members discussed case number one that was appended to the report. The report recommended points removal as the refusal of a property offered was deemed unjustified. After consideration of the details the Committee agreed that a discretionary five point removal be applied in this instance, in contrast to the usual ten point deduction.

The Committee noted the further two transfer request refusals as shown in appendix one. It was noted that these requests did not meet the transfer criteria as the policy does not permit like for like transfers.

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

- (i) approval be given to the list of proposed housing request refusals (excluding case number one) as shown in appendix one, which comply with current Council policy and Department of Infrastructure regulations and guidance; and
- (ii) a five point removal to case number one, as shown in appendix one, be approved.”

A6. Douglas Borough Council Corporate Plan 2013 – 2017

The Committee considered a report submitted by the Director of Housing and Property to review the progress made against the Action Plan contained in the Corporate Plan 2013 – 2017.

Appended to the report and reviewed by the Committee was the latest position in respect of the responsibilities relevant to the Housing Committee.

The Director of Housing and Property advised it is intended that this would be the last report on the current Corporate Plan as officers were in the process of developing a new Corporate Plan.

Members discussed the emergency out of hours service. The Director of Housing and Property advised that subsequent to reported issues surrounding call response time, officers were reviewing the service. A Member suggested reaffirming information about the service and proposed that it be included with annual tenant newsletter.

Resolved, "That particulars of the report and discussion be noted on the minutes and the monitoring schedule from the Corporate Plan 2013 – 2017 in respect of the responsibilities relevant to the Housing Committee be noted."

A7. Items for Future Consideration

The Committee noted a report setting out items which will be considered at future meetings.

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

A8. Adjournment and Resumption

During discussion of the following item the Committee adjourned at 11.30am to 11.40am.

PART B –

Matters requiring Executive Committee approval

There were no items requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no items requiring Council approval.

The meeting ended at 12 noon.

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, 20th December, 2016.

Members Present: Councillor Miss D.A.M. Pitts, (Vice-Chair), the Mayor, Councillor Mrs R. Chatel, Councillor Ms J. Thommeny.

In Attendance: Director of Housing and Property (Mrs S. Harrison), Director of Regeneration and Environment (Mrs D. Eynon), Assistant Town Clerk (Mr P.E. Cowin), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Head of Parks (Mr D. Hewes), Borough Librarian (Mrs J. Macartney) (A1 to A3), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Chair of Meeting

In the absence of the Chair, the Vice-Chair, Councillor Miss D.A.M. Pitts, was unanimously elected to Chair the meeting.

A2. Apologies

The Chair, Mr Councillor S.R. Pitts, and Councillor Miss N.A. Bryon, submitted their apologies for the meeting.

A3. Lease of Noble's Park Bowling Green Pavilion

The Committee considered a report submitted by the Head of Parks to proceed with new lease arrangements with the Noble's Bowling Club for the lease of Noble's Park Bowling Green Pavilion.

Previously, there had been two main bowling clubs in Noble's Park. For a number of reasons the two clubs decided to merge and a new club 'Noble's Bowling Club' was formalised in December 2014. Following discussions with the former and new bowling club, agreement has now been reached for the implementation of a seven year lease for the bowling pavilion. The new lease will include a rent increase and the Club have agreed to maintain the interior and exterior of the Pavilion building excluding acts of vandalism.

It was noted that the Club Members are still subject to fees and charges applicable to the use of the greens, and the lease will not cover the Bowling Green, this will be maintained by the Council and open for general public use.

Resolved, "That particulars of the report and discussion be noted on the minutes and the Council proceed with the implementation of a lease for the Noble's Park Pavilion with Noble's Bowling Club subject to the following conditions:

- a) The lease be for a term of seven years;
- b) The area to be leased is the Noble's Park Bowling Pavilion, the internal areas of the lease were presented in the report;
- c) The Noble's Bowling Club keep the Pavilion interior and exterior in good and tenable repair and condition which includes the repairs and maintenance of the building elements;
- d) The Council be responsible for repairs resulting from acts of vandalism;
- e) The starting rent be as per the figure provided in the report;
- f) The recommended mechanism for determining any new rent will be by reference to inflationary increases in line with the Manx Retail Price Index;
- g) The annual rent be reviewed triennially;
- h) In addition to the rent, the Club be responsible for payment of VAT on the rent, insurance, Borough rates and water rates, and waste disposal charges, if required;
- i) Subletting of the property not be permitted, with the proviso that the short-term hire of all of the facilities would not constitute a sub-letting;

j) In the event of winding-up the Club, the tenancy immediately ends.”

A4. **Public Events 2017**

The Committee considered a report submitted by the Assistant Town Clerk to seek provisional dates for events in 2017 to be promoted by the Council.

The recommended date for the Fun Day was Saturday, 5th August; there are no other planned events in Noble’s Park that weekend, and no clash with any other major event on the Island.

Members were reminded that according to Council policy, the Fireworks Display should be the Friday evening closest to the 5th November.

The report recommended fixing the Christmas Lights Ceremony in line with the Council policy of four Thursdays before Christmas. Members unanimously agreed to bring the event forward one week to allow five late night shopping events to take place.

It was noted that the Douglas Carnival had previously been approved for Sunday, 16th July and the Remembrance Sunday Service is scheduled for 12th November.

Resolved, “That particulars of the report be noted on the minutes and in 2017, subject to inclusion of funding in the 2017/18 Council budget:

- (i) The Fun Day take place in Noble’s Park on Saturday, 5th August;
- (ii) The Fireworks Display take place on Friday, 3rd November;
- (iii) The Christmas Lights Ceremony take place on Thursday, 23rd November.”

A5. **Douglas Borough Council Corporate Plan 2013-2017**

The Committee considered a report submitted by the Director of Housing and Property to review progress against the Action Plan contained in the Corporate Plan 2013-2017.

Appended to the report was the latest monitoring schedule for items specific to the Regeneration and Community Committee.

Members requested a change to schedule to include reference to the Library relocation, it was agreed an updated schedule would be circulated accordingly.

The Director of Housing and Property advised that it was intended this will be last report on the Corporate Plan 2013-2017. A new Corporate Plan is being developed.

Resolved, “That particulars of the report and discussion be noted on the minutes and the monitoring schedule from the Corporate Plan 2013-2017 in respect of responsibilities relevant to the Regeneration and Community Committee be noted.”

A6. **Items for Future Report**

The Committee considered a report by the Democratic Services Officer regarding reports for future consideration by the Committee. Officers advised of additional reports to be included in the schedule.

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

PART B –

Matters requiring Executive approval

There were no public matters requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 12.20pm.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 19th December, 2016.

Members Present: Mr Councillor R.H. McNicholl (Chair), the Mayor, Councillor Ms C.R. Turner, Mr Councillor F. Horning.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Environment) (Mr A. Donnelly) (from 11.15am), Accountancy Manager (Mr R. Davies), Senior Engineering and Waste Services Manager (Mr A. Crook), Building Control Manager (Mr N. Kaighin) (Items A1 to A11), Dilapidation Enforcement Officer (Mr A. Gordon) (Items A1 to A11), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Apologies for absence were submitted by Mr Councillor F. Pabellan and Councillor Ms K. Angela.

A2. Declarations of Interest

The Director of Environment and Regeneration declared an interest in Item A7.

A3. Minutes – 14th November, 2016

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

A4. Schedule of Neglected, Dilapidated, Ruinous and Dangerous Properties

The Committee considered the schedule of neglected, dilapidated, ruinous and dangerous properties being dealt with on behalf of the Council.

The Dilapidation Enforcement Officer updated on the progress that had been made with a number of properties. Explanations were given in response to questions on particular properties.

The Assistant Chief Officer (Regeneration) advised that officers were currently reviewing the method in which the information is recorded with a view to improving the way in which it is presented to Members.

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

A5. Attendance

The Mayor left the meeting from 10.33am to 11.00am.

A6. Planning Application – 16/01296/B

The Committee considered a report submitted by the Building Control Manager on the planning application for the creation of vehicular access and driveway at 32 Ballakermeen Drive, Douglas.

The report outlined the proposal for the creation of a driveway to the front of the property which includes the removal of part of the front boundary wall to create an access to the front of the property and a driveway. This provision would give enough parking for one vehicle off the road.

The report recommended that the Council raise no objection to the proposal. The Building Control Manager circulated plans for the proposal including photographs.

The Chair highlighted similarities to a previous planning application in which the Council had raised an objection to and expressed concern over consistency in decisions. The Building Control Manager advised that this application, in contrast to the previous one as highlighted by the Chair, included the retention of 50% of the garden and further reported that three other properties in the area have parking to the front of the dwellings. Therefore the application, if approved, would not be the first of its kind in the street scene.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the Council raises no objection to the proposals."

For: 2 Against: 1

Mr Councillor R.H. McNicholl requested that his name be recorded as voting against the resolution.

A7. Planning Application – 16/01291/B

The Committee considered a report submitted by the Building Control Manager on the planning application for the replacement of an existing lamp post with an antenna topped lamp post and associated equipment cabinets at the Sure site, near to the junction with Lakeside Road, Hailwood Avenue, Douglas.

The report recommended that the Council raise no objection to the proposal.

Full planning approval is sought for the erection of a single ten metre high lighting column incorporating a mobile phone antenna on the top. The column will be steel painted light grey and will be of a similar design to the Council's street lighting columns erected nearby.

Members raised concern surrounding public health issues. The Assistant Chief Officer (Regeneration) advised that the applicant has provided a certificate of compliance with the World Health Organisation guidelines for public exposure.

In response to query, the Building Control Manager advised that the only valid planning consideration relating to the application is the siting and appearance of the proposed installation.

Members discussed the negative and positive comments that had been received from neighbours in the area in response to the proposal.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the Council raises no objection to the application."

For: 2 Against: 1

Mr Councillor R.H. McNicholl requested that his name be recorded as voting against the resolution.

Under the provisions of the Local Government Act 1985, the Director of Environment and Regeneration declared an interest in the item and retired whilst it was considered.

A8. Planning Application – 16/01330/B

The Committee considered a report submitted by the Building Control Manager on the planning application for alteration to the facades and extension to the rear, including the change of use of the basement and ground floors from offices to use class 3 – food and drink, with hours subject to licencing approval 11am to midnight at Celtic House, Victoria Street, Douglas.

Members recalled that a previous application for the refurbishment and extension to the existing office was considered by the Committee at its July 2016 meeting. The report outlined the changes from the previously approved application which include changing the use of the basement and part of the ground floor level to a class three use, sale of food and drink; the possibility of the building becoming a licenced premises and the front elevation of the building to be fully glazed, with acrylic rendered edges to the glazing. It was noted that comment was made, at the time of the previous application, to the Planning Committee that it would prefer to see a more active, animated façade at ground floor level.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the Council supports the application on the grounds that;

- (i) The Council believes that it is important to the economic health of Douglas and particularly the town centre, that premises are inhabited. The redevelopment of the application site is therefore to be welcomed as, when occupied, it will provide custom for town centre businesses, particularly at lunch times and in the evenings; and
- (ii) The Council accepts that the current façade is dated and that modernisation is overdue. The proposed design is considered to be strikingly bold and reflects modern design trends; and
- (iii) The current proposal is seen as a continuation of the evolving designs of commercial buildings in the area."

A9. Service of Notice – Pitcairn

The Committee considered a report submitted by the Building Control Manager on the appearance of 'Pitcairn,' 2 Church Road Marina, Douglas.

Members were presented with a neighbourhood impact statement, including pictures of the property demonstrating the external appearance of the property which is considered to be detrimental to the amenity of the neighbourhood.

Following numerous complaints, the property had been subject to several subsequent inspections by Council officers.

In response to query from the Chair, the Dilapidation Enforcement Officer reported that extensive research has taken place in order to identify the owners; communication is on-going with the suspected owner. He further reported that the matter is being progressed with guidance from the Council's advocates.

Resolved, "That particulars of the report and discussion be noted on the minutes and that approval be given for the service of notice, if necessary, under Section 24 of the Building Control Act 1991, on the owners of the 'Pitcairn.' The Notice would relate to the repairs to the front elevation of the property encompassing cracked masonry walls, damaged window cills, damaged window frames and repainting of woodwork and masonry walls."

A10. Service of Notice – Wyndham

The Committee considered a report submitted by the Building Control Manager on the appearance of 'Wyndham,' 1 Church Road Marina, Douglas.

Members were presented with a neighbourhood impact statement, including pictures of the property demonstrating the external appearance of the property which is considered to be detrimental to the amenity of the neighbourhood.

It was noted that this property is believed to be under the same ownership as the 'Pitcairn' therefore on-going issues with establishment of the owners applied to this property.

Resolved, "That particulars of the report and discussion be noted on the minutes and that approval be given for the service of notice, if necessary, under Section 24 of the Building Control Act 1991, on the owners of the 'Wyndham.' The Notice would relate to the repairs to the front elevation of the property encompassing cracked masonry walls, repainting of all masonry walls, repainting all woodwork and repainting all metalwork."

A11. Planning Application – 14/01328/B

The Committee considered a report submitted by the Building Control Manager of the planning application for the demolition of rear and side annexes to existing building and conversion and extension of building to form seventeen apartments at Kingswood House, 3 Harris Terrace, Douglas.

Members recalled that this application was previously considered by the Committee in December 2014. Following consideration it was resolved that an objection be raised on the grounds that the development would be an over-intensive use of the site and that parking provision was insufficient.

The report advised that subsequent to discussion between the planning directorate and the applicant the Planning Officer supported the proposals and the Planning Committee agreed to approve the application subject to conditions and formal execution of a legal agreement to secure a contribution by the Developer towards the cost of affordable housing. The Assistant Chief Officer (Regeneration) advised that a similar agreement is in place to secure a contribution by the developer to the Council in lieu of providing open space within the development.

Members discussed the current issues affecting parking provision within the Borough. It was noted that there now appears to be a more general acceptance that in order to bring older redundant buildings into reuse it is necessary to be more pragmatic regarding the provision of on-site car parking.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the Council does not appeal the Planning Directorate's decision in relation to the application."

The Building Control Manager and the Dilapidation Enforcement Officer were thanked for their attendance and left the meeting at 11.26am.

A12. Adjournment and Resumption

The Committee adjourned from 11.26am to 11.35am.

PART B –

Matters requiring Executive Committee approval

B13. Revised Fees for the Disposal of Domestic Fridges and Freezers

The Committee considered a report submitted by the Accountancy Manager advising on the implications to the Council's fees and charges of a recent notification received from the Department of Infrastructure, regarding the new charging structure for the disposal of fridges and freezers to be implemented from 1st December 2016.

Members recalled that approval had been given at the October meeting for increases in the Committee's fees and charges in line with the estimated inflation rate of 4%. The Accountancy Manager advised that the Council had subsequently been notified by the Department that the charges for the disposal of

fridges and freezers would be increased to £15 for units up to 50kg, £25.00 for units up to 100kg and £50 for units over 150kg.

It was noted that the Council's current charge includes the cost of collecting and removing items from households. Concerns regarding the increased level of charge potentially leading to an increase in fly-tipping had been taken into account, and the charges set accordingly.

Appended to the report were the proposed revised fees for collection and disposal, which were £37.50, £47.50 and £72.50 respectively for the three types of units.

In response to query from the Chair, the Senior Engineering and Waste Services Manager advised that many customers take fridges and freezers to the Civic Amenity Site directly.

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

- (i) that the current year's and next year's fees and charges in respect of the cost of disposal of fridges and freezers be amended in line with actual charges imposed by the Department of Infrastructure; and
- (ii) the change to the current year's charge be implemented with immediate effect; and
- (iii) the 2017/2018 amended charges be referred to the Executive Committee meeting to be held on 21st December, 2016."

Adjournment and End of Meeting

The Committee adjourned at 1.00pm for the lunch break. Following apologies for the remainder of the meeting submitted by Councillor Ms Turner, it was noted that the meeting would therefore be inquorate. Members agreed to reconvene, the Assistant Democratic Services Officer would identify a suitable date and time.

PART C –

Matters requiring Council approval

There were no items requiring Council approval.

The meeting ended at 1.10pm.

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of reconvened Meeting held on Friday, 23rd December, 2016.

Members Present: Mr Councillor R.H. McNicholl (Chair), the Mayor, Councillor Ms C.R. Turner, Mr Councillor F. Horning.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Environment) (Mr A. Donnelly), Assistant Chief Officer (Income) (Mrs C. Pulman), Senior Engineering and Waste Services Manager (Mr A. Crook), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Consultation – Proposed Installation of Sewerage Plant at Manx Petroleum Ltd

The Committee considered a report submitted by the Assistant Chief Officer (Environment) on the proposal for the installation of sewage treatment plant at Manx Petroleum Limited, Battery Pier, Douglas.

The proposal by Manx Petroleum Limited is to construct a new steel-framed building consisting of workshops, storage, an office, canteen, toilets and shower facilities. The building would be located on land in the company's ownership adjacent to the storage tank farm at the Battery Pier Depot. The proposals have been the subject of both planning and building regulations applications.

The report recommended that a response opposing the proposal be submitted.

The position of the proposed buildings south of Raven's Wharf means it is not possible to discharge sewerage effluent from those proposed buildings to the public sewer by a gravity sewer but would need to be pumped to the foul sewer on South Quay. Therefore it is proposed by the applicant that the foul drainage from the proposed Manx Petroleum Building discharge directly into the sea via a small stand-alone sewage treatment plant.

The report advised that the principle of allowing a discharge of treated effluent into the harbour is not considered good environmental practice and in this instance an alternative exists to discharge effluent into an existing foul sewer via a new pumping station arrangement. Members discussed the detrimental implications to the environment should the proposal be approved.

The Chair proposed that a recommendation for Manx Petroleum to provide a pump to be connected to the existing sewer system be added into the consultation response.

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

- (i) response to the consultation opposing the proposal be submitted, as an existing foul sewer is in existence and available on South Quay at the apartments/dwellings on South Quay Buildings south of Raven's Wharf, adjacent to the Manx Petroleum Limited Depot; and
- (ii) a recommendation be included with the response that a pump be connected to the existing main sewer system."

A2. Covered Cardboard Skips for the Eastern Civic Amenity Site

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager seeking approval for the acquisition of two covered skips for the collection of cardboard at the Eastern Civic Amenity Site.

The report advised that as contractor for the Eastern Civic Amenity Site, the Council currently recycles an average of 17 tonnes of brown cardboard per month.

The Senior Engineering and Waste Services Manager reported that currently the skips have no means of protection from inclement weather which has resulted in the cardboard becoming saturated. The Committee noted that this impacts on the time before it can be baled and also increases the risk of bale rejection.

Appended to the report and reviewed by the Committee was the covered skip specification. The report recommended the purchase of two covered skips, totalling £9,100. The Assistant Chief Officer

(Income) advised that funding for the provision would be covered by excess income in the budget from the sale of recyclates.

There was discussion on the current contract with the Eastern Civic Amenity site, specifically relating to which stakeholders have responsibility for certain aspects of the contract. The Assistant Town Clerk affirmed that the contractor for the site is obligated to maintain eight skips.

There was discussion surrounding the need to replace the skips. The Senior Engineering and Waste Services Manager reported that there are currently fourteen skips on site, at least three of which would need to be taken out of use in the near future.

The Chair proposed that only the covers be purchased. The Senior Engineering and Waste Services manager advised that the cost of purchasing two roll top covers only would be £2,200 plus transportation, the cost of which would need to be determined with the supplier. He further reported that the covers can be fitted to the existing skips on site.

Resolved, "That particulars of the report and discussion be noted on the minutes and the purchase of two roll top covers in the sum of £2,200 to be fitted to existing skips for the collection of cardboard at the Eastern Civic Amenity Site, with the additional cost of transportation be approved."

A3. **Proposals for Beach Management in the Future**

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager advising on the evaluation provided by JBA Consulting Limited regarding the existing issues affecting Douglas Beach.

Members recalled that JBA Consultants Limited had been appointed in July 2016 to conduct an evaluation on the existing beach management contract which is due to end on 31st March 2017.

Appended to the report and reviewed by the Committee was the final evaluation report received from the consultant. The main body of the report covered activities including seaweed removal, beach re-profiling (encompassing grading and raking), litter picking and the presence and maintenance of groynes.

From the findings of JBA Consultants, the Assistant Chief Officer (Environment) had identified three viable options available to the Council;

- 1) Continue as existing; seek a new contract using an updated version of the existing specification.
- 2) Call off contract; the contractor deploys to the beach as directed depending on extent of stranding. Litter picking could be carried out either by the contractor or in-house resources.
- 3) In-house removal; seaweed is cleared by in-house resources as required (some flexibility on working hours may need to be introduced to optimise the service around tide times). Litter picking to be carried out in-house.

The report recommended that approval be given to option two; call off contract.

Members discussed at length how the current contract operates. The Chair expressed concern over how the contractor would manage call response times to reports of strandings on the beach.

The Chair opined that cleaning of the beach should take place during the summer months only. The Senior Engineering and Waste Services Manager advised that should a large stranding be deposited on the beach during the winter and not be cleared it would become buried causing an unpleasant smell as it decomposes.

In response to query from the Chair, the Senior Engineering and Waste Services Manager advised that officers would be in contact with the current contractor in early January 2017 in respect of discontinuation of the contract, due to the requirement to give three months' notice.

There was discussion on the possibility of bringing the contract in-house. It was agreed that officers prepare the call off contract specification alongside exploring the viability of an in-house contract.

It was agreed that the recommendation for the implementation of a coastal management programme in the sum of £32,420.00 be not approved.

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

- (i) approval be given to officers for the preparation of contract documents and go out to tender based on option two; call off contract, whereby the contractor deploys to the beach as directed depending on extent of stranding for the summer only, between the months of May and October; and
- (ii) alongside resolution (i) officers explore the option of an in-house contract; and
- (iii) works not included in the contract to be carried out by alternative resources include litter picking during the summer only; and

- (iv) in addition, no re-profiling works be carried out within the beach contract. Any works required to export large quantities of material will be by separate arrangement on an as needs basis.”

A4. Follow up Charity Waste Audit

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager updating on the progress made with local charities in respect of waste disposal subsequent to an audit previously conducted in March 2016.

The report advised that following the first audit officers had visited two local charities to discuss options including the provision of alternative receptacles for recyclable materials. It was explained to the charities that despite being exempt from paying disposal charges it was in all parties’ interests to reduce the amount of waste arising, particularly where many of the items held a residual value in the recycling markets. Both charities indicated their support for the initiative agreeing to separate recyclable material from their waste and utilising the Council’s recycling service.

Members were presented with a comparison between the first audit held earlier in the year and the most recent audit held on 21st November, 2016, this information showed a reduction of materials in both charities waste receptacles. The reduction in total weight by 173.6kg across the two charities would bring a saving of £720 over 12 months based on the current domestic gate fee.

Resolved, “That particulars of the report be noted on the minutes and approval be given to officers to actively engage with all charities within the Borough regarding the Council’s recycling initiative.”

A5. Douglas Borough Council Corporate Plan 2013 – 2017

The Committee considered a report submitted by the Director of Housing and Property to review the progress made against the Action Plan as contained in the Corporate Plan 2013 – 2017.

The Committee noted that it is intended that this report would be the last considered in regard to the current Corporate Plan as officers were currently developing a new Corporate Plan.

Appended to the report and noted by the Committee was the latest position on the monitoring schedule for items specific to the Environmental Services Committee.

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

A6. Items for Future Consideration

The Committee considered a report setting out items which will be considered at future meetings. Members noted the reports listed for consideration at the January meeting of the Committee.

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

PART B –

Matters requiring Executive Committee Approval

There were no items requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no items requiring Council approval.

The meeting ended at 11.18am.

X – MISCELLANEOUS BUSINESS of which notice has been given pursuant to Standing Orders:

MISCELLANEOUS BUSINESS

1. The Council to appoint a Member of the Pensions Committee to fill a vacancy caused by the resignation of Councillor Miss. D.A.M. Pitts.

Nominations will be invited, and if more than one is proposed and seconded, a ballot will take place.