



Borough of Douglas

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

Town Hall,
Douglas,
7th April, 2017

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 12th day of APRIL, 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

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 monthly Council Meeting held on Wednesday, 8th March, 2017 and Special Private Council Meeting held on Friday, 31st March, 2017.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 24th March, 2017.

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.

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr G.M. Bolt), Director of Housing & Property (Mrs S. Harrison), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), 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, and the Director of Environment & Regeneration (Mrs D. Eynon).

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes

The minutes of the meeting held on Tuesday 28th February 2017 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 minutes of the Environmental Services Committee meeting held on Monday 13th March 2017:

Chester Street Car Park – Special Initiatives: the Committee had considered the impact that the two special initiatives – ‘free after three’ and ‘£2.00 all day Saturday’ – had made since their introduction in November 2015. While occupancy levels had increased markedly since that time, the impact had caused some concerns. It had been noted, that the new tariff structure adopted by the Council for 2017 / 2018 aimed to deal with the revenue issue in two ways – firstly, even with the ‘free after three’ initiative, parking for the same period of time in the forthcoming financial year would cost more; and, secondly, the inflationary and additional tariff price structure for the Drumgold Street Car Park was anticipated to generate increased revenue in that car park.

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

(ii) That the recommendation of the Environmental Services Committee – that the initiatives remain in place for a further twelve months – be endorsed.”

4 For. 1 Against. Mr Councillor R.H. McNicholl requested his vote against recommendation (ii) be noted on the minutes.

A6. Referrals from the Regeneration & Community Committee

There were no referrals from the minutes of the Regeneration and Community Committee meeting held on Tuesday 14th February 2017.

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

A7. Highways (Amendment) Act 2016 – Implications on Pavement Café Licences

The Committee considered a written report by the Assistant Chief Officer (Regeneration) detailing the implications of the Highways (Amendment) Act 2016 on the process of issuing licences under Section 78 of the Highways Act 1986.

The Highways (Amendment) Act 2016 had come into operation on 1st February 2017, Section 17 of which repealed and replaced Section 78 of the Highways Act 1986. Section 78 had related to the provision of cafés, and kiosks, etc, on highways, and the amended legislation had implications in respect of the process to be used by local authorities when considering / issuing applications for highway licences. Members noted the main changes arising from the amendment (as detailed in the written report), and also the two main implications for the Council:-

- As local authorities were no longer required to place a notice in the local press, there was an opportunity to use site notices similar to those used by the planning system:

The current fee for pavement café applications and renewals took into account the advertising costs, therefore, if site notices were adopted instead of press notices, the fee charged to applicants would be reduced. Additionally, as the Council had social media available as a tool for communicating with the public, this could also be used to publicise applications.

- As Planning Consent and Advertising Consent were no longer required by applicants, and because local authorities were no longer required to seek approval from the Department of Infrastructure prior to issuing a Highway Licence, there would be greater responsibility on local authorities to take account of factors that would previously have been considered as part of the approval process by the Department:

Consideration of Highway Licence applications was currently delegated to the Chief Executive (guided by recommendations made by the Town Centre Manager, based on guidelines previously approved by the former Policy and Resources Committee). Although the guidelines had generally served well, it was suggested that it was now an appropriate time to review them, and to seek input from the Isle of Man Constabulary, the Department of Infrastructure's Highway Services, and the Department of Environment, Food and Agriculture's Planning & Building Control Services, to ensure these bodies were comfortable with the guidelines to be used by the Council in the future.

Members also noted, once a highway licence had been issued to an establishment, that the Borough Wardens undertook regular inspections of the pavement cafés. Following discussion, and in order to accommodate the cost of the provision of these inspections, it was agreed that the fees for processing Highway Licence applications for pavement cafés for 2017 / 2018 should be set at a higher rate than those recommended in the report.

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

- (ii) That the implications of Section 17 of the Highways (Amendment) Act 2016 on the process for Highway Licence applications for Pavement Cafés also be noted;
- (iii) That the application fees for Pavement Cafés for 2017 / 2018 be set at £195 for new applications and £145 for renewals;
- (iv) That the Schedule of Fees and Charges be amended accordingly to reflect this amendment to the charges;
- (v) That officers be requested to update the current guidelines on Pavement Cafés in liaison with other relevant parties; and
- (vi) That in future, site notices for publicising pavement café applications be used instead of press notices."

A8. 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."

A9. Conference Attendance – CIPFA

The Committee considered a written report by the Director of Finance seeking early approval for attendance at this year's CIPFA Conference.

The Chair of the Committee and the Director of Finance had attended in previous years and found the Conference to be of great benefit in following current trends in public sector finance and accountancy. The event brought together world-class speakers and commentators, and also provided an opportunity to discuss key issues and to network with suppliers.

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

- (ii) That authority be given for the Chair of the Executive Committee and the Director of Finance to attend the CIPFA Annual Conference and Exhibition, which was to be held in Manchester on 12th and 13th July 2017; and
- (iii) That the cost of the Conference fee be met from the General Revenue Reserve.”

A10. Celtic Media Festival – Celtic Nations Flags on Promenade

The Committee considered a written report by the Town Centre Manager seeking approval for Celtic nations flags to be flown on Loch Promenade during the forthcoming Celtic Media Festival.

Members were advised that the Celtic Media Festival was being held in the Villa Marina from 3rd to 5th May 2017. The Festival was an annual three-day celebration of broadcasting and film talent and excellence, and consisted of five-hundred delegates from Scotland, Ireland, Wales, Cornwall, Brittany, and the Isle of Man. It brought important economic benefit to Douglas and the Island, and it was proposed, by way of welcoming the delegates to Douglas, that Loch Promenade be dressed with Celtic nations flags.

It was noted that Manx flags were flown on Loch Promenade from 1st May each summer.

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

- (ii) That approval be given for Celtic nations flags to be flown from 1st to 8th May 2017 on alternate flag poles on Loch Promenade, alongside the Manx flag as host nation of the Celtic Media Festival.”

A11. Twinning Agreement – Invitation to participate in Football Tournament

The Committee considered a written report by the Democratic Services Officer in relation to an invitation received for a local football team to participate in a tournament in Ballymoney.

It was noted that the invitation - for ten to twelve football players and two coaches to travel to Ballymoney to participate in a football tournament on Saturday 20th May 2017, together with the Mayor and Mayoress - had been verbally reported to the Regeneration & Community Committee meeting on 14th March 2017, with Members of that Committee being in favour of inviting a team to participate.

The invitation had accordingly been forwarded to the Isle of Man Football Association, which had advised that it already had a complete schedule in place for 2017, including two different junior football clubs competing off-Island during that particular weekend. The Isle of Man Football Association did however indicate that it would be interested in attending a future tournament, but requested more notice be provided. The Sport & Wellbeing Area Manager had confirmed that the tournament was an annual event, and undertook to advise the date for the 2018 competition at an earlier stage, in the hope that a Douglas team might be able to participate.

The Chief Executive advised Members that the Ballymoney Twinning Secretary had been reminded in recent correspondence that all invitations to Twinning events should be sent to the Chief Executive, in order that they could be dealt with quickly and appropriately; and that the role of the Town Centre Manager was only as an initial liaison with the Chamber of Commerce.

In relation to the invitation extended to the Mayor and Mayoress, it had been recommended that this be politely declined due to the absence of a local football team. Members queried, however, whether the French town, Vanves (which was also twinned with Ballymoney) would be sending a football team and a representative to the tournament. If Vanves was not sending a team but was to be represented, then it was proposed that Douglas should likewise be represented, regardless of whether a football team from the Island would be participating.

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

- (ii) That the Causeway Coast and Glens Borough Council be thanked for its invitation to participate in the KRD International Football Tournament, but be advised that, regrettably, Douglas would have to decline the offer of a local team participating on this occasion;
- (iii) That the Democratic Services Officer be requested to continue to work with the Causeway Coast and Glens Twinning Secretary and the Isle of Man Football Association, in the hope of entering a team in the 2018 competition;
- (iv) That the Democratic Services Officer be requested to establish whether Vanves would be sending a team and be represented at the competition - if so, then the incoming Mayor for the 2017 / 2018 municipal year also be given the opportunity to attend the event on 20th May 2017, subject to further decision by the Leader and Chief Executive; and
- (v) That the Democratic Services Officer be requested to continue to advise the Regeneration and Community Committee of any further invitations received on behalf of the Twinning Agreement, in order that they may be considered accordingly.”

A12. **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."

A13. **Consultation Document – DNA Testing of Dogs: Proposed Amendment to the Dogs (Amendment) Bill**

The Committee considered a written report by the Assistant Chief Officer (Regeneration) in relation to a proposed amendment to the Dogs (Amendment) Bill, which the Department of Environment, Food and Agriculture was currently progressing in order to introduce compulsory micro-chipping of all dogs on the Island to replace the current licensing system.

Also, following concerns as to the adequacy of the Act to deal with dog fouling, it was being proposed that it be compulsory for all dogs on the Island to be DNA tested, with their information being entered on a database together with details on the dog's owner at the time of testing. The concept would be that, in the event of finding dog faeces, a local authority enforcement officer would collect a DNA sample from the dog faeces and send it to a designated laboratory for comparison against DNA profiles held on the database. If a match was successful, then formal action may be taken against the owner. Failure to pick up dog excrement would become an all-Island offence rather than a byelaw offence, but primary responsibility for enforcement would still rest with local authorities.

In attempting to assess the likely value of a compulsory Dog DNA Profiling Scheme to the Council, officers had considered how it might be used as part of the enforcement process. It had been assumed that it was only likely to be responsible dog owners - who already picked up after their dogs - who would register their dogs, and therefore there was a high likelihood that many of the DNA tests carried out on faeces would not provide evidence that could be used to pursue a Fixed Penalty or a prosecution. Such a scheme was therefore unlikely to prove particularly useful as an additional enforcement tool.

Members also considered staffing implications and, while a minimal number of tests would be unlikely to impact considerably on officer workload, a policy of routine testing of all reported dog fouling would not be achievable using current staff resources. It was also noted that there may be revenue implications for the Council if DNA testing was adopted.

In addition to noting the details of the proposed amendment to the Act, Members considered suggested responses to a number of specific questions set by the Department in the consultation document, for which the closing date for submissions was 15th April 2017.

A Member advised that the Borough Wardens had been carrying out work in the Saddlestone area in respect of deterring dog fouling with the use of stencilling, and that appreciative feedback had been received from residents.

In response to a Member's query as to whether the Council's byelaws could be amended to make it an offence for a person in control of a dog not to be in possession of suitable means to pick up their dog's faeces, it was advised that the Council's byelaws could not be amended to that effect without the offence being written in primary legislation.

It was understood that a number of other jurisdictions were considering similar initiatives, and that it could be a useful opportunity for the Isle of Man to study the results of the efficacy of a DNA Profiling Scheme. It was therefore recommended that the Department should be requested to defer introducing the amended legislation in the Isle of Man until the success of other initiatives could be assessed.

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

(ii) That the proposed responses to the specific questions (as set out in the report) be approved and sent to the Department of Environment, Food and Agriculture accordingly; and

(iii) That the following points also be included as part of the Council's response to the consultation -

- That the Department be requested to defer any decision on the introduction of DNA testing for dogs until such time as the results of similar initiatives in other jurisdictions could be appraised;
- That the Department be requested to explore other measures to support enforcement of Dogs Byelaws by local authorities, which might usefully be included in the Dogs (Amendment) Bill; and
- That the Department be requested to specifically explore whether the issue of dog fouling could be dealt with legislatively, by obliging any person in control of a dog in a public place to be in possession of a suitable means of picking up their dog's faeces, failure to do so obliging them to provide their name and details if requested."

A14. 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.”

A15. Chair’s Closing Remarks

The Chair thanked Members of the Committee for their contributions during the municipal year. He also thanked the Chief Officers for their support and work with him as Leader of the Council; and the Executive Officer for the efficient running of the Committee, its Agenda and Minutes.

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

PART B –

Matters subject to Council approval

No public matters subject to Council approval were considered.

The Committee rose at 4.00pm.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 22nd March, 2017.

Members Present: Mr Councillor C.L.H. Cain (Chairman), the Mayor, Councillor Ms C.R. Turner, Councillor Ms C.E. Malarkey, Mr Councillor J. Joughin, Mr A. Thomas (Independent Member).

In Attendance: Mr Andrew Beedall (Capita Employee Benefits) (Items A1 to A6), Director of Finance (Mr G.M. Bolt), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Payroll and Payments Manager (Mr M. Quayle), Democratic Services Officer (Mrs D.C. Atkinson).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Apologies

There were no apologies for absence.

A2. Minutes – 22nd February, 2017

The minutes of the meeting held Wednesday, 22nd February, 2017, were approved and signed.

A3. Matters Arising

There were no matters arising.

A4. Training Presentation – Internal Dispute Resolution Procedure

Mr A. Beedall provided a training presentation on the internal disputes resolution procedure.

Mr Beedall began by explaining the complaints procedure. The Committee were advised that where the complaints procedure does not reach an agreement, the member may enter into a formal disputes procedure. The internal dispute resolution procedure covers any decision made (or failure to make a decision) by the employing authority or administering authority. It was noted that a decision on a discretionary policy cannot be overturned but the decision-making body can be asked to review the decision in line with their policy.

Members were presented with the process for dealing with internal disputes, there are two stages, the first stage is reviewed by the specified person for either the Administering Authority (Director of Finance) or the Scheme Employer. The decision may be overturned or upheld, and the response must be sent within two months unless the member has been notified of an extension. A member has an option to apply for stage two of the procedure if they are unhappy with stage one (and raise their concern within six months of the decision), if no decision or interim letter has been received within six months, or if it is one month after the date the member was told a decision would be made.

Stage two requires a review of the decision made by the Administering Authority's specified person. The specified person for stage two may overturn the decision, uphold the decision or ask the relevant body to review a decision. The Director of Finance advised the Committee that the specified person appointed by the Administering Authority has given notice of his retirement from the end of March. A report to appoint a new person will be considered at the May Pensions Committee meeting. In response to question, the Director of Finance explained that the vacant role in the interim raises no cause for concern as there are currently no disputes outstanding and the timeframe to raise a stage two dispute is longer than the anticipated vacancy.

The member can apply to the Pensions Ombudsman if they are unhappy with the stage two decision or did not receive a response within the appropriate time. The member will be advised to contact The Pensions Advisory Service (TPAS) for representation, and the Pensions Ombudsman will not review the case until assistance has been received from TPAS. It was noted that a member may also seek assistance from their union, if they are a member of a union.

The Pensions Ombudsman provides dispute adjudication for all IOM pensions schemes. It was noted they can only investigate a complaint in certain circumstances.

Resolved, "That particulars of the presentation and discussion be noted on the minutes and a report on the appointment of a specified person to review stage two internal disputes be considered at the May 2017 meeting."

A5. Annual Review of the Pensions Risk Register

The Committee considered a report submitted by the Director of Finance to review the Pensions risk register.

The risk register is a working document regularly under review and updated as and when new risks are identified, or when risk levels change.

Members were presented with a table of thirty-four risks, including two additional risks, each with an inherent risk score, calculated from impact and probability. The risks were categorised and colour coded by low, moderate and high risks. The same thirty-four risks also calculated a residual score with impact and probability calculated after a chosen action.

It was noted there were no residual risk scores showing high risk (severe), however there are seven risks showing high risk (major). Control actions continue to address these risks.

Resolved, "That particulars of the report be noted on the minutes following review of the risk register, no further items be included and the chosen actions set out in the Risk Register be approved."

A6. Funding Strategy Statement

The Committee considered a report submitted by the Director of Finance to present for final approval the Funding Strategy Statement as required by the Local Government Superannuation Scheme Regulations.

The Committee were reminded that the Funding Strategy Statement was approved by Committee for consultation during the discussion on the review of the Valuation at the 1st February 2017 meeting.

The strategy is required by regulations and requires formal consultation with the Scheme Employers. In response to the consultation, comments were received from one Employing Authority and one Authority confirmed that they had no comments; otherwise there were no further communications.

Ramsey Town Commissioners opined that the report should have included the 2016 valuation as an appendix. The Director of Finance explained that Hymans Robertson would not authorise the circulation of the valuation as part of the consultation. Ramsey Town Commissioners raised further queries that the Director of Finance responded to, the Committee had the response in front of them. It was noted that the Scheme Actuary received a copy of the response and may elaborate on the answers.

The Committee authorised the Director of Finance to amend the date of the final valuation document from the actuary based on the acceptance of the Funding Strategy Statement.

During the discussion, the Director of Finance provided an update on the Committee's previous request to consider Scheme cost-sharing which has been referred to the Executive Committee.

Resolved, "That particulars of the report and discussion be noted on the minutes and the Funding Strategy Statement be approved for publication on the Council's website."

A7. Attendance

The Worshipful the Mayor joined the meeting at 11.55am.

A8. Review Process for Market Testing Contracted Professional Services

The Committee considered a report submitted by the Assistant Chief Officer (Finance) to review the process for market testing contracted professional services.

The Council decided as part of the 2013-2017 Corporate Plan that it wished the third party specialists (that manage its funds, administer the pension scheme, provide actuarial advice and act as the investment consultants) be market tested. Over the period there have been two tender exercises resulting in the management of the funds previously managed by BlackRock being moved to other fund managers.

The other three services could either be tendered individually in succession or the three could be tendered simultaneously giving the bidders the option to bid for all three services or for any combination of them. Members had in front of them a list of points in favour of each option.

The potential to achieve lower ongoing costs in the long run is the most compelling consideration. It was therefore recommended that an approach of tendering administration, investment consultancy and actuarial services at the same time be adopted.

Officers were asked to consider localising the contract. It was appreciated that local companies will be offered the opportunity to tender, but in the past local companies have advised that they do not have the resources or expertise to undertake some services.

Resolved, "That particulars of the report and discussion be noted on the minutes and a tender exercise be conducted to market test the arrangements for pensions administration, investment consultancy and

actuarial services simultaneously on the basis that interested parties may bid for all of the services or a combination of them.”

A9. 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. A report to appoint a new specified person to the Internal Dispute Resolution Procedure was added to the schedule.

A Member asked if the training on responsible investment can include a number of topics which it was agreed will be passed on to the investment consultant to include.

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

The Committee rose at 12.15pm.

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

STANDARDS COMMITTEE

STANDARDS COMMITTEE – Minutes of Meeting held on Wednesday, 1st March, 2017.

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

In Attendance: Assistant Town Clerk (Mr P.E. Cowin), Democratic Services Officer (Mrs D.C. Atkinson).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Apologies for Absence

There were no apologies for absence.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 7th September 2017

Minutes of the meeting held Wednesday, 17th September, 2017 were approved and signed.

A4. Matters Arising

Clause A5 – Members discussed how to address etiquette issues such as public speaking, dress codes, attendance and behaviour at meetings. Suggestions put forward were compiling a list of guidelines, the attendance of a Standards Committee or senior Member at the Member induction and refresher sessions biennially to remind Members of tradition and etiquette guidelines. The Committee appreciated that newer Councillors may not be aware of some of long standing traditions that Members are expected to comply with, hence the suggestions coming forward.

Members discussed the misconception surrounding the remit of the Standards Committee. The Committee felt that some Councillors still considered their remit to include reviewing policy and business procedure rather than promoting and maintaining high standards of conduct within the Council and assisting Members to observe the Code of Conduct. The Committee considered how to reiterate this point to the Council and how to demonstrate to members of the public that Standards are being adhered to.

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

A5. Feedback from Council Members' Training – Wednesday, 30th November, 2016 and Future Training Needs

The Chair advised that the training session organised for all Council Members had been well received by the Council. The Committee agreed it would be beneficial to arrange training sessions biennially. Topics that the Committee identified are media training (to include social media and e-mail etiquette), guidance on attendance at public interviews and public speaking training. The Committee would like to provide small group sessions to alleviate some of the issues Members may encounter. It was agreed that the next training sessions be provided in conjunction with the ICT Department.

Resolved, “That particulars of the discussion be noted on the minutes and officers liaise with the ICT Department and report back to the Committee with a proposal for the next training session on ICT matters put forward by the Committee.”

A6. Attendance

Councillor Ms C.E. Malarkey submitted her apologies for the remainder of the meeting and left at 12.05pm.

A7. Update on Review of Standards Committee Determination Procedures, Rules and Handbook

The Committee considered a list of proposed amendments to the Standards Committee handbook. Members had in front of them a list of suggested revisions submitted by officers and the Independent Member, together with the Handbook marked with tracked changes. Members reviewed each revision individually and agreed additional amendments.

Resolved, “That the Assistant Town Clerk update the Standards Committee Handbook incorporating the changes agreed and put forward by the Committee for approval at the next Committee meeting.”

A8. Standards Committee Annual Report 2016/17

The Committee reviewed the draft Standards Committee Annual Report 2016/17. The Chair asked for her thanks to Mr Booth, Independent Member, to be included in the penultimate paragraph of the report.

Resolved, "That particulars of the discussion be noted on the minutes and the Standards Committee Annual Report 2016/17 be signed by the Chair for publication, subject to the amendment of the penultimate paragraph to include the Chair's thanks to Mr Booth, Independent Member, for his support and contributions to the Committee over the past year."

A9. Dates of Next Meeting

The Committee approved Wednesday, 29th March, 2017 at 10.30am as the next Standards Committee meeting date.

PART B –

Items requiring Executive Committee approval

There were no items requiring Executive Committee approval.

PART C –

Items requiring Council approval

There were no items requiring Council approval.

The meeting ended at 12.45pm.

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 COMMITTEE – Minutes of Meeting held on Monday, 20th March, 2017.

Members Present: For Douglas Borough Council - Mr Councillor R.H. McNicholl (Chair). For Onchan District Commissioners - Mr D. Crellin (Member), Mr M. Morrison, Chief Executive/Clerk. For Braddan Parish Commissioners - Mr J.C. Whiteway, Clerk. For Santon Parish Commissioners - Mr N.P. Kelly (Member).

In Attendance: Secretary - Mr P.E. Cowin. Contractor's Representative - Mr A.J. Donnelly.

Apologies: Miss C. Corkill - Braddan Parish Commissioners, Mrs D. Eynon – Douglas Borough Council Officer Representative, Mr S.A. Crook – Contractor's Representative.

REPORT

PART A –

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

A1. Minutes – 19th December, 2016

The minutes of meeting held on Monday, 19th December, 2016 were approved and signed.

A2 Matters Arising from the Minutes

Copies were circulated of a report by Mr S.A. Crook on behalf of the contractor, advising of progress on a number of issues previously considered by the Joint Committee:

- (a) Covers for the cardboard skips were to be installed in the next week, at the Contractor's expense;
- (b) The landowner had been on site to carry out maintenance work on the trees;
- (c) The trial relaxation of the height restriction on Mondays had had no major impact, and records were kept of the registration numbers of large vehicles entering the Site although they were not being weighed;
- (d) Use of the Site by charities was being invoiced at the cost of disposal;
- (e) The Working Plan for operation of the Site was being updated;
- (f) An incident had occurred involving a user falling while carrying a television set;
- (g) A schedule of items not accepted for re-use was attached;

It was agreed: that

- (1) The report be noted;
- (2) The relaxation of the height restriction on Monday afternoons continue, to be reviewed in six months' time;
- (3) Signage be erected to advise users that assistance is available on request;
- (4) The Contractor be asked to research alternative disposal methods for items not accepted for re-use, such as mattresses.

A3. Operational Statistics

The Joint Committee noted the operational statistics for the Site from April 2016 to the end of January, 2017, together with statistics for the 2015/16 for comparison.

A4. Opening Hours

The Joint Committee reviewed the opening hours of the Site, in the light of recent changes to the opening times of the Southern Civic Amenity Site. Members were concerned that the reduction in the hours of the Southern Site might lead to increased usage of the Eastern Site.

Members also commented that the expressed wish of the Department of Infrastructure to standardise opening hours across all four Civic Amenity sites was not being followed.

It was agreed: that no change be made to the approved opening hours of the Site, but that the Contractor be asked to monitor whether usage has increased significantly following changes to opening times of the Southern Site.

A5. Waste Working Group

The Secretary advised that an invitation had been received from the Department of Infrastructure for a representative of the Joint Committee to attend a meeting of the political Waste Working Group on 12th April, 2017, for which meeting the agenda included matters relevant to the Civic Amenity Sites.

Mr Morrison suggested that the meeting might address the issue of inconsistency of opening times, etc.

The Chair advised that he was unable to attend due to the date being that of the monthly Douglas Borough Council meeting. The Vice-Chair, Mr Crellin, advised that he would be in attendance anyway, as a member of the Working Group, and would therefore be able to represent the Joint Committee. Mr Kelly advised that he would be available to attend if required.

It was agreed: that Mr Crellin represent the Joint Committee at the meeting on 12th April, and that the Secretary seek further information on the subjects to be considered in order to brief Mr Crellin beforehand.

A6. Next meeting

It was agreed that the Joint Committee meet next at the end of July 2017, the exact date to be subject to consultation by the Secretary with the respective authorities nearer the time.

The meeting ended at 4.30pm.

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

HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 15th March, 2017.

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

In Attendance: Assistant Chief Officer (Housing and Property) (Mr G. Atkin), Assistant Chief Officer (Income) (Mrs C. Pulman), Democratic Services Officer (Mrs D. Atkinson), Assistant Democratic Services Officer (Miss C. Cullen)

REPORT

PART A –

Matters decided by the Committee

A1. Apologies for Absence

No apologies for absence were submitted.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 15th February, 2017

The minutes of the meeting held on Wednesday, 15th February, 2017, were approved and signed.

A4. Voids Property List

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

The Committee noted the latest position of 28 void properties and were advised that a number of these voids would be returned by the end of March 2017.

In response to comments raised at the March Council meeting, the Chair assured the Committee the re-let standard of void properties is being reviewed.

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

A5. Housing Request Refusals

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

Appended to the report and reviewed by the Committee was the one proposed refusal for a mutual exchange. Members discussed details of the case as provided by the Assistant Chief Officer (Housing and Property) and on this occasion unanimously agreed that approval be given to the mutual exchange.

In response to question, the Assistant Chief Officer (Housing and Property) advised that the cost incurred by the Council for a mutual exchange was approximately £200 per property. The Committee noted that this cost is considerably less than the average cost to the Council for a transfer.

Resolved, “That particulars of the report be noted on the minutes and that approval be granted to the mutual exchange request as shown in appendix one of the report.”

A6. Housing Access and Eligibility Criteria

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) on the review being carried out by the Department of Infrastructure for the access and eligibility criteria for general housing.

The Assistant Chief Officer (Housing and Property) advised that the Department require a response by the end of March 2017, prior to public consultation. Members recalled that the matter had been previously considered at the July 2016 Committee meeting.

Members were presented with the updated access and eligibility criteria from the Department together with the draft Housing Review Consultation Response extract.

The Assistant Chief Officer (Housing and Property) drew the Committee’s attention to the draft Housing Review Consultation response which demonstrated a comparison of the existing and proposed

criteria. Members reviewed the draft response and suggested a number of changes to be recommended to the Department.

There was discussion on the proposal to remove the five points awarded to Island Born applicants. The Chair drew Members attention to section 2.2 of the updated access and eligibility criteria which provided an explanation for the removal, in particular the legal implications. Following consideration it was agreed that recommendation be made to keep the five points.

Members expressed concern that the proposed number of points to be awarded for adequacy of present accommodation was in excess of what is required for allocation.

Resolved, "That particulars of the report and discussion be noted on the minutes and the updated access and eligibility criteria as shown in appendix one of the report be recommended to the Department subject to the following amendments;

- 1) Residential Qualification – Local Residency; that applicant(s) must have been ordinarily resident in the local authority area for a minimum of five years; and
- 2) Pointing – Days on List; that there should be no cap on the existing one point for each three month period; and
- 3) Island Born; that five points be awarded; and
- 4) Size of Family; that the proposed number of points be accepted but that there be a cap on the points awarded for dependants to a maximum of three; and
- 5) Adequacy of Present Accommodation; Points awarded for property condition / overcrowding be as follows; Low Priority: 5, Medium Priority: 10, High Priority: 15 and points awarded for health / welfare issues be as follows; Low Priority: 5, Medium Priority: 10, High Priority: 15; and
- 6) Notice to Quit; that the points awarded remains as existing."

A7. **Items for Future Consideration**

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

The Chair advised of a further report to be included on the schedule.

Resolved, "That the report and discussion 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

C8. Willaston Garden Boundary Improvement Works – Phase One

The Committee considered a report submitted by the Assistant Property Manager (Capital) to progress phase one of the Willaston Garden Boundary Improvement Works capital housing scheme.

The report advised that the scheme will be carried out under two separate contracts, the first being a minor works contract which will involve minor repairs to front walls, fencing and gate posts including a general tidy up of boundary hedges and overgrown shrubbery. It is estimated that this contract will run for two years and will be solely administered by Cameron Hall Quantity Surveyors.

The second contract will be carried out under framework conditions using a set of competitively tendered rates and will involve elements of work such as casting new concrete paths, installing ground drainage, installing handrails and replacing front gates. This contract is anticipated to run for five years to complete the work across the estate and has an estimated construction value of £3,500,000.00.

Appended to the report was the minor repairs contract and phase one framework contract professional fees petition build up to tender stage, together with a location plan showing the proposed area of work. The Committee noted the total petition amount at this stage for the minor works and professional fees is £40,106.55.

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

- (i) The appointment of the following design team consultants and their professional fees to design and contract administer this five year capital housing project be approved:-
 - 1) MacOwan Collett Consulting Engineers;
 - 2) Cameron Hall Quantity Surveyors;
 - 3) Pegasus Planning Supervisors; and

- (ii) The Chief Executive be authorised to petition the Department of Infrastructure for borrowing powers in the amount of £40,106.55 being the loan amount required to defray the cost of the minor works professional fees and the phase one professional fees up to tender stage; and
- (iii) 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."

C9. Willaston Kitchen Refurbishments

The Committee considered a report submitted by the Assistant Property Manager (Capital) to progress the next phase of work for the Willaston Kitchen Refurbishment capital housing scheme.

The report advised that this phase of work will include 250 kitchen refurbishments, following completion two thirds of the estates will have been refurbished. It is expected that one final phase will complete the kitchen refurbishments at Willaston after this phase.

It is anticipated that this phase of work will commence on site in July 2017 and will be complete by May 2018. Once Willaston is complete only Lower Pulrose will require kitchen refurbishments before the framework closes.

The Committee noted that the kitchen refurbishments are now progressing ahead of the Willaston external refurbishments.

Appended to the report was the full capital cost build. The Committee noted the full petition amount in the sum of £2,458,882.65 which includes professional fees and asbestos surveys.

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

- (i) The tender received from Tooms Limited for this phase of kitchen refurbishments at Willaston be accepted; and
- (ii) The Chief Executive be authorised to petition the Department of Infrastructure for borrowing powers in the amount of £2,458,882.85 being the sum required to defray the cost of these works; and
- (iii) 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 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, 14th March, 2017.

Members Present: Mr Councillor S.R. Pitts (Chair), the Mayor, Councillor Miss N.A. Byron, Councillor Mrs R. Chatel, Councillor Miss D.A.M. Pitts, Councillor Ms J. Thommeny. The Leader of the Council, Mr Councillor D.W. Christian, was in attendance as an observer.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Head of Parks (Mr D. Hewes), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Apologies

There were no apologies for absence.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 14th February 2017

The minutes of the meeting held Tuesday, 14th February, 2017, were approved and signed.

A4. Matters Arising

Douglas Carnival – Members discussed the length of the Carnival parade, in response to suggestions received at the March Council Meeting that the parade should be condensed and start at the Palace Hotel. The Committee reaffirmed their previous resolution to start the parade at the Summerhill Hill junction on the Promenade, and their reasoning for starting at the northern end was to ensure the parade could be enjoyed by the ratepayers situated in apartments on Queen's Promenade.

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

A5. Media Partner for Public Events

The Committee considered a report submitted by the Democratic Services Officer to consider the promotion of the 2017 public events, namely the Douglas Carnival, Noble's Park Fun Day, Fireworks Display and Christmas Lights Ceremony.

An advert seeking a media partner for the 2017 public events had been circulated to local radio stations. Radio stations were asked to submit a media package outlining the pre-event advertising for any or all of the events. Two radio stations submitted proposals for the Noble's Park Fun Day, the Fireworks Display and Christmas Lights Ceremony. The report outlined the event publicity proposed by both stations.

One station submitted a proposal for the Douglas Carnival, it was noted that the price had significantly increased and the package proposed had reduced. Members were advised that officers are currently reviewing the market strategy for the Douglas Carnival and recommended that no media partner be appointed for this event, as the type of publicity required varies from the Noble's Park Fun Day, Fireworks Display and Christmas Lights Ceremony.

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

- (i) 3FM be appointed media partner for the 2017 Noble's Park Fun Day, Fireworks Display and Christmas Lights Ceremony for a monetary value detailed within the report;
- (ii) The Manx Radio media proposal submitted for the Douglas Carnival not be accepted, and officers continue to develop an alternate marketing strategy for this event."

A6. Leases of Jubilee Clock Kiosk and Loch Promenade Kiosk

The Committee considered a report submitted by the Democratic Services Officer to report on tenders received for the leases of the Jubilee Clock and Loch Promenade Kiosks.

An advert seeking tender applications for either or both kiosks had been published in the local newspaper. Six tenders were received in total. The report listed the submissions.

It was noted that the current tenant did not have an option to automatically renew, and the tenancies were therefore advertised to test the current market.

The highest tender submitted by Mr and Mrs Summers for the Loch Promenade and Del Catering Limited, for Jubilee Kiosk. The tender figures were contained within the report.

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

- (i) The tender submitted by Del Catering Limited, the current tenant of the Jubilee Clock Kiosk, be accepted and the company be offered a lease for the Jubilee Clock Kiosk, subject to these conditions:-
 - (a) That the grant of the lease should be subject to satisfactory financial checks;
 - (b) The term of the lease should be for a period of three years, starting 1st April, 2017;
 - (c) The rent payable each year of the three year term shall be the rental figure contained within the report, plus VAT, being the amount tendered by Del Catering Limited and the highest tender received;
 - (d) That, in accordance with Council policy, in addition to the rent, the tenant will be responsible for payment of insurance, rates and commercial waste collection services;
 - (e) The tenant will be required to open for business 11am to 4pm daily from the last week in May to the second week in September, and will be allowed to open any additional hours and days as they wish.
- (ii) The tender submitted by Mr John and Mrs Patricia Summers be accepted and the applicants be offered a lease for the Loch Promenade Kiosk, subject to these conditions:-
 - (a) That the grant of the lease should be subject to satisfactory financial checks;
 - (b) The term of lease should be for a period of three years;
 - (c) The rent payable each year of the three year term shall be as contained within the report per annum, plus VAT, being the amount tendered by the applicants and the highest tender received;
 - (d) That, in accordance with Council policy, in addition to the rent, the tenant will be responsible for payment of insurance, rates and commercial waste collection services;
 - (e) The tenant will be required to open for business 11am to 4pm daily from the last week in May to the second week in September, and will be allowed to open any additional hours and days as they wish."

A7. Kaye Memorial Gardens – Stone Columns

The Committee considered a report submitted by the Head of Parks to inform on further advice received relating to the stability of the stone columns and their planning designation.

Members were reminded that the Committee resolved to proceed with the removal of the stone columns. Members of the Council subsequently raised queries on the resolution and the Committee reconsidered their decision. During reconsideration of the decision, the Committee were advised that if the pillars were to remain in place, additional support to stabilise the pillars would be required which would incur additional costs. This advice was provided at the time by in-house engineers and conveyed by the Head of Parks at the Committee meeting.

Following the latest advice from the planning department, further advice from in-house engineers was sought to ensure that the pillars were not a safety issue. Having undertaken more in depth analysis of the structure of the pillars, the engineers have now advised that the columns do not require additional stabilisation and can remain in situ with the existing hanging baskets attached.

The Director of Environment and Regeneration explained that as the original advice was used as part of the decision made by the Committee, she felt it prudent to seek reaffirmation of the earlier decision, or otherwise.

Members felt that the pillars without the pergolas were no longer aesthetically suited to the area and therefore reaffirmed their decision to remove the stone pillars. Members preferred the previous suggestion to replace the pillars with herbaceous planting.

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

- (i) The pergola stone columns and paving be removed, subject to planning approval, and replaced with herbaceous planting;

- (ii) In the event that planning approval to remove the columns is not granted, that the columns and paving remain in situ.”

A8. Ballaughton Recreation Ground Provision of Parking

The Committee considered a report submitted by the Head of Parks to consider the creation of off road parking for users of the Ballaughton recreation ground and proposed adventure play area.

The Head of Parks explained that following on from the Committee resolution to proceed with the creation of an adventure playground or to extend Ballaughton recreation ground, the Government’s planning department has indicated that it is highly likely that the planning application will be refused due to the lack of off road parking for the proposal.

It is the view of the planning Committee that the new adventure play area will appeal to the broader area of Douglas and therefore require parking facilities.

Aside from the planning issue surrounding the proposed adventure playground, there is currently no parking available for users of the recreation ground.

To comply with the planning requirements, the Head of Parks recommended providing off road parking for 35 cars in redundant land at Ballaughton Nursery and adjacent to the recreation ground. The creation of car parking would involve stoning an area of land and installing fencing along two sides. The cost of the materials for the project is estimated at £5,700 with labour provided by the Parks staff. The material costs would be funded from existing parks revenue budgets. It was noted that the costs are estimates and full design work has yet to be undertaken.

Members raised concern that other facilities in the area could utilise the car park. The Head of Parks advised of a proposed new byelaw that will assist with the policing of the site.

In response to question, the Head of Parks explained that there is a further report currently being drafted in relation to staff car parking facilities in the area.

Resolved, “That particulars of the report and discussion be noted on the minutes and the Council proceed with the creation of off road car parking for users of Ballaughton recreation ground and adventure play ground.”

A9. Items for Future Report

The Committee considered a report by the Democratic Services Officer regarding reports for future consideration by the Committee. Members asked for additional reports to be added to the schedule.

Members were advised of an invitation received from Ballymoney Council, inviting a football team, two coaches, the Mayor and relevant Council officials, to participate in a football tournament on 20th May in Ballymoney. The invitation had been received too late for officers to report on the item, and Members were therefore asked to give officers guidance on how to proceed. It was noted that there is no dedicated budget for the Twinning initiatives but that recommendations from the Regeneration and Community Committee for funding from the General Revenue Reserve could be made to the Executive Committee. Members felt that the invitation should be considered. Officers were directed to contact local football teams and schools to see if there was any interest in attending, and report to the Executive Committee on Friday, 24th March. In the event of no teams being interested, the Committee felt that the incoming Mayor should attend on behalf of the Council. There was a discussion surrounding part funding a local team to attend depending on the estimated costs, the Committee asked that the options be included in the report for consideration at the Executive Committee.

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

PART B –

Matters requiring Executive Committee approval

There were no matters requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 11.34am.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 13th March, 2017.

Members Present: Mr Councillor R.H. McNicholl (Chair), the Mayor, Councillor Ms C.R. Turner, Mr Councillor F. Pabellan, Mr Councillor F. Horning, Councillor Ms K. Angela. The Leader of Council, Mr Councillor D.W. Christian, was in attendance as an observer.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Environment) (Mr A. Donnelly), Accountancy Manager (Mr R. Davies), Building Control Manager (Mr N. Kaighin) (Items A1 to A12), Dilapidation Enforcement Officer (Mr A. Gordon) (Items A1 to A12), Democratic Services Officer (Mrs D. Atkinson), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

No apologies for absence were submitted.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 13th February, 2017

The minutes of the meeting held on Monday, 13th February, 2017, were approved and signed.

A4. Matters Arising – Clause A12 – 13th February, 2017

The Committee noted that following agreement by the Chair at the March Council meeting, the free lamppost advertising scheme during elections would be referred back to the May Committee meeting for further consideration.

A5. 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 and received an update from the Dilapidation Enforcement Officer on a number of properties.

The Dilapidation Enforcement Officer drew the Committee's attention to item 28 of the schedule. He reported that as no response had been received from the owner of the property in regard to the property's condition and the works required a further letter had been sent advising that Notice would be sought if no response is received within 14 days. Due to the Committee recess in April, Members were advised that the matter would be dealt with under the Two Chairman Procedure.

In relation to item 31 of the schedule the Dilapidation Enforcement Officer advised that a memorial had been placed upon the property by the Council with an application made to the courts for the coroner to proceed with the sale of the property, in light of this information Members unanimously agreed that the current Notice not be actively pursued.

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

A6. Adjournment and Resumption

The Committee adjourned from 11.45am – 11.50am.

A7. List / Schedule of Dilapidations

The Committee considered a report submitted by the Dilapidation Enforcement Officer on the proposal to update the format of the Dilapidated properties list.

The report advised that officers have explored methods in which Members can be provided with an up to date list of all properties being dealt with on behalf of the Council. Subsequently the proposed method takes live working data from a database to populate a list that includes every property. By

providing the list as an Excel spreadsheet, Members will be able to easily filter certain categories of properties or search for a particular property.

The Dilapidation Enforcement Officer gave the Committee a demonstration of how to use the proposed new list. Subject to Committee approval the Leader undertook to propose to the Chief Officers Management Team that training be provided to Members on the use of Microsoft Excel.

There was discussion about the potential benefits of the proposed new format. Members suggested a number of improvements and it was agreed that officers look to incorporate these into the format.

Following suggestion from the Leader, it was agreed that the proposal be referred to the Leader and Chief Officers Management Team meeting and extend an invitation to the Chair to further explore phase one of the proposal. It was noted that subsequent to this the matter would be referred back to the Committee for further consideration.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the proposed updated format of the list of dilapidated properties be approved in principle subject to the matter being considered by Leader / Chief Officer Management Team meeting."

A8. Adjournment and Resumption and Attendance

The Committee adjourned at 12.50pm for the lunch break. It was agreed that the Committee reconvene at 2.00pm to consider the outstanding items on the agenda.

Mr Councillor D.W. Christian and Mr Councillor F. Pabellan submitted their apologies for the remainder of the meeting and left at 12.50pm.

A9. Unsightly and Dangerous Properties Manual (Draft)

The Committee considered a report submitted by the Dilapidation Enforcement Officer outlining the proposed amendments to the Unsightly and Dangerous Properties Manual.

The Dilapidation Enforcement Officer advised that following his appointment he undertook to review the current Unsightly and Dangerous Properties Manual, which was originally produced in 2012. The report set out his findings; together with a series of recommendations to apply a more structured and streamlined approach in dealing with unsightly properties. It was noted that amending the manual will create more accountability on the role of the Dilapidation Enforcement Officer.

Appended to the report and reviewed by the Committee was the proposed draft manual. The Dilapidation Enforcement Officer explained the proposed changes to the document.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the procedures as set out in the draft updated Unsightly and Dangerous Properties Manual be noted and approved."

A10. Planning Application – 17/00144B/B – St George's AFC Clubroom

The Committee considered a report submitted by the Building Control Manager on the planning application for an extension to the clubhouse including additional parking and creation of a new vehicular exit to St Georges AFC Clubroom, Glencruthery Road, Douglas.

The report outlined the proposal to construct an extension to the existing clubhouse to provide four sets of changing facilities that will allow two football pitches to be used simultaneously. The proposal provides additional car parking and improved vehicular access and egress. Car parking will be increased from the current 15 spaces to 57.

The Building Control Manager circulated plans for the site which were reviewed by the Committee.

Resolved, "That particulars of the report be noted and the minutes and that the Council supports the application. The proposal will provide improved amenities for a sports club and will eliminate the current temporary facilities."

A11. Planning Application – 17/00186/B – Salvation Army Citadel

The Committee considered a report submitted by the Building Control Manager on the planning application for the demolition of the existing Citadel building and erection of a replacement worship building with associated administration, practice spaces, meeting areas and nursery at the Salvation Army Citadel, Lord Street, Douglas.

The proposal is to demolish the existing building and erect a replacement building occupying the same footprint. The Committee noted that the proposed accommodation is similar to that being provided in the existing building.

In response to question, the Assistant Chief Officer (Environment) advised that the proposal includes a sufficient bin store. It was agreed that the applicant be requested to include the provision for recycling.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the Council supports the application. The demolition of the existing building is not considered to have a

significantly detrimental effect upon the Conservation Area, and the replacement building has the potential to be a landmark design in a prominent position in Douglas Town Centre.”

A12. Planning Application – 17/00182/B – Brunswick Gardens

The Committee considered a report submitted by the Building Control Manager on the planning application for the widening of the existing vehicular access and creation of a pedestrian entrance at Brunswick Gardens, Albany Road, Douglas.

The report set out the proposal to increase the existing vehicular entrance by 1m and create a separate adjoining pedestrian entrance 1m in width. This will provide a separate vehicular gated entrance and a separate pedestrian gated entrance adjacent to each other but separated by a thin strip of landscape border/plantings.

The Chair advised that a number of residents in the area had expressed concerns about a sycamore tree located near to the site entrance. The report explained that a full tree survey drawing had been submitted with the application which identified two trees close to the existing vehicle entrance, the closest being a sycamore at the South West gatepost approximately 2.3m from the existing gatepost and site of the new gatepost. The works will not encroach any closer to this tree as the entrance is being widened in the Easterly direction, not in a Westerly direction.

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

- (i) The Council supports the application. Support of the application is based upon access being an existing access onto the road and the proposal falling within the current planning policies; and
- (ii) Comment be made to the Planning Directorate that the applicant must not cut or damage the sycamore tree roots.”

During discussion of the item Councillor Ms C.R. Turner gave her apologies and left the meeting at 2.45pm.

The Building Control Manager and Dilapidation Enforcement Officer were thanked for their attendance and left the meeting at 2.55pm.

A13. Isle of Man Youth Tour – Use of the Bottleneck Car Park on 28th April, 2017

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) advising on the request received from the organisers of the Sleepwell Hotels Isle of Man Youth and Junior Cycling Tour to occupy the Bottleneck Car Park exclusively on Friday 28th April, 2017.

The Committee noted that in recent years, the Bottleneck car park has been used as a parc ferme by the Isle of Man Cycling Association. The report set out details of the proposed use by the event organisers.

The Assistant Chief Officer (Regeneration) advised that following the 2015 event concerns were raised that use of the car park by the event organisers was causing inconvenience to the Council’s normal car park customers and that the arrangements in place were of significant concern in relation to health and safety. Consequently, following contact made by the organisers of the event in 2016, officers insisted that the organisers purchased a number of spaces for the whole of the day to be cordoned off specifically for use by the event. The organisers undertook to provide car park stewards to make sure that the agreed arrangements were followed. Unfortunately during a visit to the site by the Assistant Chief Officer (Regeneration) it was apparent that the arrangements promised were not being implemented and that health and safety issues were still present. The Committee noted that if all measures, as set out in the recommendations of the report are satisfied, it is anticipated that any outstanding concerns will have been addressed.

Members raised concern that the event may cause inconvenience to two other events taking place within the Borough on the same day.

The Chair proposed that the Isle of Man Cycling Association be requested to clean up any litter created by the event and if not fulfilled, that they be charged by the Council for any associated cleaning costs.

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

- (i) The closure of the Bottleneck Car Park to the public on Friday 28th April 2017 in order that the area may be occupied by the Isle of Man Cycling Association, the organisers of the Sleepwell Hotels Isle of Man Youth Tour 2017, subject to the following conditions be approved:-
 - (a) That the Isle of Man Cycling Association pays the Council the sum of £516 in advance of the event to compensate for the loss of car park revenue during the closure;
 - (b) That the Isle of Man Cycling Association provides a full detailed risk assessment for the use of the car park area as a parc ferme and competitor warm up area to be agreed by officers at least 14 days prior to the event;

- (c) That the Isle of Man Cycling Association provides a mobile phone number for a contact who would be available to meet with officers at short notice on the evening of the event if required, and who would have sufficient authority to make amendments to the site set up if required in the interests of health and safety.
 - (d) That the Isle of Man Cycling Association clean up any litter created by the event and if not fulfilled the association be charged for any associated cleaning costs incurred by the Council.
- (ii) Should the conditions set out in recommendation (i) not be fulfilled, officers be authorised to refuse permission for Isle of Man Cycling to use the Bottleneck for any use other than its intended use as a car park.”

A14. Interim Beach Management Proposals 2017

The Committee considered a report submitted by the Assistant Chief Officer (Environment) updating on the current status of the Beach Management Contract.

The Assistant Chief Officer (Environment) advised that the tender specification for the new beach management contract would be submitted to the May Committee meeting for consideration, due to the proposed timescale for procuring the new contract it is therefore proposed as an interim measure, to appoint a contractor on a day work rate.

The report advised that hourly rates from civil engineering contractors from the recently advertised select list had been sought. Of the six contractors that had applied for inclusion on the select list three had responded with day work rates details of which were set out in the report. These rates are excluding VAT but include all fuel, insurance, labour and plant costs and are not time or day specific.

The Assistant Chief Officer (Environment) advised that following examination of the day work rates received and comparison with in-house costs, it is not considered viable to proceed with proposals for works to be carried out in-house, reasons for which were explained in the report.

In response to question, the Assistant Chief Officer (Environment) clarified that works carried out by the successful contractor appointed for interim beach maintenance relate to removal of seaweed from the beach only, as and when directed and that litter picking would be carried out by in-house resources.

The Director of Environment and Regeneration advised that the interim contract would be closely monitored and overseen by both the Assistant Chief Officer (Environment) and the Senior Engineering and Waste Services Manager.

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

- (i) Authorisation be given to proceed to prepare the tender specification for the Beach Management Contract to the select list, to be considered at the May Committee meeting; and
- (ii) The timescale for the contract procurement be noted; and
- (iii) During the period from 31st March, 2017 to 19th June 2017 Island Drainage and Groundwork be appointed to carry out beach maintenance in relation to seaweed removal only, at an agreed hourly rate as detailed within the report.”

A15. Items for Future Consideration

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

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

PART B –

Matters requiring Executive Committee approval

B16. Chester Street Car Park Special Initiatives

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) advising on the impact of two special initiatives, the ‘Free After Three’ and the £2 all day Saturday tariff that were introduced in Chester Street Car Park in November 2015.

The report advised that the aims of the two initiatives were to encourage an increased level of use of Chester Street Car park to help free up space in Drumgold Street and to generate increased footfall in the town Centre.

The Assistant Chief Officer (Regeneration) drew the Committee’s attention to appendix one of the report which contained three charts demonstrating;

- (1) the overall use of the car park since August 2015;
- (2) the use of the car park on Saturdays since August 2015;

(3) the use of the car park after 3.00pm since October 2015.

The Committee noted that occupancy has climbed markedly since November 2015 with every month in 2016 recording a higher average percentage occupancy than the equivalent month in 2015, the only exception to this pattern is the use on Saturdays, which was lower in December 2016 than in December 2015. Since the two initiatives were introduced in November 2015, footfall in the town centre has increased. Total footfall for 2016 was up 7.3% on 2015 and while the car parking initiatives will not have been the only reason for this rise, they will have been a contributory factor.

Set out in the report was the impact on revenue which had likely been caused in part by the current tariff structure in the car park that allows drivers to park for a whole working day from 9.00am for £3.50. The new tariff structure adopted by the Council for 2017/18 aims to deal with this issue.

In response to question, the Assistant Chief Officer (Regeneration) advised that signage relating to the 'Free after Three' initiative would be amended to reflect that this only applies Monday to Friday once the new car park order comes into effect on 1st April, 2017. The Director of Environment and Regeneration reiterated her apology to the Chair for the error that had been made.

The Accountancy Manager proposed that the wording to resolution (ii) be amended to recommend funding from General Revenue Reserves. It was agreed to keep the resolution as set out in the report.

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

- (i) The increase in the level of use of Chester Street Car Park on Saturdays, after 3.00pm on weekdays and overall since the introduction of the special initiatives in November 2015 be noted; and
- (ii) It be recommended to the Executive Committee that the initiatives remain in place for a further 12 months during which time it is anticipated that the new tariff structure will assist in generating increased revenue from both Chester Street and Drumgold Street Car Parks."

For: 2 Against: 1

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

PART C –

Matters requiring Council approval

There were no items requiring Council approval.

The meeting ended at 3.40pm.