



Borough of Douglas

Town Hall,

Douglas,

14th June, 2017

At a MEETING of the COUNCIL of the BOROUGH OF DOUGLAS, duly convened and holden at 2.30 p.m. on WEDNESDAY, the 14th day of JUNE, 2017, in the COUNCIL CHAMBER, within the TOWN HALL, at which Meeting the following Members were present, that is to say: -

The Mayor

MISS DEBRA ANNE MARIE PITTS, JP

Councillors

Miss N.A. Byron

Mrs H. Callow

Mr S.R. Pitts

Mrs R. Chatel

Mr I.J.G. Clague, MBE

Mr J. Joughin

Mr D.W. Christian, MBE, JP

Ms C.E. Malarkey

Mrs C.L. Wells

Mr C.L.H. Cain

Mr F. Horning

Mr R.H. McNicholl

Mr J.E. Skinner, JP

Mrs E.C. Quirk

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

The Town Clerk and Chief Executive, Director of Finance, Director of Environment and Regeneration and Director of Housing and Property were in attendance.

1. **St. George's Ward**

The Chief Executive reported that following a Bye Election held on Thursday, 1st June, 2017 for the Ward of St. George's, Mrs Helen Callow had been elected and subsequently made and subscribed the declaration of acceptance of office.

2. **Minutes – 10th May, 2017**

The minutes of the annual Council Meeting held on Wednesday, 10th May, 2017, were approved and signed.

3. **Minutes – 19th May, 2017**

The minutes of the special Council Meeting held on Friday, 19th May, 2017, were approved and signed, subject to correction in the second amendment at Clause 5: to delete the words "*that the former prison site in Victoria Road should be designated for housing or employment use*" and the substitution therefor of "*that the Council supports the proposed designation of site DE010, Little Switzerland, for office employment use but would also support housing use on the site*". The correction is to more accurately reflect the amendment moved by Mr Councillor Horning.

4. **Standing Order 39 – Question – Mr Councillor J.E. Skinner**

1) Mr Councillor J.E. Skinner asked the Leader of the Council:

Question:

- a) When were CCTV Cameras first installed in Douglas Town Centre and how many are now located around the town centre and its surrounding area?
- b) Whose responsibility is it to check in order to ensure that the CCTV Cameras in the Town Centre and surrounding area are functioning correctly?
- c) How often are the CCTV Cameras in the Town Centre and surrounding area checked to ensure that they are functioning correctly, pointing in the right direction and have not become loose or moved in their bracket?
- d) What is the longest period of time that a CCTV Camera could reasonably be expected to be out of order from a previous routine check?
- e) How many Fixed Penalty offences have been captured on CCTV Cameras under the control of Douglas Borough Council in each of the past four years?
- f) How many Fixed Penalty Notices and Fines been issued in each of the past four years as a result of offences being captured on CCTV Cameras under the control of Douglas Borough Council?

Reply:

- a) Cameras have been in the Town Centre for over 15 years. However the newer system started its installation approximately 7 years ago and there are now 74 cameras covering key areas, including Strand Street, Duke Street, Castle Street, Quay, Douglas Promenade and Nobles Park.
- b) The Assistant Chief Officer (Digital and Information) is responsible for the running and design of the CCTV systems. It is the responsibility of the ICT function to make sure that all cameras are running as they should.
- c) Cameras are formally checked on a weekly basis, any issues are logged and prioritised for fixing. It is very rare for a camera to have moved on a bracket as they are securely fastened and all cameras run in protective hard casings. Cameras are also incidentally checked during usage times; if the police or the Wardens are using the system and there is a problem with the camera this is reported to the ICT team, normally immediately. During busy usage periods such as TT or Christmas the cameras are checked daily.
- d) If a camera was to have a problem immediately after a formal check and it was not noticed by a user then a camera could in theory be out of order for 1 week. This is very rare.
- e) In 2013, there was one fixed penalty offence captured by CCTV; in 2014, 3; in 2015, 2; and in 2016, 4. The CCTV system is not permanently monitored but reviewed in response to complaints or information.
- f) In 2013, there were no Fixed Penalty Notices issues as a result of offences captured on CCTV; in 2014, there were three, and none in 2015 or 2016.

The CCTV system does provide valuable evidence in investigating criminal cases even where not directly used in court.

A report on CCTV is provided to the Executive Committee every 6 months and also covers the issues dealt with by the Isle of Man Constabulary. The Assistant Chief Officer (Digital and Information) will be inviting

Members for a visit of the CCTV monitoring suite in the near future. This will be an opportunity to see the system and ask further questions on its operation.

2) Mr Councillor J.E. Skinner asked the Leader of the Council:

Question:

There have recently been alleged acts of vandalism resulting in damage to the statue of George Formby at the Ridgeway Street / Lord Street junction.

Have any images been captured on CCTV of this alleged damage occurring and if so has the imagery been of sufficient quality to assist the Police in identifying culprits and to make significant progress in the pursuit of the perpetrators?

Reply:

The incident was captured on CCTV and the Police have been informed. This is now part of an on-going police investigation.

3) Mr Councillor J.E. Skinner asked the Leader of the Council:

Question:

The current licence agreement with the operator for the Bottleneck Car Park in respect of the TT Period expires at the end of the 2017 TT Race Period.

- a) Given that the start of the 2018 TT Races are now less than twelve months away and with expiry of the current licence imminent when will the tender documents in respect of the Bottleneck Car Park for TT 2018 and beyond become available and when will the tendering process be advertised?
- b) Would the Chairman agree that with the knowledge that the licence is imminently due to expire that in order to be fair to both the existing licence holder and any interested parties that the tender process should have been advertised before now and at least three months ago?

Reply:

- a) The advertisement for tenders has been on the Council's website since 5th June, and was published in yesterday's local newspaper, to be repeated in two others. The closing date is Friday 30th June.
- b) The Environmental Services Committee resolved to seek tenders for the use of the Bottleneck Car Park at TT for five years from 2018 to 2022 on 13th February. This was referred to and approved by the Executive Committee on 28th February 2017. Officers began reviewing the necessary tender paperwork after the Committee resolutions had been through Council. I have expressed my disappointment that the tender did not go out sooner, however, having seen the timeline of events I am confident that the current incumbent was kept informed of progress, knew in February that a tender exercise was going to be undertaken and was fully aware that the tender was due to come out immediately after TT 2017. Furthermore, as the Council had granted an extension to the previous tendered arrangement in 2014, the incumbent has known since 2014 that the current arrangement would be subject of review.

4) Mr Councillor J.E. Skinner asked the Leader of the Council:

Question:

How many fixed penalty notices have been issued by the Town Wardens for offences in breach of the byelaws in each of the last four years?

Reply:

It has only been possible to issue fixed penalty notices for offences under the general byelaws since the Building Control and Local Government (Amendment) Act came into operation in December 2016. None have been issued to date.

The Council also has powers to issue Fixed Penalty Notices under the Dogs Act 1990 (and the Douglas Dog Control Byelaws 2015) and under the Litter Act 2003.

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Dogs Act	4	4	5	2
Litter Act	2	3	14	9

These figures are reported to Members through the monthly Members' Bulletin.

5) Mr Councillor J.E. Skinner asked the Chair of the Environmental Services Committee:

Question:

Will the Environmental Services Committee make a further approach to the Department of Infrastructure with a view to considering the installation of barriers on both Chester Street and Drumgold Street Car Parks to reduce loss of revenue?

Reply:

The Department has already made approaches to the Assistant Chief Officer (Regeneration) with a view to installing the same ANPR system as the Council. The suppliers invited to tender for the Council's car parks were taken to visit Chester Street and Drumgold Street Car Parks when they came to the island to view Shaw's Brow and the Bottleneck. The tenders for installing ANPR at Shaw's Brow and the Bottleneck are due to be considered by the Environmental Services Committee on 19th June and, once the successful tenderer is known, contact details will be passed to the Department.

5. Executive Committee – 26th May, 2017 – Clauses A1 to A16

Motion moved by Mr Councillor D.W. Christian, seconded by Mr Councillor R.H. McNicholl, "That the minutes of proceedings of the Executive Committee, as contained in Clauses A1 to A16 inclusive of report of meeting held on Friday, 26th May, 2017, be received by the Council."

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

6. Executive Committee – 26th May, 2017 – Clause C18

Motion moved by Mr Councillor D.W. Christian, seconded by Mr Councillor R.H. McNicholl, "That the minutes of proceedings of the Executive Committee, as contained in Clause C18 of report of meeting held on Friday, 26th May, 2017, be received approved and adopted by the Council."

Motion put. On division being challenged, the vote was taken electronically and the Motion was approved unanimously.

As a consequence of the Motion being carried Standing Order 83 was amended to read;

"Standing Order 83: Vice-Chair of Committee.

Each Committee shall, at its first regular meeting after the general election of Councillors, and every two years thereafter, elect a Vice Chair, who shall act in place of the Chair when the latter is absent or indisposed.

The Vice Chair shall chair meetings of the Committee in the absence of the Chair, and shall also be entitled to take the Chair's seat on the Executive Committee in case the Chair is not in attendance."

7. Pensions Committee – 24th May, 2017

Motion moved by Mr Councillor C.L.H. Cain, seconded by Mr Councillor J. Joughin, "That the minutes of proceedings of the Pensions Committee, as contained in report of meeting held on Wednesday, 24th May, 2017, be received by the Council."

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

8. Eastern District Civic Amenity Site Joint Committee – 20th March, 2017

Motion moved by Mr Councillor R.H. McNicholl, seconded by Mr Councillor J. Joughin, "That the minutes of proceedings of the Eastern District Civic Amenity Site Joint Committee, as contained in report of meeting held on Monday, 20th March, 2017, be received by the Council."

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

9. Housing Committee – 17th May, 2017 – Clauses A1 to A11

Motion moved by Councillor Mrs C.L. Wells, seconded by Councillor Ms C.E. Malarkey, "That the minutes of proceedings of the Housing Committee, as contained in Clauses A1 to A11 inclusive of report of meeting held on Wednesday, 17th May, 2017, be received by the Council."

During discussion Councillor Mrs C.L. Wells agreed, subject to the consent of the Council, to refer Clause A8 back to the Committee for further consideration.

A vote to refer Clause A8 was taken electronically, and the Motion was carried unanimously. Clause A8 was referred back to Committee for further consideration.

Question put on amended Motion; a vote was taken electronically, and the Motion was carried unanimously.

10. **Housing Committee – 17th May, 2017 – Clause C12**

Motion moved by Councillor Mrs C.L. Wells, seconded by Councillor Ms C.E. Malarkey, “That the minutes of proceedings of the Housing Committee, as contained in Clause C12 of report of meeting held on Wednesday, 17th May, 2017, be received, approved and adopted by the Council.”

Further Motion moved by Mr Councillor D.W. Christian, seconded by Mr Councillor R.H. McNicholl, “That the Council consider the Motion in Committee.”

Question put on Motion to move into Committee, a vote was taken electronically and there voted **For** the Motion, Councillors; Miss N.A. Byron, Mrs H. Callow, Mrs R. Chatel, Mr I.J.G. Clague, Mr J. Joughin, Mr D.W. Christian, Ms C.E. Malarkey, Mrs C.L. Wells, Mr C.L.H. Cain, Mr F. Horning, Mr R.H. McNicholl, Mr J.E. Skinner, Mrs E.C. Quirk, the Mayor – **14**

Against: Mr Councillor S.R. Pitts – **1**

On resumption of proceedings in Council:

Councillor Mrs C.L. Wells agreed, subject to the consent of the Council, to refer Clause A12 back to the Committee for further consideration.

A vote to refer Clause A12 was taken electronically, and the Motion was carried unanimously.

11. **Regeneration and Community Committee – 16th May, 2017**

Motion moved by Mr Councillor S.R. Pitts, seconded by Councillor Mrs R. Chatel, “That the minutes of proceedings of the Regeneration and Community Committee, as contained in report of meeting held on Tuesday, 16th May, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

12. **Environmental Services Committee – 15th May, 2017**

Motion moved by Mr Councillor R.H. McNicholl, seconded by Mr Councillor J. Joughin, “That the minutes of proceedings of the Environmental Services Committee, as contained in report of meeting held on Monday, 15th May, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

13. **Adjournment and Resumption**

The meeting adjourned at 5.25pm and resumed at 5.40pm. Councillor Mrs C.L. Wells submitted her apologies for the remainder of the meeting.

IN PRIVATE

14. **Executive Committee – 26th May, 2017**

Motion moved by Mr Councillor D.W. Christian, seconded by Mr Councillor R.H. McNicholl, “That the minutes of proceedings of the Executive Committee, as contained in private report of meeting held on Friday, 26th May, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

15. **Regeneration and Community Committee – 16th May, 2017**

Motion moved by Mr Councillor S.R. Pitts, seconded by Councillor Mrs R. Chatel, “That the minutes of proceedings of the Regeneration and Community Committee, as contained in private report of meeting held on Tuesday, 16th May, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

The Council rose at 6.10pm.



Town Clerk & Chief Executive