



Borough of Douglas

Town Hall,

Douglas,

11th October, 2017

At a MEETING of the COUNCIL of the BOROUGH OF DOUGLAS, duly convened and holden at 2.30 p.m. on WEDNESDAY, the 11th day of October, 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

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

Ms K. Angela

Mrs E.C. Quirk

Ms J. Thommeny

Apologies for absence were submitted by Councillor Mrs R. Chatel and Mr Councillor F. Pabellan.

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

1. **Minutes – 9th August, 2017**

The minutes of the monthly Council Meeting held on Wednesday, 9th August, 2017, were approved and signed.

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

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

- 1.1 What has been the staff training budget for the last three years?
- 1.2 What training courses have been provided in that time?
- 1.3 How many training courses have been provided in that time?
- 1.4 How many officers and members of staff have attended courses in that time?
- 1.5 Have any courses attended by officers and staff in relation to “Bullying in the Workplace”, “Equality in the Workplace” or “Constructive Dismissal” in that time?
- 1.6 How many courses have been arranged through local providers with the content being delivered by Third Party Lecturers in that time?

Reply by the Leader of the Council:

- 1.1 2014-5 £59,480;
2015-6 £59,480;
2016-7 £56,860; and
2017-8 £60,670.

To put these figures into context, the budget in the previous four years had been:

- 2010-1 £100,153;
- 2011-2 £90,690;
- 2012-3 £66,880; and
- 2013-4 £69,550.

- 1.2 From April 2014 to date, 158 different courses have been provided.
- 1.3 A list of the courses has been provided to the questioner and is available to all Members on request.
- 1.4 247 employees attended courses.
- 1.5 “Equality in the Workplace”, “Bullying in the Workplace” and “Constructive Dismissal” were covered in workshops such as “Practical People Management (including Equality)” and “What Employers Need to Know – the Key Points”.
- 1.6 7 courses were provided in-house; 109 by local providers and 42 by off-Island providers. Details are not available of how many of the courses arranged through local providers were delivered by third party trainers; that is not relevant to the Council’s contract with the provider.

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

- 2.1 The residents of Berkeley Street live a “bag of crisps and a soft drink” away from a well-known local petrol station / retail outlets resulting in litter which was previously put into a litter bin being dropped on the ground.

A bin was situated on the pavement at the junction of Berkeley Street / Brunswick Road / Woodbourne Lane (outside former shop premises) and has recently been removed resulting in a rise in litter being dropped in the area.

Residents of Berkeley Street and Brunswick Road are now having to regularly don rubber gloves in order to pick up litter from the area to maintain the tidy appearance of the neighbourhood, so why has this bin been removed from its location which if having been requested to move by the owner of the former shop premises why has a bin not been repositioned somewhere in the immediate vicinity?

Reply by the Chair of Environmental Services Committee

- 2.1 The previous bin was situated on private land outside the shop which the new owner wished to reclaim and so the bin had to be removed around four weeks ago. It was always intended that a new bin would be installed outside the Woodbourne Hotel and that

installation is due imminently. The supervisor had been monitoring the situation and when that area was inspected on 14th September, there were no issues with litter at that time. However the current situation will be looked at by the relevant service, to see if that has changed.

3) Mr Councillor S.R. Pitts asked the Chair of the Housing Committee:

- 3.1 How many evictions have there been from council houses for each of the last five years?
- 3.2 How many evictions have been unsuccessful in the courts for each of the last five years?
- 3.3 How many people have been or are on the council housing list for each of the last five years?
- 3.4 What has been the average outstanding rent arrears for each of the last five years?

Reply by Chair of Housing Committee

- 3.1 2012/13 0 for rent arrears, 1 for antisocial behaviour;
2013/14 3 for rent arrears, 3 for antisocial behaviour;
2014/15 2 for rent arrears, 1 for antisocial behaviour;
2016/17 3 for rent arrears, 1 for antisocial behaviour; and
2017 to date 6 for rent arrears, 1 for antisocial behaviour.

3.2 This is a difficult question to answer, for two reasons. Firstly, the number of hearings the Council has had over the last 5 years (approximately 25 a month) coupled with the fact that our advocate's older files have been archived means that it would not be straightforward to give a precise and accurate number. Secondly, trying to judge the "success" of hearings based upon whether the Council obtained a Possession Order does not provide an accurate reflection upon whether a good result has been obtained. In this regard, there are a large number of cases which proceed to court (as without this experience has proved that the tenants are less likely to pay) but which are adjourned on a number of occasions until the arrears are paid-off and proceedings are ultimately withdrawn once regular payments are being received and the Council is satisfied that the court proceedings are no longer required. It is suggested that where the Council has avoided the costs of a defended possession trial because the proceedings (although withdrawn) have managed to resolve the situation then this is a good outcome for the Council. This has happened in a substantial proportion of the Council's cases.

- 2012/13 47 for rent arrears, 36 for antisocial behaviour;
- 2013/14 154 for rent arrears, 3 for antisocial behaviour;
- 2014/15 215 for rent arrears, 1 for antisocial behaviour;
- 2015/16 162 for rent arrears, 6 for antisocial behaviour;
- 2016/17 167 for rent arrears, 15 for antisocial behaviour; and
- 2017 to date 88 for rent arrears, 3 for antisocial behaviour.

These figures demonstrate that the proportion of cases satisfactorily resolved far exceeds the actual number of evictions.

- 3.3 2012/13 516;
- 2013/14 428;
- 2014/15 494;
- 2015/16 386;
- 2016/17 346; and
- 2017/18 277

3.4 The table below shows the average gross rent outstanding during each of the years. The total annual rental for the Council's social housing is in excess of £10,000,000. The percentage of rent collected is currently in excess of 100% as a significant proportion of tenants are now paying a week in advance.

- 2012/13 £79,853;
- 2013/14 £74,886;
- 2014/15 £53,581;

2015/16 £49,945; and
2016/17 £58,306.

- 4) Mr Councillor J.E. Skinner asked the Chair of the Environmental Services Committee:
- 4.1 With regard to the installation of the Automatic Number Plate Recognition System (ANPR) in which car parks are these to be fitted?
 - 4.2 How long will ANPR equipment take to install in each car park?
 - 4.3 If the “Specification” specifically highlighted the need for work permits why was this not brought to the attention of all parties involved with the installation works?
 - 4.4 When did it become apparent that the Sub Contractor did not have necessary Work Permits in place and why was this not checked and made clear to all parties prior to the proposed commencement date?
 - 4.5 When is it expected that ANPR systems will be operational in the car parks where they are being installed?

Response by the Chair of Environmental Services Committee:

- 4.1 Shaw’s Brow Car Park and the Bottleneck Car Park.
 - 4.2 Work will commence in the Bottleneck Car Park on Monday 16th October 2017 with the system being brought into operation on Wednesday 25th October, 2017. Work will commence in Shaw’s Brow Car Park on 24th October 2017 with the system being brought into operation on one entrance and one exit on 1st November 2017. Work will then take place on the other entrance and exit and be completed by 3rd November, 2017.
 - 4.3 The need for work permits was made clear to the supplier (with whom the Council has the contract) in the specification, at the pre-contract meeting held on 17th July 2017. The supplier’s enquiries with the work permit office concluded that they fell within a specific exemption on the grounds of the equipment being specialist and not available on the Isle of Man. It was only during subsequent discussions with the work permit office that it transpired that the exemption only applied to the supplier and not to their subcontractor.
 - 4.4 The matter was brought to the Council’s attention on 28th September 2017. The circumstances surrounding the misunderstanding of the work permit requirements are explained in the answer to the previous question.
 - 4.5 25th October 2017 in the Bottleneck Car Park and 1st November 2017 in Shaw’s Brow Car Park.
3. **Executive Committee – 29th September, 2017 – Clause A12**

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 A12 of report of meeting held on Friday, 29th September, 2017, be received by the Council.”

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

Under the provisions of the Local government Act 1985, Mr Councillor S.R. Pitts declared an interest in the item and retired whilst it was considered.

4. **Executive Committee – 29th September, 2017 – Clauses A1 to A11 and A13 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 A11 and A13 to A16 of report of meeting held on Friday, 29th September, 2017, be received by the Council.”

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

5. **Executive Committee – 29th September, 2017 – Clause B17**

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 B17 of report of meeting held on Friday, 29th September, 2017, be received, approved and adopted by the Council.”

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

6. **Pensions Committee – 13th September, 2017**

Motion moved by Mr Councillor J.Joughin, seconded by Councillor Ms K. Angela, “That the minutes of proceedings of the Pensions Committee, as contained in report of meeting held on Wednesday, 13th September, 2017, be received by the Council.”

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

7. Housing Committee – 20th September, 2017

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 report of meeting held on Wednesday, 20th September, 2017, be received by the Council.”

Question put on Motion; a vote was taken electronically, and there voted **For** the Motion, Councillors: Mrs H. Callow, Mr I.J.G. Clague, Mr D.W. Christian, Mrs C.L. Wells, Mr F. Horning, Mr J.E. Skinner, Ms K. Angela, Mrs E.C. Quirk, Ms J. Thommeny, the Mayor – **10**

Against, Councillors: Miss N.A. Byron, Mr S.R. Pitts, Mr J. Joughin, Ms C.E. Malarkey, Mr C.L.H. Cain, Mr R.H. McNicholl – **6**

Motion carried.

8. Regeneration and Community Committee – 19th September, 2017 – Clauses A1 to A3 and A5 to A8

Motion moved by Mr Councillor S.R. Pitts, seconded by Councillor Ms J. Thommeny, “That the minutes of proceedings of the Regeneration and Community Committee, as contained in Clauses A1 to A3 and A5 to A8 of report of meeting held on Tuesday, 19th September, 2017, be received, by the Council.”

The Chair withdraw Clause A4 for further consideration by the Committee.

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

9. Environmental Services Committee – 18th September, 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, 18th September, 2017, be received by the Council.”

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

10. Adjournment and Resumption

The meeting adjourned at 4.30pm and resumed at 4.45pm with the same Members and officers present.

IN PRIVATE

11. Standing Order 30 – Question – Mr Councillor J.E. Skinner

Mr Councillor J.E. Skinner asked the Leader of the Council two questions. The questions and responses were circulated to the Council.

12. Executive Committee – 29th September, 2017 – Clauses A1 to A4

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 A4 of private report of meeting held on Friday, 29th September, 2017, be received by the Council.”

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

13. Executive Committee – 29th September, 2017 – Clause B5

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 B5 of private report of meeting held on Friday, 29th September, 2017, be received, approved and adopted by the Council.”

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

14. Attendance

Councillor Mrs C.L. Wells submitted apologies for the remainder of the meeting and left at 5.00pm.

15. Housing Committee – 20th September, 2017

Motion moved by Councillor Ms C.E. Malarkey, seconded by Mr Councillor C.L.H. Cain, “That the minutes of proceedings of the Housing Committee, as contained in private report of meeting held on Wednesday, 20th September, 2017, be received by the Council.”

Question put on Motion, a vote was taken electronically, and there voted **For** the Motion, Councillors: Miss N.A. Byron, Mrs H. Callow, Mr S.R. Pitts, Mr I.J.G. Clague, Mr J. Joughin, Mr D.W. Christian, Ms C.E.

Malarkey, Mr R.H. McNicholl, Mr J.E. Skinner, Ms K. Angela, Mrs E.C. Quirk, Ms J. Thommeny, the Mayor - **13**

Against – Councillors: Mr C.L.H. Cain, Mr F Horning – **2**

Motion carried.

16. Regeneration and Community Committee – 19th September, 2017

Motion moved by Mr Councillor S.R. Pitts, seconded by Councillor Ms J. Thommeny, “That the minutes of proceedings of the Regeneration and Community Committee, as contained in private report of meeting held on Tuesday 19th September, 2017 be received by the Council.”

Question put on Motion, a vote was taken electronically, and there voted **For** the Motion, Councillors: Miss N.A. Byron, Mrs H. Callow, Mr S.R Pitts, Mr I.J.G. Clague, Mr J. Joughin, Mr D.W. Christian, Ms C.E. Malarkey, Mr R.H. McNicholl, Mr J.E. Skinner, Ms K. Angela, Mrs E.C. Quirk, Ms J. Thommeny, the Mayor - **13**

Against – Councillors: Mr C.L.H. Cain, Mr F Horning – **2**

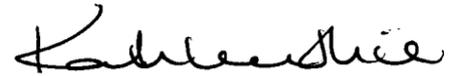
Motion carried.

17. Environmental Services Committee – 18th September, 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 private report of meeting held on Monday 18th September, 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 5.30pm



Town Clerk & Chief Executive