



## Borough of Douglas

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**MR COUNCILLOR JONATHAN JOUGHIN, JP  
MAYOR**

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Town Hall,  
Douglas,  
6<sup>th</sup> July, 2018

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 11th day of JULY, 2018, 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 Council Meeting held on Wednesday, 13<sup>th</sup> June, 2018.

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

## EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 29<sup>th</sup> June, 2018.

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 and Community Committee), Mr Councillor R.H. McNicholl.

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr A.J.T. Boyd), Director of Environment & Regeneration (Mrs D. Eynon), Director of Housing & Property (Mrs S. Harrison), Executive Officer (Mrs J.M. Keig) (taking minutes).

### REPORT

#### **PART A –**

#### ***Matters within the scope of the Executive Committee's delegated authority***

##### **A1. Apologies for Absence**

Apologies for absence were submitted on behalf of Mr Councillor S.R. Pitts.

##### **A2. Declarations of Interest**

No declarations of interest were submitted.

##### **A3. Minutes**

The minutes of the meeting held on Thursday 24<sup>th</sup> May 2018 were approved and signed.

##### **A4. Matters Arising From Previous Minutes**

Clause A11 – Members' Attendances and Allowances 2017 / 2018: in response to a Member's query, the Chair advised that he would be seeking a meeting with the Honourable Minister for the Department of Infrastructure, and this subject would be included for discussion.

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

##### **A5. Noble's Park T.T. Bar – Retrospective Planning Application**

The Committee considered a written report by the Building Control Manager in relation to a retrospective planning application seeking to vary a condition imposed in respect of a temporary building used as a hospitality facility in Noble's Park.

The Agreement between the Council and the Department for Enterprise permitted the erection of the temporary building on the site positioned to the west of the T.T. Grandstand, in the adjacent field in Noble's Park known as the 'playing fields'. In order to comply with the conditions of the previously-approved application, the temporary building should have been removed following the T.T., and then re-erected for the Festival of Motorcycling, however, a retrospective application had been submitted seeking to vary condition 2 of the Agreement, in order that it be permitted to remain in place during the intervening period between the T.T. and the Festival of Motorcycling.

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

(ii) That the recommendation set out in the written report be not supported; and

(iii) That an objection to the temporary building remaining in place during the period between the T.T. and the Festival of Motorcycling be submitted to the Planning Department on the following grounds -

- under Policy 22 of the Isle of Man Strategic Plan 2016, the development would have an impact on neighbouring residential properties;
- the extended time of the development would have an impact on the area of public open space in terms of protection of mature trees and planting on the site; and

- the application was contrary to the original application.”

*On a vote being taken, Members voted 4 For; 1 Against.*

#### **A6. Referrals from the Regeneration and Community Committee**

The Committee considered the following referral from the public minutes of the Regeneration and Community Committee meeting held on Tuesday 19<sup>th</sup> June 2018:

Clause B9 – Kensington Road Sports Ground (Amendment to Lease Term): the Committee had considered a proposal that the lease for the Sports Ground be amended to a term of fifteen years.

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

(ii) That the recommendations of the Regeneration & Community Committee be endorsed as follows:-

- that the lease for the Kensington Road Sports Ground to the Douglas Lawn Tennis Club be amended to a term of fifteen years, to expire in August 2030, subject to approval also being obtained from the Department of Infrastructure in accordance with Section 25 of the Local Government Act 1985; and
- that a condition be included in the amended lease to the effect that if the new artificial surface on the tennis courts was not installed by August 2022, then the lease would revert to its original seven year term.”

#### **A7. Urgent Business Procedure – Use of the Bottleneck Car Park during the 2018 T.T. Festival (Variation of Licence Agreement)**

The Committee considered a written report by the Assistant Chief Officer (Regeneration) detailing an Urgent Business Procedure undertaken to consider a request by the Hooded Ram Brewing Company / Clinches Leisure Limited, seeking to vary Clause 6 of the Licence Agreement for the use of the Bottleneck Car Park.

It was noted that, whilst the Leader of the Council and the Chair of the Environmental Services Committee had approved the recommendation to vary Clause 6 of the Licence Agreement – which would have allowed the playing of music and the sale or consumption of alcoholic beverages until 02:00am on Saturday 9<sup>th</sup> June 2018 - an application for the Liquor and Music and Dancing Licence to be extended similarly had not subsequently been approved by the Licensing Court.

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

#### **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. Revenue Out-turn Report for 2017 / 2018**

The Committee considered a written report by the Assistant Chief Officer (Finance) detailing the revenue out-turn position for the 2017 / 2018 financial year, together with an appraisal of the Balances position as at 31<sup>st</sup> March 2018.

This annual report set out the overall revenue performance against budgets and the ensuing impact upon the General Revenue Reserve. It also included the summary revenue out-turn position (including transfers to and from Reserves), and the comparison of actual expenditure to the original budget. The major elements that had contributed to the year-end position were noted, as were the explanations for any significant variations compared with the original approved budget.

A further review of the Balances would be conducted as part of the 2018 / 2019 budget process, with the outcome being reported to Committee, together with any recommendations for fund top-ups that may be required in order to assist with the funding of identified priority schemes.

It was noted, where an event (known as an adjusting event) occurred after the Balance Sheet date - favourable or unfavourable, and providing evidence of conditions that existed at the Balance Sheet date - that the amounts recognised in the Statement of Accounts should be adjusted accordingly, if sufficiently material to the Council’s accounts. Members were asked to consider whether they were aware of any such events, as any disclosures affected by the new information about an adjusting event should be updated in light of the new information.

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

- (ii) That the year-end revenue out-turn position for 2017 / 2018, including the final drawdown from Balances of £123,603 and the year-end General Revenue Reserve balance of £1,502,752 (before reduction for future commitments), be noted and approved;
- (iii) That it be confirmed that the Committee was not aware of any adjusting events after the end of the reporting period; and
- (iv) That the Director of Finance be requested to prepare a further report in respect of a review of the commitments against the General Revenue Reserve balance for consideration at the July 2018 meeting of the Committee.”

#### A10. **Digital Information Screens**

The Committee considered a written report by the Assistant Chief Officer (Regeneration) on further investigations that had been undertaken into the provision of digital information screens in the Town Centre.

Members agreed, in view of Clause A9 above, that a decision on the proposals be deferred until the July 2018 meeting of the Committee.

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

(ii) That further consideration of the report be deferred to the July 2018 meeting of the Committee.”

#### A11. **Douglas Promenade Highway Regeneration Scheme – Cable Tram Wheel and Water Bottle Filler Fountains**

The Committee considered a written report by the Assistant Chief Officer (Environment) detailing discussions with the Department of Transport on the Promenade Highway Regeneration Scheme and seeking endorsement of the latest proposals.

Cable Tram Wheel: during excavation works adjacent to the Bottleneck Car Park in 2000, a cable tram chamber had been unearthed together with several wheels and part of the original cable tram mechanism. In order to commemorate this innovative and unique cable tram system, it had been proposed that the sole-surviving part of the mechanism be installed at a location close to the former Peveril Hotel (where it had been installed originally). It was also proposed, via appropriate signage at the Bottleneck Car Park, to detail the history of the cable tram system, from its installation in 1894 to its cessation. It was noted that civil engineering works associated with the project, together with the cost of a concrete base and plinth for the wheel, would be carried out and funded by the Department of Infrastructure.

Water Bottle Filler Fountains: the Douglas Regeneration Committee had supported a proposal for the installation of water fountains on the Promenade. Members were advised that, whilst the Department of Infrastructure supported the installation of the free water dispensing units, the Council would have to fund the cost of purchase, installation, and maintenance of the units. Members agreed that three units would be sufficient, rather than the proposed six.

Marine Garden Wall Construction: the existing pedestrian access would be closed off by means of a new length of wall (to match the existing), with the cost of construction to be met through the Douglas Promenade Refurbishment Scheme.

Structures between Marine Gardens 2 & 3 and 3 & 4: the two outer, free-standing, stone columns / pillars on the landward side were to be removed in order to facilitate the introduction of street furniture and to aid pedestrian visibility, with the cost of removal to be met through the Douglas Promenade Refurbishment Scheme.

Digital Display Boards: the purpose, siting locations, and all associated costs of the signs were to be agreed and funded by the Council.

Queen’s Garden Toilet Block: a proposal for artwork to be included on the outside of the toilet block, which linked the location of the old internment camp fence posts with physical marker discs in the highway, would incur no additional cost.

Road Sign Poles in Marine Gardens: it was proposed to erect a number of small poles adjacent to the landward-side walls to denote parking arrangements, together with one larger directional sign in the northern-most Marine Garden on Harris Promenade, with the cost to be met through the Douglas Promenade Refurbishment Scheme.

Jubilee Clock: a Member proposed that, for historical interest, the original site of the Jubilee Clock (now marked by studs) be acknowledged by way of an interpretation board, including information on the Clock’s refurbishment and relocation in 1996.

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

(ii) That the installation and funding of the cable tram wheel on Loch Promenade be approved;

- (iii) That the installation and funding of three free point-of-use water fountains along the Promenade be approved in conjunction with the forthcoming Promenade Regeneration Works, programmed to commence in September 2018, at an estimated cost of £19,800, to be funded from the General Revenue Reserve;
- (iv) That the proposal by the Department of Infrastructure to close off the existing pedestrian access to Marine Garden No 1, by means of the construction of a new length of wall, be approved subject to no cost falling on the Council;
- (v) That the proposal by the Department of Infrastructure to remove two freestanding columns / pillars to facilitate the introduction of street furniture and to aid pedestrian visibility on the landward-side of Marine Gardens 2 & 3 and 3 & 4 be approved, subject to no cost falling on the Council and on clarification being sought as to precisely what street furniture it was intended to place at the site;
- (vi) That the inclusion of artwork on the north elevation of the new toilets on Queen's Promenade be approved;
- (vii) That the proposal for the original site of the Jubilee Clock to be marked by way of an interpretation board be progressed, and that the Department of Infrastructure be approached to establish if the works could be included as part of Promenade Regeneration Works; and
- (viii) That the location of a small number of road sign poles on the landward-side of the Marine Gardens (to denote car parking arrangements) and one directional sign in the northern-most garden on Harris Promenade be approved, subject to more details being provided."

#### **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. Items for Future Report**

The Committee considered a written report by the Chief Executive identifying those issues on which further reports had been requested or which were outstanding, so that Members and officers were aware of them and could monitor progress.

Resolved, "That particulars of the report be noted on the minutes and that it be considered and monitored at each meeting of the Executive Committee."

#### ***PART B –***

#### ***Matters subject to Council approval***

#### **B14. Referrals from the Environmental Services Committee**

The Committee considered the following referral from the public minutes of the Environmental Services Committee meeting held on Monday 18<sup>th</sup> June 2018:

Douglas Town Centre Regeneration Area, Phase 4: the Committee had considered a proposed lighting scheme, which would complete the lighting works in the area from Duke's Street (upper) to the Market Hill / North Quay junction, including Chapel Row.

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

- (ii) That the Environmental Services Committee's recommendations be endorsed as follows -
  - that the current year's Estimates be amended to include estimated expenditure of £300,000 in 2018 / 2019;
  - that the existing estimate of £400,000 for 2019 / 2020 be reduced down to £100,000 (the scheme therefore remaining within the existing overall budget of £400,000);
  - that the increased loan charges, estimated at £18,940 for the current year (2018 / 2019), be funded from the General Revenue Reserve; and
- (iii) That it be recommended to Council that the Chief Executive be authorised to submit a petition to the Department of Infrastructure, under the provisions of Section 51 of the Local Government Act 1985, to seek approval for borrowing in the amount of £398,325, this being the sum required to defray the costs of providing lighting, CCTV, and ancillary services in the current Douglas Town Centre Regeneration Area Phase 4 – Duke Street (upper) and Market Hill."

The Committee rose at 3.45pm.

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 – Minutes of Meeting held on Monday, 18<sup>th</sup> June, 2018.

Members Present: For Douglas Borough Council – Mr Councillor R.H. McNicholl (Member) (Chair), Mrs D. Eynon (Director of Environment & Regeneration). For Onchan District Commissioners – Mr D. Crellin (Member). For Braddan Parish Commissioners – Mr D. Dentith (Member) (from 2.50pm), Mr J.C. Whiteway (Clerk). For Garff Commissioners – Mr N. Dobson (Member, Lonan Ward).

In Attendance: Secretary – Mr P.E. Cowin. Department of Infrastructure Representative – Mr J. Quayle. Contractor's Representative – Mr S.A. Crook (Item A5 only).

## REPORT

### **PART A –**

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

##### **A1. Chair**

**It was agreed**, unanimously, that Mr Councillor R.H. McNicholl be elected Chair of the Committee for the current municipal year.

##### **A2. Vice-Chair**

**It was agreed**, unanimously, that Mr N. Dobson be elected Vice-Chair of the Committee for the current municipal year.

##### **A3. Minutes – 12<sup>th</sup> April, 2018**

The minutes of meeting held on Thursday, 12<sup>th</sup> April, 2018 were approved.

##### **A4. Matters Arising from the Minutes**

No items were identified as arising from the minutes, that were not separately included in the Agenda.

Mr Dobson asked that the minutes of meetings be circulated to all authorities as soon as practicable after the meeting in order that members can review them without unnecessary delay.

##### **A5. Operational Issues**

Mr Crook, representing the Contractor operating the Site, joined the meeting at 2.50pm. Copies had been circulated of a written note by Mr Crook detailing a number of issues on which queries had been raised at the last meeting, and further issues identified as requiring consideration by the Joint Committee.

Section 1.1: New signage, encouraging recycling in preference to disposal, had been installed in the area of the gantries.

1.2: Metano Oil container: to meet the regulator's requirements arrangements needed to be put in place for potential spillages and leaks. The tank would need to be raised on a timber or steel platform within a bund and the whole installation needed to be covered to prevent water ingress. Costs would be £2,000 to £2,500 depending on the materials used. Members expressed a preference for galvanized steel and asked Mr Crook to seek comparative prices, so select the lowest quotation and to proceed up to a maximum of £2,500.

1.3: Sofa beds: local scrap merchants had indicated a charge of £180 per tonne for dismantling sofa beds. The contractor quoted an alternative price of £20.00 per unit, equating to £120 per tonne and it was agreed that it be accepted. A backlog at the Site had led to the Contractor already dismantling 23 units at a cost of £460 and that cost was accepted by the Joint Committee.

1.4: Paint storage cabinets: the first paint storage cabinet had been installed and was in use. The second would be installed shortly.

1.5: the defective skips that had been replaced had now been sold for a total scrap value of £371.

Section 2 of the note advised that there had been no incidents on the Site since the last meeting. Members were concerned about supervision of the Site at times when the Supervisor/HGV Driver was elsewhere and Mr Crook assured members that suitable arrangements were in place and would be reinforced.

Mr Quayle advised that two loads of waste arising from the Site had been rejected at the Energy for Waste Plant: one because it contained two 1,100 litre oil tanks and one because it contained a sofa bed. The Site would incur additional charges because of these incidents, of which neither Mr Crook nor the Secretary had previously been aware. Mr Crook undertook to make enquiries as to how they had occurred in order to inform a report to the next meeting.

Section 3 gave comparative tonnage figures for the respective waste types for 2015/16, 2016/17, 2017/18 and the current year.

Section 4.1 advised that there were 42 obsolete gas cylinders currently on Site, having remained there for over seven years: Mr Quayle advised DoI was looking to find a route for disposal of such items but that Manx Gas might be able to advise in the meantime.

There was discussion of how to control commercial waste being disposed of at the Site and Mr Crook confirmed that staff challenge users where it is suspected that waste being brought in is not of domestic nature. The Joint Committee was reminded that it had previously considered use of Automatic Number Plate Recognition (ANPR) systems to identify vehicles repeatedly using the Site more frequently than would be normal for domestic users.

Mrs Eynon undertook to review the book recording incidents at the Site (including warnings given to users and bans) and to either allow the Committee to see it or to summarise such data as could be permitted under the Data Protection Act.

**It was agreed:**

- (1) That the Contractor proceed with the installation of the necessary equipment for the Metano oil container, up to a maximum cost of £2,500;
- (2) That the Contractor be engaged to dismantle sofa beds brought in to the Site at a cost of £20 per unit, that charge to be retrospectively applied to the 23 already taken apart;
- (3) That clear signage be placed around the paint and varnish cabinets advising on their use;
- (4) That the Contractor report to the next meeting on the two incidents of loads arising at the Site being rejected at the Energy from Waste Plant;
- (5) That Mrs Eynon advise the Joint Committee at its next meeting on the data retained on incidents occurring at the Site.
- (6) That the use of ANPR systems, particularly in relation to data protection, be further examined and considered by the Committee in due course.

**A6. Sub-Committee Meeting 26<sup>th</sup> April**

Notes had been circulated of the meeting of the Sub-Committee on Thursday, 26<sup>th</sup> April, 2018, to consider tendering for the operation of the Site from 1<sup>st</sup> April 2019.

The Sub-Committee had been aware that the lease of the Site to the Department of Infrastructure was due to expire but it had been uncertain of the date. It had therefore resolved that if the expiry is before 31<sup>st</sup> March 2022 (which would be the end date of a three-year contract), the Joint Committee be recommended to extend the current contract until that expiry, rather than re-tendering, subject to agreement of terms between the Joint Committee and the Contractor.

Mr Dobson explained the reasoning behind the recommendation and the ancillary one that the Joint Committee should consider taking over the lease from the Department.

Mr Quayle undertook to provide a copy of the current Site lease to facilitate consideration.

Members discussed the Site and its layout, and whether it might be best to identify alternatives for consideration.

**It was agreed:**

- (1) That subject to mutually acceptable terms being agreed and accepted by the current operator, the current contract for operation of the Site be extended for two years, until 31<sup>st</sup> March 2021;
- (2) That in the interim, the Committee consider the use of alternative sites;
- (3) That following the exercise in (2) above, the Committee consider taking the lease of the Site in its own right.

**A7. Meeting Dates**

**It was agreed:** that the Joint Committee meet at 2.30pm on

Monday 17<sup>th</sup> September, 2018;

Monday, 19<sup>th</sup> November, 2018; and

Monday, 18<sup>th</sup> February, 2019

but that the Secretary convene an extraordinary meeting if any urgent issue arise.

The meeting ended at 5.00pm.

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

# HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 20<sup>th</sup> June, 2018.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, Councillor Ms C.E. Malarkey, Mr Councillor J.E. Skinner, Councillor Mrs E.C. Quirk.

In Attendance: Director of Housing and Property (Mrs S. Harrison), Assistant Chief Officer (Housing and Property) (Mr G. Atkin), Director of Finance (Mr A. Boyd) [Item A4 only], Assistant Chief Officer (Income) (Mrs C. Pulman), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Mrs T. Saxon).

## REPORT

### **PART A –**

#### ***Matters decided by the Committee***

##### **A1. Apologies for Absence**

No apologies were submitted for the meeting.

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes – 16<sup>th</sup> May, 2018**

The minutes of the meeting held on Wednesday, 16<sup>th</sup> May, 2018, were approved and signed.

##### **A4. Revenue Outturn 2017/2018**

The Committee considered a report with appendices setting out the revenue outturn position for 2017/2018.

Schedule 1 attached to the report provided details of the net annual spend, the approved budget, any additional approvals spent (where applicable), the variance showing whether the net annual spend was over or under the total approved budget, the depreciation variance (where applicable) and the variance excluding depreciation. Schedule 2 detailed the Housing Deficiency Grant 2017/2018 and Schedule 3 detailed the Capital Receipts affecting the Housing Committee.

The revenue outturn position across services was set out with explanations given for significant variations against the approved budget, which consists of the original budget with amendments for subsequent variations and Committee approvals.

There is an on-going negotiation with the Department of Infrastructure (DoI) regarding the 2016/2017 housing deficiency grant. The DoI have made a payment on account and Council officers are confident that the issue will shortly be resolved. As part of this negotiation it was identified that £38,819 of communal area costs for sheltered accommodation had been included in the claim. In order to rectify this, the report recommended that this should be funded from the Community Facilities Reserve.

Resolved, “That the report be noted on the minutes and approval is given for the use of £38,819 of the Community Facilities Reserve in respect of Sheltered costs.”

##### **A5. Spring Valley Feasibility Study**

At the Housing Committee meeting in March 2018, the Committee approved the Housing Development Strategy. As part of that Strategy it was agreed that an architect be appointed to carry out a feasibility study into a proposal to build new housing units at Spring Valley / Pulrose. These new housing units would then be used to accommodate the current tenants of Westmoreland Road and Circular Road, which would allow redevelopment of this town centre estate.

The Committee considered the architect’s feasibility study which set out three possible options for development of new housing in Spring Valley / Pulrose. The Committee considered the three options, each of which presents particular challenges.

Option 1 is land adjacent to the golf course and playing fields. The land is zoned for recreational use and is subject to a wayleave in favour of Manx Utilities. The wayleave prevents development for four metres on either side of the two electricity mains which cross this land. The Committee discussed option 1 and agreed that it should not be further investigated.

Option 2 is land adjacent to the Pinewood Public House. Development of this area would result in a loss of open land. The shape and size of the piece of land would mean that fewer housing units, all of which

would be apartments, could be constructed on this land. The Committee discussed option 2 and agreed that it should not be further investigated.

Option 3 is land adjacent to Springfield Road (between the Pulrose and Spring Valley Estates). The Assistant Chief Officer (Housing and Property) advised that whilst it is known that the land underneath the fields is contaminated, this would not necessarily prevent development. The Committee discussed option 3 and agreed that this is the best of the options set out in the study. As the land in question is next to the football field there was some discussion of the effect of development on that facility. It was suggested that a car park could be built alongside the development to be used both by the residents and users of the football field. It was noted that agreement from the Regeneration and Community Committee and the Council would be required for the re-designation of what is currently amenity land.

Resolved, "That the report and feasibility study be noted on the minutes and approval is given for Option 3, development of land adjacent to Springfield Road (between the Pulrose and Spring Valley Estates) to be accepted, progressed and further reports to be brought to Committee."

#### **A6. Housing Refusals**

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

Appended to the report was a list detailing eight housing refusal cases, together with a copy of the criteria for allocation of properties: pointing system. Each of the eight cases was considered in turn. No personal details were supplied to the Committee which would specifically identify the person(s) or their address.

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

- (i) In case 1, the Committee agreed to the removal of 10 points for the unjustified refusal of a property which was in the applicants' chosen area and suitable for their needs;
- (ii) In case 2, the Committee agreed to the removal of 5 points for the unjustified refusal of a property which was in the applicants' chosen area and suitable for their needs;
- (iii) The Committee agreed to defer a decision on case 3, so that clarification can be provided;
- (iv) In case 4, the Committee agreed to the removal of 10 points for the unjustified refusal of a property which was in the applicants' chosen area and suitable for their needs;
- (v) In case 5, the Committee agreed to the removal of 10 points for the unjustified refusal of a property which was in the applicants' chosen area and suitable for their needs;
- (vi) In case 6, the Committee agreed to the removal of 10 points for the unjustified refusal of a property which was in the applicants' chosen area and suitable for their needs;
- (vii) In case 7, the Committee agreed to the removal of 10 points for the unjustified refusal of a property which was in the applicants' chosen area and suitable for their needs;
- (viii) In case 8, the Committee agreed that no points be deducted and that Housing Officers should carefully review the housing options available."

#### **A7. Void Properties Update**

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

Resolved, "That the list of vacant properties be noted on the minutes."

#### **A8. Items for Future Consideration**

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

Resolved, "That the schedule 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***

**C9. Appointment of Independent Member to serve on the Housing Committee for the municipal years 2018/19 and 2019/20**

The Housing Committee interviewed two candidates for the Independent Member role on the Housing Committee. Members had in front of them each candidate's application form and person specification together with a list of eight interview questions adapted from the Council's recruitment process. Members scored candidates' answers with a minimum of one point and a maximum of four points for each question.

Following both interviews, Members totalled the number of points awarded to each candidate collectively and Mr Michael A. Dooley scored the highest number of points.

Resolved, "That the interviews be noted on the minutes and it be recommended to Council that Mr Michael A. Dooley be appointed Independent Member to the Housing Committee for the municipal years 2018/19 and 2019/20."

**C10. Willaston Kitchen Refurbishments**

The Committee considered a report submitted by the Assistant Property Manager (Capital) on the contract price received for kitchen refurbishments at Willaston.

Members noted a total of 332 kitchens have been included in this phase of kitchen refurbishments work which will complete the Willaston Estate.

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

- (i) The contract price received from Tooms Limited, as appointed contractor under the Department of Infrastructure Kitchen Framework Agreement, for the remaining kitchen refurbishments Willaston, be accepted, and the stage I3 petition report attached as Appendix 2 to the report be approved; and
- (ii) The Committee authorises the Chief Executive to petition the Department of Infrastructure for borrowing powers in the amount of £3,046,531.71 being the sum required to defray the cost of these works. The petition breakdown is set out in Appendix 1 attached to the report; 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 1.05pm.

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, 19<sup>th</sup> June, 2018.

Members Present: Mr Councillor S.R. Pitts (Chair), the Mayor, Councillor Miss D.A.M. Pitts, Councillor Mrs H. Callow, Councillor Mrs R. Chatel, Councillor Ms K. Angela.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Director of Housing and Property (Mrs S. Harrison) [Items A1 - A4 and B8], Assistant Chief Officer (Finance) (Mr E.P. Pierce), Assistant Town Clerk (Mr P.E. Cowin), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Town Centre Manager (Mr O. Cheshire) [Items A1-A5], Democratic Services Officer (Ms W. Wynne).

## REPORT

### **PART A –**

#### ***Matters delegated to the Committee***

##### **A1. Apologies**

There were no apologies for absence.

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes – 15<sup>th</sup> May, 2018**

The Minutes of the meeting held on Tuesday, 15<sup>th</sup> May, 2018, were approved and signed.

##### **A4. Matters Arising from the Minutes**

At the Executive Committee meeting on Thursday 24<sup>th</sup> May, 2018 it was requested that the Committee prioritise proposals in item B8 of the private report relating to Douglas Golf Course.

The Director of Environment and Regeneration confirmed that a report would be brought back to Committee to prioritise proposals.

Item A9, a report on Preliminary Traffic Management and Vehicle Parking Strategy for Noble's Park would be brought back to Committee and to consider suggestions made at the Council meeting on Wednesday, 13<sup>th</sup> June, 2018 of a pedestrian only walkway, further parking in the grassed area, and preventing or time limiting access from Dukes Road.

In response to Members' question, the Director of Environment and Regeneration would circulate to Members an update on the agreement and planning for Ballaughton Adventure Playground.

##### **A5. Carnival Update**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) on the Douglas Carnival planning phase.

During consideration of the item, the Assistant Chief Officer (Regeneration) confirmed that the Football World Cup Final would be aired at 4pm on the same day as the Carnival which could seriously impact on the involvement of volunteers, spectators and entrants. During discussion it was suggested that the Carnival time be brought forward to complete the parade before 4pm, and that a large screen TV could be positioned at the Villa Marina or on the stage on the Promenade to project the Carnival procession and to later switch over to the football.

Members noted that Officers had discussions with the Department of Infrastructure ('DOI') who are happy for the procession turnaround at Sefton Island. Entrants wishing to stay would position vehicles at the North end of Harris Promenade, and those intending to leave the procession would be positioned in the second half of the parade enabling them to exit via Loch Promenade. The Town Centre Manager confirmed that there have been 23 entries received to date; however more entries are anticipated nearer to the entry closing date.

Members discussed nominations for judges for the Parade and agreed Deputy Mayor Mr Councillor I.J.G. Clague M.B.E, Councillor Mrs R. Chatel (Freeman of the Borough), and Mr G. Karran (Freeman of the Borough), and Mr Hector Duff be invited to judge the Carnival parade entries.

Davison's have agreed to participate in the Carnival Ice Cream Competition again this year; the Mayor will be invited to help judge the ice-cream competition, and to choose the Carnival King and Queen.

The report suggested roles for Councillors to be stationed at the information point adjacent to the new toilets; Councillors to be in position opposite Broadway, receiving judging results and to award plaques to category winners; and also to hand-out event programmes and sweets to spectators from the Harris Promenade information point whilst also assisting stewards in keeping spectators off the road as the parade passes.

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

**A6. Revenue Outturn 2017-18**

The Committee considered a report submitted by the Assistant Chief Officer (Finance) presenting the revenue outturn position across services under the remit of the Regeneration and Community Committee. The appended table provided explanations for significant variances against the approved budget.

Resolved, "That the year-end revenue outturn position for 2017/18 be noted."

**A7. Items for Future Report**

The Committee considered a report submitted by the Democratic Services Officer regarding reports for future consideration by the Committee. There was discussion around allotment representatives and a report would be brought to Committee in July.

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

***PART B –***

***Matters requiring Executive Committee approval***

**B8. Kensington Road Sports Ground – Amendment to Lease Term**

The Committee considered a report submitted by the Director of Housing and Property that the lease for Kensington Road Sports Ground be amended to a term of 15 years.

Members noted that the Kensington Road Sports Ground facility has been in the Council's ownership since 1957 and for most of that period had been rented out rather than being directly operated by the Council. The facility had been taken on recently by the Douglas Lawn Tennis Club ('DLTC') with a full repairing lease in August 2015 for a term of 7 years.

The DLTC has invested heavily in order to bring the property to a suitable standard and has been proactive in planning for the future and gaining new memberships. The Club is negotiating funding to have the artificial surface on the tennis courts replaced and state that obtaining a sizable investment would not be possible with a lease that runs for only 7 years. Members were advised that a lease for any period over 7 years and up to 21 years would require Department of Infrastructure approval under Section 25 of the Local Government Act 1985, and would be a significant commitment by the Council.

It was noted that in the consultations to date regarding the Area Plan for the East, the Council had stated that the use of the Kensington Road Sports Ground, and the adjacent Finch Hill Bowling facility sites, should remain unchanged and that the Council had no intention of disposing of, or changing the use of, land in Council ownership in the area.

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

- (i) That the lease for Kensington Road Sports Ground to the Douglas Lawn Tennis Club be amended to a term of 15 years, that is to expire in August 2030, subject to Department of Infrastructure ('DOI') approval; and
- (ii) That a condition be included in the amended lease to the effect that if the new artificial surface is not installed by August 2022, then the lease will revert to its original 7 year term."

***PART C –***

***Matters requiring Council approval***

There were no matters requiring Council approval.

The meeting ended at 12.00 noon.

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

# ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 18<sup>th</sup> June, 2018.

Members Present: Mr Councillor R.H. McNicholl (Chair), the Mayor, Councillor Miss N.A. Byron, Councillor Miss D.A.M. Pitts, Mr Councillor F. Horning, Councillor Ms J. Thommeny.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Director of Finance (Mr A. Boyd) [Items A1 – A5 only], Assistant Chief Officer (Income) (Mrs C. Pulman), Community and Enforcement Manager (Mr A. Gordon) [Items A7 – A10 only], Electrical Services Manager (Mr D. Cullen) [Item B12 only], Assistant Chief Officer (Environment) (Mr A. Donnelly) [Item B15 until end of meeting], Assistant Town Clerk (Mr P.E. Cowin), Assistant Democratic Services Officer (Mrs T. Saxon).

## REPORT

### **PART A –**

#### ***Matters delegated to the Committee***

##### **A1. Apologies**

There were no apologies for absence.

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes – 14<sup>th</sup> May, 2018**

The minutes of the meeting held on Monday, 14<sup>th</sup> May, 2018 were approved and signed.

##### **A4. Matters Arising from the Minutes re A7 – Quarter Four Performance Monitoring**

Questions were raised regarding cleaning and improved signage in Shaw's Brow Car Park. The Assistant Chief Officer (Regeneration) advised that a new cleaning contract is not yet in place and signage was being prepared, but not yet installed. The Chair expressed frustration with the response.

There was some discussion of highway signage on Council lampposts. It was agreed that a report into the matter would be brought to the Committee at a future meeting.

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

##### **A5. Revenue Outturn 2017/2018**

The Committee considered a report setting out the revenue outturn position for the 2017/2018 financial year.

The Schedule attached to the report provided details of the net annual spend, the approved budget, any additional approvals spent (where applicable), the variance showing whether the net annual spend was over or under the total approved budget, the depreciation variance (where applicable) and the variance excluding depreciation.

The Committee discussed the schedule in detail, noting that in some instances the actual income exceeded the budgeted income; there were some underspends for specific reasons; and that in some areas there was significantly less revenue than budgeted which showed in the accounts as an overspend.

The Committee discussed various different factors which have affected the revenue account including the Isle of Man Government's localisation project, the decreasing number of businesses in Douglas either through ceasing to trade or movement out of the capital which had impacted on the trade waste income, and the changing usage of the multi-storey car parks in the Town Centre.

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

##### **A6. Replacement Big Belly Bins**

The Committee considered a report on the lease of the Big Belly bins which will expire in July 2018. The existing bins are in need of repair and remedial work to ensure the appearance and minimal operation is maintained. Following an internal review of the condition, appearance and use of the Big Belly bins; officers have recommended that the leasing contract not be renewed and that new

replacement bins be purchased. The replacements would be 'Derby-style' litter bins housing 240L wheelie bins.

Members noted that the internal movement of funds from Leasing Charges SW230 H999 to Bins SW203 D199 is a virement of funds within the same code and does not vary the approved revenue account in any way.

Resolved, "That particulars of the report is noted on the minutes and approval is given to internal virement of £19,000 from Leases charges SW230 H999 to Bins SW230 D199 for the purchase and delivery of 27 new wheelie bin container-type bins."

**A7. Planning Application 18/00421/B re Duke Street, Douglas**

The Committee considered planning application 18/00421/B seeking approval for the installation of replacement paving, street lighting and street furniture at the site of the Regeneration works at Duke Street, Douglas.

Resolved, "That planning application 18/00421/B be noted on the minutes, and that as the proposed scheme will significantly enhance the character and appearance of the Conservation Area, the application is supported."

**A8. Planning Application 18/00497/A re Woodstock, Vicarage Road, Braddan**

The Committee considered planning application 18/00421/A seeking approval in principle for the construction of five dwellings to replace existing workshop and two existing dwellings and addressing the means of access to the site at Woodstock, Vicarage Road, Braddan. The application was considered at the request of a Member of the Committee. Whilst the site is within Braddan, it is opposite the Douglas residential areas of Farmhill. Concern was expressed that development of this area would result in a loss of the countryside and open spaces surrounding Douglas.

In discussion it was noted that, as this is an application in principle, further detailed applications would need to be submitted and approved before the site could be developed. There was discussion as to whether or not the Council should consider a planning application for a site outside the Borough.

The report detailed the policies set out in the Strategic Plan 2016 considered material to the assessment of this planning application.

Resolved, "That planning application 18/00497/A and discussion be noted on the minutes and approval be given for these comments to be forwarded to the Planning Committee:

- (i) The principle for the demolition of two existing residential dwellings in the countryside, and the erection of five new dwellings may be considered under the requirements of the Strategic Plan as being unacceptable;
- (ii) The proposal is for the erection of new dwellings in the countryside and so conflicts with Strategic Policy 2, Spatial Policy 5, General Policy 3, Environment Policy 1 and Housing Policy 4."

**A9. Urgent Business Procedure – Hooded Ram Licence Extension on Senior Race Day**

A report was set before Committee setting out the request from the Hooded Ram Brewery to vary Clause 6 of the Licence Agreement for the use of the Bottleneck Car Park during TT 2018 to allow the playing of music and the sale or consumption of alcoholic beverages until 02.00am on Saturday, 9<sup>th</sup> June, 2018.

Resolved, "That it be noted that the request from the Hooded Ram Brewery for a variation of Clause 6 of the Licence Agreement for the use of the Bottleneck Car Park during TT 2018 so as to allow the playing of music and the sale or consumption of alcoholic beverages until 02.00am on Saturday, 9<sup>th</sup> June, 2018 was approved by the Leader of the Council and the Chair of the Environmental Services Committee utilising the Urgent Business Procedure on the 22<sup>nd</sup> May, 2018."

**A10. 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.

In response to query, the Community and Enforcement Manager advised that a Notice has been served on the owner of the Villiers site requiring the timber hoardings around the site to be cleaned, repaired, (or replaced if repair is not possible), then painted. The Notice requires the work to be carried out within twenty-one days. The existing agreement in place for cleansing does allow for additional cleansing operations to be carried out if needed and approved and then charged as extra as agreed.

In response to query, it was confirmed that the works required by the Notice are confined to the hoardings as that will improve the visual aspect of the site when seen from the street, and thereby remove the detriment to the neighbourhood. The Notice does not require the site itself to be cleared. After the twenty-one days the matter will be assessed to determine whether or not the required works

have been completed satisfactorily, and whether any additional work may be required. There was some speculative discussion of what might be seen from the upper floors of nearby buildings overlooking the site.

Updates were provided on several other properties and Members raised queries on several specific issues. There was some discussion of the format of the Schedule and suggestions were made to simplify it to better identify priority issues.

The Assistant Chief Officer (Regeneration) advised that even though recruitment is on-going, the section is currently understaffed and consequently there is a limit on the work that can be carried out by the section.

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

#### **A11. Items for Future Consideration**

The Committee considered the schedule of items for future consideration. Members noted the reports list for future months. In discussion earlier in the meeting Members asked that a report be brought back setting out a policy and process for the use of Council lampposts for the display of highway signage.

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

#### ***PART B/C –***

#### ***Matters requiring both Executive Committee and Council approval***

#### **B/C12. Douglas Town Centre Regeneration Area Phase 4 – Lighting Provisions**

The Committee considered a report seeking approval for the proposed lighting scheme to complete lighting works in the Douglas Town Centre Regeneration area from Dukes Street (upper) to the Market Hill / North Quay junction, Chapel Row.

The Department of Infrastructure is funding all civil works installation costs through partnership agreements. In Duke Street, Modullum lighting columns will be installed, whilst in Market Hill and Chapel Row, Perla lighting columns will be installed. The report detailed the features included in each type and noted that the entire system will be flexible and future-proofed. The Electrical Services Manager was in attendance during consideration of the item and responded to specific queries raised by Members.

Resolved, "That particulars of the report be noted on the minutes and approval be given to the recommendations as drafted and;

- (i) The report be referred to the Executive Committee seeking approval for
  - (a) The current year's estimates to be amended to include estimated expenditure of £300,000 in 2018/19 and to reduce the existing estimate of £400,000 for 2019/20 down to £100,000. The scheme will therefore remain within the existing overall budget of £400,000; and
  - (b) The estimated £18,940 increased loan charges for the current year (2018/19) to be funded from the general revenue reserve;
- (ii) Council approval is sought to authorise the Chief Executive to submit a petition to the Department of Infrastructure under the provisions of Section 51 of the Local Government Act 1985 to seek approval for borrowing in the amount of £398,325, being the sum required to defray the costs of providing lighting, CCTV and ancillary services in the current Douglas Town Centre Regeneration Area Phase 4: Duke Street (upper) and Market Hill."

The meeting ended at 1.30pm.