



Borough of Douglas

**MR COUNCILLOR JONATHAN JOUGHIN, JP
MAYOR**

Town Hall,
Douglas,
4th January, 2019

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 9th day of JANUARY, 2019, 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

For 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, 12th December 2018.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Wednesday, 19th December, 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 and Regeneration (Mrs D. Eynon), Director of Housing and 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 Friday 30th November 2018 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

There were no referrals from the minutes of the Environmental Services Committee meeting held on Monday 17th December 2018.

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

A6. Referrals from the Regeneration and Community Committee

There were no referrals from the public minutes of the Regeneration & Community Committee meeting held on Tuesday 18th December 2018.

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

A7. Flag Day Street Collections 2019

The Committee considered a written report by the Town Centre Manager seeking approval of the proposed schedule of flag day street collections for 2019.

Each year the Committee considered a schedule of flag day street collections that had been notified to the Council in advance. A press release had been issued in August 2018, inviting charities to apply for a date in 2019, with fourteen responses received. In addition to those fourteen, the Royal British Legion had applied, as usual, for authority to hold its poppy appeal in Douglas from 26th October to 9th November 2019.

In accordance with Committee instructions - that collections should preferably not be held on consecutive days - all of the dates proposed for 2019 had been accommodated as such, without the need to offer alternative dates.

Members noted that the Mayor's Charity Appeal had not as yet been allocated a date, and it was agreed that a date should be set for inclusion on the schedule each year when it was drawn up. It was subsequently proposed that the Friday between Practice Week and T.T. Week should be allocated for the Mayor's Charity Appeal street collection in future years.

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

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

- (ii) That the schedule of flag day street collections for 2019 (as appended to the written report) be approved;
- (iii) That the Mayor’s Charity Appeal be allocated the Friday between Practice Week and T.T. Week on an annual basis; and
- (iv) That in accordance with resolution (iii) above, the Mayor’s Charity Appeal street collection for 2019 be agreed as Friday 31st May.”

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.

Members also noted the agreed pay award for 2019 / 2020. In respect of the back-pay element to April 2018, it was hoped this would be implemented through the Council’s payroll for all employees during the month of January 2019.

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

A9. Enforcement Policy – Overgrown Hedges, Shrubs, and Trees

The Committee considered a written report by the Community and Enforcement Manager seeking approval to establish a new and firm policy for dealing with vegetation that overhung highways (footpaths and roads).

Members noted that the proposed policy (as appended to the written report) had been developed in conjunction with the Department of Environment, Food and Agriculture (DEFA), and was intended to create a standard working policy in relation to all vegetation cut-back requests. As no specific guidance in respect of height or width clearances required over footpaths had been provided by DEFA, it was proposed that a review be undertaken in six months’ time to establish if defined dimensions should be applied to the guidance notes.

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

- (ii) That the new policy to deal with overhanging vegetation be approved, and that it be implemented with immediate effect.”

A10. Isle of Man Municipal Association

It was noted that no documents had been received from the Isle of Man Municipal Association since the last meeting of the Committee.

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

A11. 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.”

A12. Time and Date of Next Meeting

Members were reminded that the next scheduled meeting of the Committee was due to take place at 10:00am on Thursday 17th January 2019.

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

PART C –

Matters subject to Council approval

No public matters subject to Council approval were considered.

The Committee rose at 4.30pm.

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

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE – Minutes of Meeting held on Monday, 19th November, 2018.

Members Present: For Douglas Borough Council – Mr Councillor R. H. McNicholl (Member) (Chair), Mrs D. Eynon (Director of Environment and Regeneration). For Onchan District Commissioners – Mr D. Crellin (Member), Mrs L. Radcliffe (Clerk/Chief Executive). For Garff Commissioners – Mr N. Dobson (Member), Mr T. Kenyon (Member).

Apologies – Braddan Parish Commissioners. Mr J. Quayle (Department of Infrastructure Representative).

In Attendance: Secretary – Mr P.E. Cowin. Contractor's Representative – Mr S.A. Crook (Item A3 only).

REPORT

PART A –

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

A1. Minutes – 18th June, 2018

The minutes of meeting held on Monday, 18th June, 2018 were approved.

A2. Matters Arising from the Minutes

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

A3. Operational Issues

Mr Crook, representing the Contractor operating the Site, joined the meeting at 2.45pm. Copies were previously 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: Waste Oil Container: An order had been placed with Gallas Foundry to install a bund, cover and access platform. This supplier had submitted the lowest quotation of the three received.

Section 1.2: Sofa Beds Disassembly: This service was now in operation and between July and September, 2018, a total of 66 units had been taken apart.

Section 1.3: Paint Storage Cabinets: The second cabinet and appropriate signage were now in place.

Section 1.4: Redundant gas cylinders: Manx Gas had advised which cylinders they could take and Mr Crook was awaiting advice from Mr Quayle on the disposal of the remainder.

Section 1.5: Oversize Items charge from EfW plant: Mr Crook advised that there had been two occasions when loads emanating from the ECA Site had been rejected and which attracted a penalty charge. One had been because the load included a railway sleeper and the other a sofa bed. A meeting with the EFW Plant operator had been scheduled to review the processes involved, and in the meantime staff at the ECA Site would check on any vehicle capable of carrying oversize items with a view to intercepting them before deposit into the skips. Mr Crook also explained that the list of items treated as non-conforming waste was vague in some areas.

Section 1.6: Gantry Cleaning: A cyclical programme of cleaning the gantries had commenced but there was some concern over the danger of slipping, particularly in wet weather. However the gantries were of metal mesh construction so the risk was minimised.

Section 1.7: Logging of Vehicles: Mr Crook advised that vehicle registration details of repeat visitors or those suspected of commercial activity were no longer being recorded in book form. Data Protection requirements were being researched to establish whether they could be held electronically.

Section 2.1: Table of data on incidents at the Site between July and September, 2018:

Type of incident	No
Serious abuse of staff	3
Barrier hit	10
Commercial waste	3
Other Health and Safety incidents	2
Miscellaneous other	2

Section 2.2: Threatening behaviour: One member of the public had been banned from using the Site for twelve months following threats of violence to a staff member. Two further incidents of abusive behaviour had resulted in six-month bans.

Section 2.3: Depositing items to which charges apply without paying: Two six-month bans had been applied.

Section 2.4: Re-use Shed Parking: Layout had been varied as a result of a near-miss incident.

Section 2.5: Breaches of Site Rules: Procedures for action to be taken in the event of breach of the Site Rules had been agreed with the Secretary. 2-way radios had been provided to aid on-site communication and there was potential for bodycams, subject to Data Protection Rules, to record incidents.

Section 2.6: Golf Clubs in Re-use Shed: a trial had taken place of a scheme for golf clubs remaining in the re-use area to be donated to the neighbouring Douglas Golf Club for the benefit of junior golfers. However it had been found that equipment in reasonable condition was being removed by the public fairly quickly.

Section 3.1: Statistics: Operational statistics for the first two quarters of 2018/19 and quarterly details from the previous three years, were circulated. They detailed the tonnage of residual waste being sent to the EfW Plant, and how much had been recycled in the form of cardboard, clothing, green waste, construction waste, ferrous and non-ferrous metals.

Section 3.2: In each of the months May to August, 2018, over 900 vehicles had been checked to ensure they were not carrying commercial or prohibited waste.

Section 4.1: Hardcore skips. Mr Crook advised that the two 6m³ skips used for hardcore are becoming unfit for purpose through age and heavy use.

Section 4.2: Mr Crook advised that costs were being prepared for updating the CCTV equipment on site. A separate report would be brought forward in due course.

Section 4.3: Charging at EfW Plant: Mr Crook had arranged a meeting with the plant operator in connection with the access control and charging systems which required both a card and a code number; there was a possibility of loads being charged to the wrong source, should a contractor possess the code number.

As an additional issue, Mr Crook raised a suggestion by the Manager in charge of the Site that the permitted period for larger vehicles to access the Site on Sunday afternoons could be extended.

It was agreed:

That the report be noted and approved, and that

- (1) Prices be sought for replacement 6m³ skips;
- (2) As the skips were part of the original infrastructure of the Site provided by DoI, the Department be asked to fund the replacement;
- (3) That the permitted hours on Sunday afternoons for larger vehicles to access the Site remain as at present, 2.00 p.m. until 4.00 p.m., with last entry at 3.45 p.m.

A4. Recycling Facilities

The Chair expressed concern over the number of recycling containers on the Site. He felt there were too many, taking up too much space. He also made the observation that the agreement to allow recycling containers on the Site was contrary to the contract specification that permitted the Contractor to retain income from recycled materials.

It was agreed: that the Secretary write to the Department of Infrastructure expressing the concerns and to open dialogue on the number of containers on Site.

A5. Enforcement of Site Rules

Secretary had circulated a report setting out procedures for dealing with breaches of the Site Rules, and for banning users breaching them. The procedures had been drawn up through discussion between himself, Mrs Eynon, and the Manager in charge of the Site.

The procedures had not been fully implemented yet as Data Protection requirements, in order to retain personal details, were being examined.

It was agreed: that the procedures as drafted be approved and, subject to the appeal process being made clearer, be approved.

Mr Crook left the meeting at 4.30pm.

A6. Data Protection/ANPR

Correspondence from Mr A. Croll had been circulated, objecting to the use of ANPR equipment at the Site as contrary to Data Protection Regulations.

Members were reminded that there were no current proposals in respect of ANPR.

It was agreed: that Mr Croll be advised that there are no current intentions to use ANPR and that if proposals come forward in future relating to the matter, all the relevant Data Protection Regulations will be taken into account.

A7. Meeting Dates

It was reaffirmed: that the Joint Committee meet at 2.30pm on Monday, 18th February, 2019.

PART B –

Matters requiring approval from the respective Authorities

B8. Operational Contract from 1st April, 2019

Copies had been circulated of a submission by the Contractor operating the site accepting the offer of an extension until 2021 of the Operational Contract.

The proposals were essentially to increase the contract sum to cover the costs of additional staffing at peak times, to move any replacement costs for existing plant from the Contractor to the Joint Committee, and to include in the contract sum a contingency figure to cover any penalty charges imposed by the EfW Plant because of non-conforming waste.

There was discussion of the proposal and the potential increase in costs.

It was agreed: that the proposal be accepted, recognising that in the event of failure of plant and equipment within the Site infrastructure, additional unbudgeted costs will fall to the Joint Committee, split between the constituent authorities in the usual ratio.

It was further agreed: that the Secretary write to Braddan and Santon Parish Commissioners, who were not present, seeking those authorities' concurrence. Mr Crellin undertook to report to Onchan District Commissioners at an imminent meeting, and to advise the Secretary of the outcome.

B9. Budget 2019/20

Secretary had circulated a draft budget for 2019/20, showing contractual costs in line with A6 above, with the costs of the Contract, administration and waste disposal separated.

Also shown was the amount due to be paid by each authority for those elements, and the total figures which were;

Douglas (62.91%)	£387,340
Onchan (17.85%)	£109,910
Braddan (12.33%)	£75,910
Garff (Laxey)(2.78%)	£17,120
Garff (Lonan)(2.59%)	£15,950
Santon (1.54%)	£9,480

It was agreed: that the budget for 2019/20 be approved and that the final sums be circulated to the respective Authorities for approval and provision in their budgets.

The meeting ended at 5.10pm.

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

HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 19th December, 2018.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, Councillor Mrs C.E. Malarkey, Mr Councillor C.L.H. Cain, 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), Housing Manager (Mr V. Zivave), Assistant Chief Officer (Income) (Mrs C. Pulman), Assistant Chief Officer (Finance) (Item B10), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters decided by the Committee

A1. Apologies for Absence

There were no apologies for absence.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 21st November, 2018

The minutes of the meeting held on Wednesday, 21st November, 2018, were approved and signed.

A4. Matters Arising

Housing Committee – Independent Member

The Chair reported that the vacancy had been advertised in two local newspapers and that no applications had been received by the closing date.

Members agreed that the vacancy be re-advertised in the new year and requested that officers make all Members aware when the advert is published.

A5. Vacant Properties Update

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

Members noted that as at the end of November 2018 there were four void properties.

It was noted that there continued to be a high level of properties vacated (that is, returned to the Council) for a number of reasons, across the Council's housing stock; as the budget allocated for void properties was almost depleted this in turn would mean that transfers would need to be kept to the minimum, for cases in urgent need, until the end of the current financial year.

Resolved, "That the number of void properties be noted on the minutes."

A6. Housing Request Refusals

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) advising on one housing refusal in the previous month.

Appended to the report was the housing refusal case, together with a copy of the criteria for the allocation of properties.

Members were presented with photographs showing the condition of the offered property; no personal details were supplied to the Committee which would specifically identify the individual. Members discussed the case and unanimously agreed to remove ten points from the applicant.

Resolved, "That particulars of the report and discussion be noted on the minutes and approval be given to the one proposed housing request refusal as appended to the report, which complies with current Council policy and current Department of Infrastructure regulations and guidance."

A7. Items for Future Consideration

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

It was agreed that the former tenant write off report be added to the list of future reports for consideration on an annual basis.

Following a request from the Chair, the Assistant Democratic Services Officer agreed to add an item onto the bottom of each Housing Committee agenda detailing the date and time of the next meeting.

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

PART B –

Matters requiring Executive Committee approval

There were no matters requiring Council approval.

PART C –

Matters requiring Council approval

C8. Willaston Front Garden Boundary Improvement Works

The Committee considered a written report submitted by the Assistant Property Manager (Capital) to advise on the tenders received for the Willaston front gardens boundary improvement works project.

The project was put to tender in November 2018, and six suitable contractors from the select list were invited to tender. The report advised that three tenders were received by the closing date.

The report advised that Paul Carey & Sons Limited had submitted the lowest tender which is well within the pre tender estimate.

Detailed within the report was a list of inclusions of minor works to be carried out across the Willaston estate over a two year period. Members noted that the package of minor works does not include any replacement fencing to the front gardens, this will be carried out, where appropriate, as part of the main scheme to replace paths and fences.

Work is anticipated to commence on site early next year and the programme has been specifically programmed to firstly take place on properties which have been externally refurbished.

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

- (i) The tender received from Paul Carey & Sons Limited, being the lowest tender received be accepted;
- (ii) Approval be given to the Capital Design Stage I3 petition report as attached at appendix one, and the Committee authorise and the Chief Executive to petition the Department of Infrastructure for borrowing powers in the amount of £226,630.58 being the amount required to defray the cost of the 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 are available to fund the proposed scheme via that source."

The meeting end at 12.12pm.

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, 18th December, 2018.

Members Present: Councillor Miss D.A.M. Pitts (Vice-Chair), the Mayor (until 12.00 noon), Councillor Mrs H. Callow, Councillor Mrs R. Chatel, Councillor Ms K. Angela.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Assistant Town Clerk (Mr P.E. Cowin), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Head of Parks (Mr D. Hewes), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Apologies for absence were submitted by the Chair, Mr Councillor S.R. Pitts.

A2. Chair of Meeting

The Committee considered the election of Chair to act in the absence of Mr Councillor S.R. Pitts.

Resolved unanimously, “That the Vice-Chair, Councillor Miss D.A.M. Pitts be elected to Chair the meeting.”

A3. Declarations of Interest

There were no declarations of interest.

A4. Minutes – 20th November, 2018

The Minutes of the meeting held on Tuesday, 20th November, 2018, were approved and signed.

A5. Matters Arising

Douglas Carnival

In response to question, the Assistant Chief Officer (Regeneration) advised that communication was anticipated to be received later today from the Department of Infrastructure in regard to regeneration works on Douglas Promenade. This information would directly impact the proposal for the 2019 Douglas Carnival and a report would accordingly be prepared and presented to the Committee.

A6. Financial Contribution to Douglas Town Band

The Committee considered a written report submitted by the Assistant Town Clerk to update on the Douglas Town Band’s attendance at Council events.

Members noted that the Council had been connected to Douglas Town Band for many years, and it depended heavily on the Band to provide suitable music at a number of Civic events, including Civic Sunday, Remembrance Sunday and the Christmas Lights Ceremony. In addition, some new events in the Council’s calendar, notably, the Fun Day and Douglas Carnival.

The report advised that the Council does not incur a charge for the band’s services at its events; instead the Band relies on the Council to give a contribution toward their expenses. The arrangement to pay a financial contribution was not made subject to any specific conditions but relied on the existing understanding that the Band would attend appropriate Council events.

The level of the contribution was fixed in 2009 with provision for annual increases in line with inflation. It was further reviewed in 2013 as the inflationary increases had not been applied. The latest payment, in July 2018, was £2,989.

The report recommended that Douglas Town Band continue to receive financial support at the current level, subject to participation in specified annual events.

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

- (i) The Douglas Town Band’s contribution to Council events be noted with appreciation; and

(ii) The Council invites the Band to agree to participating in the following annual events;

1. Civic Sunday;
2. The Council Fun Day;
3. Douglas Carnival;
4. Remembrance Sunday;
5. The Christmas Lights Ceremony; and
6. Mayor's event at Christmas."

A7. Christmas Lights Ceremony

The Committee considered a written report submitted by the Assistant Town Clerk to advise on the 2018 Christmas Lights Ceremony and to provide recommendations for the 2019 event.

Members recalled that the stage was relocated to John Street, based on the recommendation of the Event Safety Advisory Group. As in previous years, management and crowd control measures were put in place to ensure that numbers within the event area did not exceed 3,741, as permitted by the Music and Dancing Licence. The report advised that before this number was reached, parts of the event area had become heavily congested; this resulted in the Event Director closing all entry points, causing people to mass outside of the barriers.

The Assistant Town Clerk advised that following the event, an internal debrief had taken place, as had a meeting with the Event Safety Advisory Group, which indicated firm opposition to the event being repeated in Ridgeway Street in 2019, based on the level of congestion both inside and outside of the event area.

There was some discussion of potential alternative locations. The Vice-Chair opined that proposals for the 2019 event were difficult to determine without the matter receiving full Council debate in the first instance.

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

- (i) That subject to any decision by the Executive Committee at its budget making meeting, as to whether a Christmas Lights Ceremony be promoted in 2019, it take place on Thursday, 21st November, 2019; and
- (ii) Officers investigate potential alternative locations for the event and report back on suitability and any additional costs."

A8. Douglas Borough Council Events

The Committee considered a report submitted by the Democratic Services Officer to determine provisional dates for public events in 2019.

The report advised that the Council traditionally organises a number of events during the year for the benefit of residents. Whilst it is not certain the budgetary provision will be made for all the events, it is necessary to fix provisional dates to enable preliminary planning.

Noble's Park Fun Day is always held on a weekend during the school summer holidays and the Park is available for use on Saturday 3rd August, with Sunday 4th August available in case of postponement or poor weather.

The Fireworks display, according to Council policy, should be the Friday evening closest to 5th November, which will be Friday, 1st November.

Remembrance Sunday is fixed as the Sunday nearest to Armistice Day and the usual arrangement will be put in place for Sunday, 10th November. On the 11th November, the Joint Ex-Services Association normally organises its own event at the War Memorial (although the Council facilitates and pays for road closures).

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

- (i) That in 2019, subject to inclusion of funding in the 2019/20 Council budget;
 1. The Fun Day take place in Noble's Park on Saturday, 3rd August;
 2. The Fireworks Display take place on Friday, 1st November;
 3. The Christmas Lights Ceremony take place on Thursday, 21st November (subject to approval of a separate report on the continuation of the event);
 4. These events to be in addition to the Douglas Carnival previously approved for Sunday, 14th July and the Remembrance Sunday Service on 10th November;
- (ii) Officers actively seek sponsorship and a media partner for appropriate events;

- (iii) The Fireworks supplier contract be tendered in line with Standing Orders;
- (iv) A sound and stage contract for events where appropriate be sought; and
- (v) Officers report back on the finer details of all events in due course.”

A9. Proposed Cycleway Link – Noble’s Park

The Committee considered a written report submitted by the Assistant Chief Officer (Regeneration) to advise on proposals received by the Department of Infrastructure (the Department) to create a cycle route from Douglas town centre to the northern part of the Borough and Onchan.

The report advised that, as part of the Government’s Active Travel Strategy, the Department is exploring the potential to create a cycleway linking Douglas town centre with upper Douglas, Willaston, Governor’s Hill and Onchan. The majority of the route will be on quiet roads and appropriately treated footpaths but wherever possible it is anticipated to use traffic free areas.

The Department is seeking approval in principle to route part of the cycleway through Noble’s Park. Subject to Council agreement, they will proceed with detailed designs and a draft legal agreement. Members noted that these works are to be carried out by the Department, at no cost to the Council.

The proposed route from Willaston utilises the existing pedestrian crossing on Glencrutchery Road. This links into an existing gate onto the pit return lane and into the park. From here, the route would follow the existing perimeter path to the pedestrian gate onto St Ninian’s Road. In order to make this route suitable for cycling, the tarmac path would need widening and a suitable alternative gate installed onto St Ninian’s Road. A map of the route was appended to the report.

Resolved, “That particulars of the report and discussion be noted on the minutes and that subject to a future report on the detailed proposals, approval be given in principle;

- (i) To the northern cycleway passing through Noble’s Park from the pit return lane to St Ninian’s Road; and
- (ii) For works to be undertaken to widen the existing path and install a suitable cycle-friendly entrance/exit onto St Ninian’s Road.”

A10. Noble’s Park Skatepark Tenders

The Committee considered a report submitted by the Head of Parks to advise on the tenders received for the creation of Noble’s Park Skatepark.

The project was put to tender in November 2018, and six suitably qualified companies were invited to tender. The Head of Parks advised that only one tender submission had been received by the closing date.

The report advised that an evaluation of the tender from Concreate Skateparks Ltd was undertaken; which had been assisted by the Isle of Man Skateboard group. Members noted that the group were very complimentary of the scheme and design proposals.

Appended to the officer’s report was Concreate Skateparks Ltd. proposal illustrations.

Members were advised that the total tender amount included a contingency amount and represents best value for money.

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

- (i) The tender received from Concreate Skateparks Ltd., for the creation of the Skatepark at Noble’s Park be accepted, with the scheme consisting of;
 - 1. Concrete bowl and street plaza features
 - 2. Lighting; and
- (ii) Approval be given to submit a planning application for the proposed design.”

A11. Items for Future Report

The Committee considered a report submitted by the Democratic Services Officer regarding reports for future consideration by the Committee.

The Director of Environment and Regeneration made reference to a Member suggestion raised at December’s Council meeting, for an ideas competition in regard to Noble’s Park. She advised that the Head of Parks had previously undertaken a number of surveys engaging with the community in respect of what the public wished to see in the Park. It was agreed that a briefing note be sent to all Members to update on the matter.

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

PART B –

Matters requiring Executive Committee approval

There were no public items requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no items requiring Council approval.

The meeting ended at 12.45pm.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 17th December, 2018.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon) (Items A1 to A5), Director of Finance (Mr A. Boyd), Assistant Town Clerk (Mr P. Cowin), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Environment) (Mr A. Donnelly), Accountancy Manager (Mr M. Quayle), Senior Engineering and Waste Services Manager (Mr A. Crook) (Item A4), Democratic Services Officer (Mrs D. Atkinson).

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 – 19th November 2018

The minutes of the meeting held on Monday, 19th November, 2018 were approved and signed.

A4. Douglas Beach Management Contract

Members reconsidered a report which had been submitted by the Senior Engineering and Waste Services Manager to the November Committee Meeting in relation to the current beach cleaning contract. The report recommended reinstating re-profiling of the beach monthly from April to September and every two to three months from October to March if required. It was noted that the minute had been withdrawn at the December Council Meeting for further consideration by the Committee.

Members discussed the comments raised at the Council Meeting in relation to the re-profiling of the beach and summarised that the main areas of concern were the infrequency of beach re-profiling during the winter months and the preference for a marker to be placed on the sea wall to determine the sand levels.

The Director of Environment and Regeneration, in response to question, explained that prior to the current contract in April 2017, the beach was historically re-profiled daily. However, a report commissioned in 2016 identified the importance of minimising mechanical activities on the beach which were potentially damaging to the ecological systems that existed. The Committee subsequently resolved as part of the new contract not to carry out re-profiling works and any works required to export large quantities of material would be, on an as needs basis by separate arrangement. Following extensive re-profiling required in recent months due to turbulent weather, officers recommended reintroducing profiling intermittently as a suitable balance between the beach aesthetics and the beach ecology.

Members discussed at length the possible options for re-profiling the beach and agreed to defer a decision to the January 2019 Committee Meeting in order for officers to produce a further report to include options for more frequent winter re-profiling, a sand level marker, to investigate a suggestion put forward by a Member to transport sand elsewhere on the beach to reduce machine operation and the estimated costs and budgetary impact of re-introducing the works. It was noted that officers did not recommend reducing the summer re-profiling schedule.

Resolved, “That particulars of the report and discussion be noted on the minutes and the item be deferred to the January 2019 Committee Meeting pending an additional report as detailed in the body of the minute.”

The Senior Engineering and Waste Manager was thanked for his attendance and left the meeting.

A5. Extension of Wayleave for discharge of Whey into Douglas Bay

The Committee considered a report submitted by the Director of Environment and Regeneration to seek agreement to a request from Isle of Man Creamery to extend the existing wayleave to a five-year rolling wayleave at the expiration of the current arrangement in October 2021.

Members were reminded that in January 2018, Isle of Man Creamery had requested to extend their wayleave granted for the pipeline used to discharge whey and wash waters into Douglas Bay. The Committee had declined the request on the basis that prolonged discharge of whey from the Creamery's operations had an environmental impact and contributed towards the poor bathing water quality within the bay. The Council supported the Committee's decision and had a lengthy debate on the request. At the time of consideration, the view of Committee and Council more widely was that Isle of Man Creamery had several years to find an alternative solution to pumping whey and wash waters into the bay.

In July 2018, Isle of Man Creamery invited the Leader of the Council and the Chair of the Environmental Services Committee to attend a joint presentation by the Creamery, DEFA and MUA on the results of their studies into bathing water quality monitoring on the Island. The conclusion of the presentation was that whey and waste water discharge was not harming marine ecology or contributing to the poor water bathing quality and the visual impact of the whey plume could easily be addressed through repair of an inoperable diffuser. It was noted that any repairs are the responsibility of the MUA who own the pipe which Isle of Man Creamery lease. The findings of the presentation did however confirm that the bathing water quality issue was being adversely affected by MUA operations through IRIS discharge at Loch Promenade and historical cross connections which were leading to sewerage discharge. The report advised that MUA outlined what mitigation measures it intended to take to remedy these adverse impacts.

Isle of Man Creamery have subsequently written to the Council and asked the Council to reconsider its previous decision to not allow an extension to the wayleave beyond October 2021, and instead to grant a rolling five-year wayleave, which would allow Isle of Man Creamery to install new technology or find an alternative site for discharge, should notice be served. The Isle of Man Creamery, during the presentation, has committed to work with the MUA to seek an extension to the pipeline, improve the underwater diffusion and regularly monitor water quality in the bay.

In light of the new information, the report recommended that Committee accedes to the Isle of Man Creamery's latest request to extend the wayleave for a rolling five-year agreement.

Members concurred that it would be beneficial for the full Council to receive the joint presentation by Isle of Man Creamery, DEFA and MUA on the results of their studies into bathing water quality monitoring on the Island. Members expressed concerns that granting a rolling five-year wayleave may discourage the MUA to improve the pipeline, and dissuade Isle of Man Creamery to research new technology or find an alternative site for discharge. Members also discussed the possible introduction of a licence fee for use of the pipe. Prior to the presentation, the Committee requested a copy of the presentation slides and the full interim scoping report 'what is needed to comply with the EU 2006 water directive.' It was noted that the presentation slides had been requested prior to the Committee Meeting but had not been released by the Department for inclusion in the report.

Resolved, "That particulars of the report and discussion be noted on the minutes and the item be deferred subject to;

- (i) The Council request a presentation by Isle of Man Creamery, DEFA and MUA on the results of their studies into bathing water quality monitoring on the Island;
- (ii) A copy of the presentation slides and full interim scoping report titled 'what is needed to comply with the EU 2006 water directive' be released to the Council in advance of the presentation."
- (iii) The Director of Environment and Regeneration gave her apologies and left the meeting during the discussion.

A6. Schedule of Neglected, Dilapidated, Ruinous and Dangerous Properties

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

Members requested additional information on three properties which the Assistant Chief Officer (Regeneration) agreed to circulate by e-mail.

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

A7. Items for Future Consideration

The Committee considered a report submitted by the Assistant Democratic Services Officer regarding reports for future consideration by the 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 public matters requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 1.10pm.