



Borough of Douglas

**MR COUNCILLOR JONATHAN JOUGHIN, JP
MAYOR**

Town Hall,
Douglas,
8th March, 2019

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 13th day of MARCH, 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

A handwritten signature in black ink, appearing to read 'Katherine'.

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, 13th February, 2019.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 1st March, 2019.

Members Present: Mr Councillor D.W. Christian (Chair), the Mayor, Mr Councillor I.J.G. Clague, Councillor Mrs C.L. Wells.

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr A.J.T. Boyd), Director of Housing and Property (Mrs S. Harrison), Director of Environment and Regeneration (Mrs D. Eynon), Assistant Town Clerk (Mr P.E. Cowin) (for Clauses A1 to A8, and C14), Executive Officer (Mrs J.M. Keig) (taking minutes).

REPORT

PART A –

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

A1. Apologies for Absence

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

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes

The minutes of the meeting held on Friday 25th January 2019 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 18th February 2019.

A6. Referrals from the Regeneration and Community Committee

The Committee considered the following referrals from the minutes of the Regeneration and Community Committee meeting held on Tuesday 19th February 2019:

Clause B1 - Douglas Carnival 2019 (proposed relocation to Noble's Park): Having resolved at its meeting in January 2019 that the Carnival and Fun Day should be combined into one event in view of the disruption that would likely be caused by the Promenade Highway Improvement works, the Committee had considered an update on the proposals to relocate the Carnival to Noble's Park to coincide with the Noble's Park Fun Day, and funding for the combined event was accordingly sought from the Executive Committee.

It was noted that officers had recently met twice with the Event Safety Advisory Group to discuss the Council's proposed events for 2019 and, on both occasions, no objection had been raised to the proposal to relocate the Carnival to Noble's Park to coincide with the Fun Day.

The Executive Committee noted the proposed route for the Carnival procession in the vicinity of Noble's Park, but agreed that there were potential issues with having large floats in the residential area and, on that basis, agreed (as had been suggested at the Council Meeting in January 2019), that the Carnival be suspended and re-launched to coincide with the completed regeneration works on Douglas Promenade.

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

(ii) That, with regret, the request from the Regeneration and Community Committee seeking a budget for a combined Douglas Carnival and Noble's Park Fun Day be not approved; and

- (iii) That efforts be made to enhance the Noble's Park Fun Day by encouraging those groups – that would normally have taken part in the Carnival – to become involved in the Fun Day event instead.”

Clause B2 - Adoption of Land at Governor's Hill: the Committee had considered a request from Dandara to progress the formal adoption of land pockets and areas of open space around Governor's Hill. It had been noted that the areas in question had already been maintained by the Council for in excess of ten years without formal handover, and that no maintenance resourcing issues had been identified arising from the proposed formal adoption of the land. It had also been specifically noted that the Council was not formally adopting the lakes at Governor's Hill.

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

- (ii) That the resolution of the Regeneration and Community Committee be endorsed, and that the land pockets and public open space around Governor's Hill be formally adopted by the Council.”

A7. Douglas Promenade Design Framework

The Committee considered a written report by the Assistant Chief Officer (Regeneration) setting out an update on the outcome of discussions with the Isle of Man Government in respect of the regeneration of the Promenade Walkway; and, as a consequence, requesting authority to invite proposals from architects or landscape architects to develop a design framework for improvements to the Council's assets on the Promenade.

Members recalled that, in May 2018, the Committee had agreed a report by the Director of Environment and Regeneration on a vision for the Promenade Walkway. It had also been resolved that contact be made with the Honourable Minister for the Department of Infrastructure to establish what impact the work on the sea defences would have on the Promenade Walkway, and that, once a response had been received, that the Council's vision for the Promenade Walkway then be shared with other agencies via the Douglas Regeneration Committee.

The planning application in respect of the sea defences along Loch Promenade Walkway and around the War Memorial had already been considered by the Council, and it was noted that plans for the remainder of the Promenades were unlikely to be progressed for at least five to ten years. Additionally, following contact with the Department for Enterprise, it had become evident that there was no political appetite at this juncture to consider a large scale project for the whole of the Promenade Walkway.

The Council's vision had therefore not yet been shared with the Douglas Regeneration Committee, and Officers had subsequently met to consider the next steps. Their recommendation was that the Council should start to develop proposals for its own assets on the Promenades, by commissioning a design framework for the Marine Gardens and shelters, the Queen's Promenade Gardens, and the various items of street furniture (such as seats and litter bins). It was hoped, by sharing the brief for this design work and the resulting proposals through the Douglas Regeneration Committee, that Government may recognise the need to extend improvements to the Promenade Walkway, which was likely to become more prominent once the highway regeneration scheme progressed.

Members considered the proposed design brief for consultants, noting that it was proposed to procure the consultants through a value assessment tender, a process which involved inviting tenders in the normal way but, in addition to the fee proposed, tenderers would be assessed on the basis of other weighted factors - in this instance, experience and creativity.

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

- (ii) That the consultant's brief for the production of a Promenade Design Framework for the improvement of the Council's assets on the Promenade, as appended to the written report, be approved, subject to the following conditions also being included:-
- The proposals must be complementary to the new lighting scheme;
 - The proposals must be realistic in terms of price;
 - There should be reference to the beach as a longer-term vision (although there did not necessarily need to be any plans at the present time);
- (iii) That approval be given for officers to share the draft brief (as amended) with the Douglas Regeneration Committee and, subsequently, to consider any feedback from that Committee;
- (iv) That approval be given for a budget of up to £35,000, to be funded from residual funds held in the Council's reserves arising from the liquidation of the Douglas Development Partnership; and
- (v) That approval be given for the use of a quality assessment tendering process, in order to select the most suitable consultant for the work by way of tender assessment weightings (as appended to the written report).”

A8. Scheme of Delegation related to Planning Applications

The Committee considered a joint written report by the Assistant Town Clerk and the Assistant Chief Officer (Regeneration) proposing amendments to the Council's Scheme of Delegation for Planning Applications; and seeking approval to a series of other matters aimed at improving the process for the Council to respond to planning applications.

Members were reminded that the Council had an important role as a consultee in considering planning applications that may affect the Borough of Douglas. Consideration of planning applications was generally delegated to the Director of Environment and Regeneration but, under the Scheme of Delegation, certain applications were automatically referred to the Environmental Services Committee or to the Executive Committee for consideration.

Officers had been considering the current Scheme of Delegation, which had been in place for approximately ten years, to ensure it provided a suitable basis for a democratic decision to be taken on whether to support or object to planning applications that were likely to affect the Borough. Whilst the Council was not a planning authority and therefore had no direct role in the approval or rejection of planning applications, it was a statutory consultee and any views expressed by the Council would be taken into account by the planning authority and / or the Planning Committee. It was noted that the Director of Environment and Regeneration had sought input from Members of the Environmental Services Committee, but had only received one submission (which had, accordingly, been included within the written report).

Members accordingly considered the proposed updated version of the Scheme of Delegation for Planning Applications (as appended to the written report), and noted the main changes that were proposed.

Members were also advised that the content and format of Committee reports had been considered by officers, to ensure they provided the Environmental Services Committee with sufficient relevant information in order to come to an informed decision about whether to support or object to each application. The production of Committee reports about planning applications was very time-consuming and involved a great deal of research prior to the drafting of the report itself, which was generally undertaken by the Dilapidation Enforcement Officer. As Members had been keen in the past for this post to primarily keep on top of dilapidated properties in the Borough, a number of proposals were now suggested (as set out in the written report) to improve the efficiency of producing information for the Committee's consideration.

It was also noted that the Council's formally-nominated representative would be welcome to speak at the Planning Committee (in the event of the Council wishing to appeal a planning decision), and, while appeals and inquiries generally involved all parties submitting written evidence on which officers would take the lead on in compiling the Council's case and may be able to represent the Council on some matters commensurate with their profession, there could be some cases where a specialist consultant would need to be appointed to assist or to act as an expert witness.

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

- (ii) That the proposed amended Scheme of Delegation for the Consideration of Planning Applications be approved;
- (iii) That the planning press list be circulated weekly to all Members of Council by officers;
- (iv) That (in most circumstances) planning applications to be considered at Committee now be covered by a single committee report, with separate appendices containing an appraisal of each application;
- (v) That the results of all planning applications – to which the Environmental Services Committee or the Executive Committee had submitted a view - be communicated to that Committee in time for an appeal to be lodged, should the result of the planning application be contrary to the Committee's view; and
- (vi) That the Council would not appeal a planning decision at the request of a third party, unless the Council considered that there were valid grounds for an appeal and that the appeal had the potential to be successful."

A9. Enforcement Policy - Bins not removed from Highway

The Committee considered a written report by the Community and Enforcement Manager seeking approval for the establishment of a new policy for dealing with bins that were left out on the highway between collections.

The policy had been developed in order to create a uniform approach by the Council to all incidents where bins were not removed from the highway. It was noted that the Council could take enforcement action under the powers provided by Byelaw 24 of the Douglas General Byelaws 2013, where any bin

or other recycling receptacle had been left on any part of the highway (road, pavement, or lane) after the emptying of the bin or receptacle by the Council.

The interpretation of the Byelaw was that all bins should be stored within the curtilage of the property (to which the bin was assigned) between bin collections; and that bins should only be placed onto the highway prior to and for the purposes of collection and emptying, and should then be returned to within the curtilage of the property within a reasonable time after collection (a reasonable time being considered to be twenty-four hours before and after collection). It was noted that there would be exceptions – where storage off the highway was not possible; where the occupier of the property was not able to remove the bin from the highway; or where the designated bin storage and collection area was clearly marked as being on the highway.

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

(ii) That the new policy, as appended to the written report, be approved and implemented with immediate effect; and

(iii) That the new policy also be made available on the Council’s website.”

A10. Replacement Vehicles and Plant – Parks Department

The Committee considered a written report by the Assistant Chief Officer (Environment) seeking approval for the replacement of vehicles and plant in the Parks Department.

The vehicle and plant replacement programme ensured that the Council’s continued renewal policy was carried out, thus maintaining a safe and sustainable fleet, which in turn allowed for reduced running costs by using newer vehicles and plant. The policy also set out the criteria and timescales for replacement.

The vehicles and plant identified in the report had been evaluated in terms of their current condition and from a future perspective (that was, the likelihood of increased downtime and therefore disruption to the front-line service); and it was also specifically noted that three of the items of plant detailed in the report were now nineteen years old. Members commented that the Council had a policy in respect of replacing vehicles at a certain age, and that it should be adhering to it.

If approved by Committee, specifications would be agreed between Fleet Services and the relevant Service Manager ahead of seeking tenders or quotations. It was noted that other items of plant due for replacement in 2020 / 2021 would be included in the report for consideration by the Executive Committee in October 2019.

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

(ii) That the following vehicles and plant be approved for replacement in 2019, at a total amount of £41,794.76 to be funded from the Vehicle and Plant Renewals Fund:-

- A Parks Department dumper operated at the Lawn Cemetery (the existing dumber was beyond economic repair and had been removed from service) - to be disposed of via the auction system and replaced at an estimated cost of £13,860;
- P209b and P209F, two de-mountable ‘AB trailers’ (both existing trailers were beyond economic repair) - to be replaced at an estimated cost of £4,325 each;
- P156, a trailer for a detachable water bowser - to be replaced at an estimated cost of £948.76;
- P156 and P167, two trailers - to be replaced at an estimated cost of £4,800 each;
- P70, a Dennis FT 510 greens mower - to be replaced at an estimated cost of £7,200;
- P199, a tractor front-loader grab - to be replaced at an estimated cost of £1,500.”

A11. 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.”

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 C –

Matters subject to Council approval

C14. Amendment of Standing Order 56A

The Committee considered a written report by the Assistant Town Clerk setting out a proposed amendment to Standing Order 56A, relating to the use of electronic equipment.

Members were reminded that the use of electronic equipment in the Council Chamber was controlled by Standing Order 56A. In order to reflect the use of technology to improve efficiencies and to further reduce the amount of paper used (in accordance with the Council’s partnership in the UNESCO Biosphere), it was proposed to change the restriction on the use of electronic equipment in the case of Chairs, Vice Chairs, or other Members of Council who had moved the adoption of a set of minutes. This would allow them to receive information from Chief Officers or Assistant Chief Officers electronically, in order to answer any questions raised in debate in an effective manner.

Likewise, Chief Officers and Assistant Chief Officers attending meetings would also be able to use tablet devices to view meeting papers, thus providing them with the ability to respond rapidly to a Chair or Member in relation to questions asked in debate.

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

- (ii) That it be recommended to Council that Standing Order 56A – Electronic Equipment, be amended to read:-

Electronic Equipment

Except for the official recording system or in case the Mayor has given specific permission, no Member of the Council, officer or the public attending a meeting shall, during the meeting make any audio or video recording of the proceedings.

During any meeting of the Council or a Committee, all mobile communications devices shall be switched to silent operation. Except as below, no mobile telephone or computer shall be used for any form of communication during the meeting except in case of potential emergency where the Mayor has given consent and in such case when a communication is received the individual concerned shall leave the Chamber to deal with the matter.

The use of laptop and tablet computers by Members of the Council during meetings of the Council or a Committee shall be permitted only for the purpose of viewing files relevant to the business of the meeting, and in the case of a Chair, Vice-Chair or Member who has moved the adoption of minutes of a Committee in a meeting of the Council, for receiving information from any Chief or Assistant Chief Officer that is relevant to questions asked in debate.”

The Committee rose at 3.05pm.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 27th February, 2019.

Members Present: Councillor Ms K. Angela (Chair), the Mayor, Councillor Mrs C.E. Malarkey, Mr Councillor C.L.H. Cain, Mr Councillor F. Horning, Mr Councillor J.E. Skinner, Mr A. Thomas (Independent Member).

In Attendance: Mr M. Freeman, Scheme’s Investment Advisor – Hymans Robertson – Agenda items A1 to A8. Mr D. Long and Mr S.J. Penn (Capital International) – Agenda item A6. Mr R. Stanley and Mr S. Wilson (Canaccord) – Agenda item A7. Director of Finance (Mr A. Boyd), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Assistant Chief Officer (Income) (Mrs C Pulman), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters within the scope of the Committee’s delegated authority

A1. Apologies

There were no apologies for absence submitted.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 28th November 2018

The minutes of the meeting held Wednesday, 28th November, 2018 were approved and signed.

A4. Training: Active and Passive Management

The Committee received a training presentation from Mr M. Freeman on active and passive investment management.

Mr Freeman began by defining active management. Active management is targeted management to outperform a chosen index/benchmark which involves managers deciding which assets are bought and sold in the fund and buying and selling assets frequently. The performance of the fund is down to the skill and judgement of the manager. The fees and transaction costs are much higher than passively managed funds, UK stamp duty is payable on UK company purchases which are likely to be traded more frequently in an active fund, and high returns are required in order outperform the index. Active management is considered more expensive than passive management, with higher manager risk.

Mr Freeman explained passive management in detail. Passive management, also referred to as index-tracking, follows a set strategy that aims to track the return of a particular index. There are two key ways for a manager to track an index: through holding a proportionate number of every share to mirror the index exactly, or through holding a representative subset of shares in the index. The tracking error (difference between fund and index returns) is higher using the subset method. It was noted that turnover in a passive fund is generally low.

Members noted that passive management does not involve active management techniques, and has lower fees than active management, with returns close to the index before fund charges.

Mr Freeman advised that the current passive management strategy used by the Scheme is market-capitalisation-based (“market cap”). This can have some drawbacks leading to short-term inefficiencies based on regional, sector and large cap bias. Mr Freeman explained two alternative passive management strategies: fundamental indexation and multi-factor investing. Both strategies passively manage but with a different underlying index. Members noted that fundamental indexation will weight companies on financial factors taken from statutory financial accounting data rather than share price. This results in an index tilted towards smaller, cheaper companies when compared with the market cap index. This adds more value and also more risk than market cap investment. Mr Freeman explained that as the fund is weighted through ranking, periodic re-balancing is required, which will incur additional fees and transaction costs, compared with a market cap index fund.

Mr Freeman moved on to explain multi factor-based investing which is driven by an allocation to common characteristics or ‘factors’. It is a more targeted approach to passive management (but is not considered active management) and benefits from lower fees than active management, and with lower risk than fundamental indexation. Five traditional ‘factors’ were identified in the presentation: value, small cap, quality, low volatility and momentum. Members were provided with a description of each factor. Mr Freeman advised that using a multi-factor based approach to constructing a portfolio can

overcome some of the drawbacks identified with market cap investing. Although the individual techniques of each factor are not new, their combination in a single fund is relatively new to asset management; it is only in the last two years that passive indices which adopt the multi-factor approach have become available.

Mr Freeman finished by presenting a graph demonstrating that the combination of a range of factors identified had outperformed the passive market cap over the past twelve years.

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

Adjournment and Resumption

The Committee adjourned at 12.50pm and resumed at 1.50pm.

A5. Review of Investment Managers' Performance

The Committee considered a report by Hymans Robertson reviewing the Investment Managers' performance for the fourth quarter of 2018.

Members were presented with the historic returns for world markets demonstrating a generally poor quarter. There was a 4.8% drop in the fund during the quarter which was 1.5% behind the benchmark. Mr Freeman reassured that although the returns during the quarter underperformed, in the longer term, the annualised cumulative performance was 8.6% per annum in absolute terms.

Mr Freeman provided a performance breakdown for each individual portfolio.

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

A6. Manager Reporting: Capital International (Absolute Return)

Mr D. Long and Mr J. Penn joined the meeting to present Capital International's performance during quarter four of 2018.

Mr Long provided the quarter returns for the fund which fell by 5.6% which compares to a fall of 5.9% for the absolute return ARC Balanced peer group. Mr Long explained that it was a turbulent quarter for all investors with almost all asset classes moving lower, in particular equity markets fell sharply. Mr Long expressed his views on why markets fell during the quarter (general concerns regarding slowing economic growth, deteriorating China-US trade relations, Federal Reserve interest rate rises, Brexit uncertainty etc.) and reassured that many of the concerns had dissipated somewhat since December and as a consequence the portfolio had recovered by 2.1% in January and 4.8% over the quarter to date. Continuing high debt levels remained a concern, which could become an issue going forward.

Members were advised of asset allocation during the quarter. Mr Long explained that over the past six months the portfolio has been swapping third-party pooled funds for direct holdings together with an overall increase in equities during the quarter. Members noted a detailed explanation of purchases and sales during the quarter.

Mr Long finished by advising of a reduction in their dealing charges, reducing from 0.25% to 0.10% on the value of transactions starting from January 2019 and that written notice will be submitted accordingly.

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

Mr D. Long and Mr J. Penn were thanked for their attendance and left the meeting.

A7. Manager Reporting: Canaccord (Bonds and Property)

Mr R. Stanley and Mr S. Wilson joined the meeting to present the quarter four performance of the Canaccord portfolio – bonds and property.

Mr Stanley began by providing a market background for the period, highlighting synchronised world growth, forecasted US interest rates, global inflation rates, Government bond yield performance and global fixed income performance. He provided a summary view on the quarter in particular the continued uncertainty around US interest rates, Brexit and trade tensions in the USA.

Mr Stanley presented the bond performance during the period which underperformed the benchmark by 0.8%. Members were presented with the portfolio allocation during the period, the summary transactions, the portfolio positioning and the outlook.

Mr Wilson provided an update on the tracker portfolio during the period which performed at -4.63% which was in line with the composite index. Members were presented with asset returns for 2018, a portfolio valuation, and summary investment views for 2019.

Mr Wilson moved on to the Property Fund which outperformed the benchmark by 0.3% during the quarter. Members were presented with the portfolio valuation and performance. Mr Wilson advised that the BlackRock UK Property Fund had been compared to its peer group and has been marked as one of the best performers and Canaccord are comfortable to remain in the BlackRock fund which has an

established performance with minimal risk. Mr Freeman reminded that the fees are one of the most expensive funds in the peer group but did not recommend a change.

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

Mr Stanley and Mr Wilson were thanked for their attendance and left the meeting.

Following a brief discussion Mr Freeman was thanked for his attendance and left the meeting.

PART B –

Matters requiring Executive Committee approval

B8. Items for Future Report

The Committee considered a report submitted by the Democratic Services Officer setting out items that are to be considered at future meetings and to review any future training requirements.

Officers, in response to question, provided the Committee with an update on the changes to the scheme regulations and cost sharing. It was noted that there have been several meetings with the Department of Infrastructure in relation to cost sharing and officers expect to see progress in the near future. The Director of Finance advised that the Local Government (Miscellaneous Provisions) Bill, which would enable scheme regulation changes, is currently with the Attorney General's Chambers for consideration. Members instructed officers to write to the Attorney General's for an update on progress.

Members discussed the start time of the Pensions Investment Meetings and concurred that the business considered requires more time than is currently allowed for. Members unanimously agreed to refer a request to the Executive Committee to change Standing Order 90 to allow the Pensions Investments Meetings (taking place in February, May, September and November annually) to start at an earlier time of 10.30am. The Scheme's Advisor, Mr Freeman, was aware of the suggestion to bring the meeting forward and raised no concerns for his travel arrangements to the Island. Members agreed to keep the Pensions Administration Meeting start time at 11.00am.

Resolved, "That particulars of the items for future report be noted on the minutes and

- (i) Officers be instructed to write to the Attorney General's Chambers to request an update on the likely timescale envisaged for the progression of the Local Government (Miscellaneous Provisions) Act;
- (ii) A change in Standing Order 90, 'Meetings of Committees' be referred to the Executive Committee to request an earlier start time of 10.30am for the Pensions Committee Meetings taking place in February, May, September and November annually."

PART C –

Matters requiring Council approval

There were no items requiring Council approval.

The Committee rose at 3.50pm.

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, 18th February, 2019.

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). For Braddan Parish Commissioners – Mr J.C. Whiteway (Clerk). For Garff Commissioners – Mr T. Kenyon (Member). For Santon Parish Commissioners – Mr N. Young (Member).

Apologies: Mr D. Dentith (Member, Braddan Parish Commissioners), Mr N. Dobson (Member, Garff Commissioners), Mr B. Price (Officer, Onchan District Commissioners).

In Attendance: Mr P.E. Cowin (Secretary), Mrs D. Atkinson (Democratic Services Officer), Mr J. Quayle (Department of Infrastructure Representative), Mr S.A. Crook (Contractor's Representative) (Items A4 and A5 only).

REPORT

PART A –

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

A1. Membership

It was noted that Mr N.P. Kelly had stood down as Santon Parish Commissioners' Representative on the Joint Committee due to ill health, and was replaced by Mr Young.

A2. Minutes – 19th November, 2018

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

A3. Matters Arising from the Minutes

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

A4. Operational Issues

Mr Crook, representing the Contractor operating the Site, joined the meeting at 2.35pm. 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: the bund was in place and the platform had been fabricated and would be installed shortly.

Section 1.2: Sofa Beds Disassembly: a total of 66 units had been taken apart between October 2018 and January, 2019.

Section 1.3: Redundant gas cylinders: Manx Gas had taken a number of cylinders and Mr Crook was awaiting advice from Mr Quayle on the disposal of the remainder.

Section 1.4: Oversize Items charge from EfW plant: no further loads had been rejected at the Energy from Waste Plant since the last report. Contractor was to meet DoI in connection with a dispute over a previous surcharge.

Section 1.5: Vehicle inspection logging: records were now being kept electronically of vehicles inspected to check on any unacceptable items, following advice that it was not in breach of Data Protection Regulations.

Section 1.6: Replacement hardcore skips had been ordered and would be delivered in early March.

Section 1.7: Signage on approach road warning of height barrier: Mr Crook advised that signage was in place and adding to it, as had been suggested, would have no effect.

Section 1.8: Disabled users of re-use facility – Mr Crook advised that the spaces alongside the re-use shed were for disabled users and for dropping off or picking up items. He was looking at signage in that area.

Section 1.9: A quotation had been received for overhaul of the CCTV system in use at the Site. The Secretary had authorised replacement of the recorder in the sum of £200 as a stopgap but the whole system needed upgrading.

Section 2: Table of data on incidents at the Site between September 2018 and January, 2019:

Type of incident	No.
Serious abuse of staff	3
Barrier hit/oversize vehicles	2
Commercial waste	0
Other Health and Safety incidents	2
Miscellaneous other	0

One member of the public had been banned from using the Site following threatening behaviour, which had resulted in the police attending the Site. Another ban had been issued to an individual for repeated breaches of the rules in relation to the re-use area.

Section 3: Statistics: Operational statistics for the first three quarters of 2018/19 and quarterly details from the previous three years, were circulated. They detailed the tonnage of residual waste that had been 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. Vehicle checks were continuing with the intention of preventing unauthorised or prohibited waste entering the Site.

Section 4.1: A proposal had been made to engage a STEP Student to conduct some research into the use of the Site by interviewing users.

Section 4.4: Gypsum based waste: A notice had been received from DEFA that plasterboard and similar wastes were not accepted at the EfW and must be disposed of through landfill.

Section 4.5: A meeting of representatives of all four Civic Amenity Site authorities was to take place on Friday, 22nd February, and Mr Crook would attend.

There was discussion of all the above items, during which Mr Crook agreed to seek the loan of a traffic counter from DoI to monitor the amount of traffic into the Site at various times to identify any quieter times when the Site could be closed, and there was reference to a suggestion of a sign being placed in the re-use area advising users to offer any golf equipment directly to Douglas Golf Club for the benefit of junior members which was rejected on account of the proliferation of signage in the area.

It was agreed:

- (1) That the report be noted;
- (2) That the Secretary advise members by e-mail of the purchase costs for the replacement skips;
- (3) That signage be placed at the front of the re-use shed limiting parking to disabled users and users depositing or collecting items;
- (4) That no decision be made on the upgrading of the CCTV system but that the amount and nature of use be monitored and reported to the next meeting;
- (5) That the proposal to engage a STEP Student for user research be not supported;
- (6) That the opening hours of the Site remain as at present.

A5. 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.

Mr Quayle advised that the number of recycling bins had increased over the passage of time to meet demand at the Site and to minimise disruption by more frequent emptying. The “Bring Bank” recycling area was part of the Eastern network of such facilities, and if the one at the Site was excluded, the whole of that scheme would become less viable.

In response to question, Mr Crook confirmed that although the Contractor might achieve some return if it took the recyclates, overall there would be little, if any, financial benefit to the Contractor once the low resale prices and the cost of processing and shipping were factored in.

Mr Quayle undertook to research the history of the increase in numbers of recycling bins on Site.

It was agreed: That the issue be deferred to the next meeting of the Committee.

Mr Crook, Mrs Atkinson and Mr Quayle left the meeting at 5.10pm.

A6. Lease of Site

Secretary advised that he had a copy of the lease of the Site between the Landowner and the DoI, which was due to expire in December, 2021, although DoI had an option to extend for ten years.

DER advised that it had been suggested that the Joint Committee take over the Lease and that, together with the possible use of alternative sites, was being investigated.

It was agreed: That subject to the consent of DoI, copies of the lease be circulated, and that a further report be considered in due course.

The meeting ended at 5.20pm.

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

HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 20th February, 2019.

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), Assistant Chief Officer (Income) (Mrs C. Pulman), 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 – 16th January, 2019

The minutes of the meeting held on Wednesday, 16th January, 2019, were approved and signed.

A4. Matters Arising

No issues were raised as arising from the minutes.

A5. Housing Committee Independent Member Applications

The Committee noted the five applications received in response to an advert for an Independent Member of the Housing Committee. Having reviewed each application Members unanimously agreed to invite all applicants for interview.

It was agreed that under Standing Order 90, the Chair authorise the Chief Executive to convene a special meeting of the Committee on Wednesday, 6th March, 2019 at 1.00pm to conduct the interviews. The Assistant Democratic Services Officer undertook to make the necessary arrangements.

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

A6. 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 January, 2019 there were twelve void properties awaiting attention.

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

A7. Void Refurbishment Framework Contract

The Committee considered a report submitted by the Assistant Housing Manager (Maintenance) to advise on the tenders received for the Void Refurbishment Framework Contract.

Members were reminded that works to void properties have been carried out by a contractor using a pre-determined and tendered schedule of rates since Committee approval in 2016, which is considered to be the most efficient method to turn around void properties.

Appended to the officer’s report was the schedule of rates against which contractors were required to tender. Framework rates to bring properties up to re-let standard were invited and returned by the closing date of 5.00pm on Friday, 21st December, 2018.

The tenders were opened by the Chair of the Housing Committee on Monday, 24th December, 2018 and following checking and analysis of the three tenders received, it is proposed to accept the lowest tender submitted by Maclo Construction Limited, as recommended by Cameron Hall Quantity Surveyors.

Works are expected to commence on site in April 2019 until March 2021 when the two years is complete, or the contractual figures has been utilised.

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

- (i) The lowest submitted tender for the Void Refurbishment Framework Contract from Maclo Construction Limited be accepted; and
- (ii) The Committee notes that work will commence on 1st April 2019 and will be funded from the Housing Maintenance revenue budget over the financial years 2019/20 and 2020/21.”

A8. 2018 – 2019 Quarter Three Performance Monitoring

The Committee considered a report submitted by the Director of Housing and Property to update on the performance made against measures as outlined in the Housing and Property Services Plans as relevant to the Housing Committee.

Appended to the report and reviewed by the Committee were the measures as outlined in each Service Plan together with an update on performance as at the end of quarter three 2018/19. A red, amber and green status had been applied to each measure.

Resolved, “That particulars of the report and discussion be noted on the minutes and that the progress against performance indicators in the Service Plans for Quarter Three 2018/19 be noted.”

A9. Installation of a New ‘Nurse Call’ System in Ballanard Court

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) to ratify funding from the Sheltered Community Reserve Budget for the installation of a new ‘nurse call’ system at Ballanard Court.

The report advised that pull cords are installed in each flat within all three of the Council’s sheltered accommodation complexes, and if pulled in an emergency by a resident, connects through to a call monitoring provider.

Members were advised that a fault on the existing ‘nurse call’ system at Ballanard Court had been identified following a change to the out of hours call monitoring system. In light of this urgent situation, Council officers approached two local companies seeking a quotation for a new system. The lowest quote was accepted and works for the new system were completed in October 2018. Members noted that the system has been operating successfully since this time.

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

- (i) The installation of a new ‘nurse call’ system at Ballanard Court be noted; and
- (ii) Approval be given to funding of £12,924.00, excluding VAT, from the Sheltered Community Reserve Fund.”

A10. Items for Future Consideration

The Committee noted the monthly report and schedule setting out items which will be brought forward for consideration to future meetings.

The Chair requested that an item be added to the schedule.

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

A11. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.30am on Wednesday, 20th March, 2019.

Resolved, “That particulars 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

C12. Willaston Apartments Project – Demolition

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) to advise on the tenders received for the demolition of the existing flats and church buildings as part of the Willaston Apartments scheme.

Members were reminded of December’s Committee resolution to exchange one property in the Allan / Orry Street area for the Willaston Police Station site, which if approved, would enable expansion of the Willaston Apartments Scheme by a number of additional units. However, this matter remains unresolved. In response to question, the Chair advised that discussions were on-going with the Department of Infrastructure and the Department of Home Affairs seeking a conclusion on the matter.

The report advised that following Committee approval in October 2018, documentation for demolition of the existing flats and church buildings was prepared by the design team and tenders were invited from selected contractors. To ensure value for money and so that no further delays are experienced with the project, two separate tenders were sought; one to include the police station and the other excluding the police station.

Tenders were returned by 5.00pm on Friday 8th February, 2019 and opened by the Chair of the Housing Committee. Analysis of the tenders was carried out by the design team and a copy of their report and recommendations was appended to the officer's report.

Members noted that subject to Department of Infrastructure petition approval, demolition is expected to commence on site in April/May 2019.

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

- (i) The tender submitted by Manx Demolition Limited for the demolition of the redundant Snaefell Road flats and Willaston Methodist Church buildings be accepted;
- (ii) That should the situation in respect of the Willaston Police property be resolved to enable its inclusion before completion of the works on Site, the higher contract figure be approved;
- (iii) That the Chief Executive be authorised to petition the Department of Infrastructure for borrowing powers up to the maximum sum of £108,316 being the total capital cost of the works to demolish the flats and church buildings, and further authorised to petition for further borrowing powers up to a maximum in total of £130,916 should the situation with the Police property be resolved before completion of the works to enable its inclusion;
- (iv) That 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 11.45am.

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, 19th February, 2019.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Director of Housing and Property (Mrs S. Harrison), Assistant Chief Officer (Income) (Mrs C. Pulman), Assistant Town Clerk (Mr P.E. Cowin), Head of Parks (Mr D. Hewes), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

There were no apologies submitted.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 19th February 2019

The minutes of the meeting held on Tuesday, 19th February, 2019, were approved and signed.

A4. Matters Arising

Clause A7 – Fireworks Tenders – Officers informed the Committee of a proposal from Celton Manx to sponsor the 2019 Fireworks Display. It was noted that 2019 will be the ninth consecutive year that Celton Manx has sponsored this public event. In agreement with the sponsor's expectations regarding the bonfire element of the event, Members reaffirmed their decision to build and light a bonfire as part of the occasion.

Resolved, "That the sponsorship proposal from Celton Manx be accepted and the Committee's thanks for their continued support of this event be noted and the Committee's decision to include a bonfire as part of the event be reaffirmed."

A5. Department of Environment and Regeneration Quarter Three Service Plan Performance Monitoring 2018/19

Members considered a report submitted by the Director of Environment and Regeneration to update on the performance against measures outlined in the Environment and Regeneration Department Service Plans as relevant to the Regeneration and Community Committee.

Appended to the report were the measures as outlined for the Parks Service, Douglas Town Centre Management, and Electrical Services as relevant to the Committee. A red, amber, green status had been applied to each measure.

Resolved, "That particulars of the report and the progress against performance indicators in the Department and Regeneration Department Service Plans as relevant to the Regeneration and Community Committee be noted on the minutes."

A6. 2019 Christmas Lights Ceremony

The Committee considered a report submitted by the Assistant Town Clerk to decide whether or not to promote a Christmas Lights Ceremony in 2019, and if so, in what format.

Officers were asked by the Committee to consider two options for the Christmas Lights Ceremony; the first option was to relocate the event to North Quay, and the second to enhance the shopping street on the night of the switch on. Members noted that the Town Centre Manager already promotes entertainment in the area on the evening of the Switch-On Ceremony, so there would be no visible benefit to this option.

The second option was to relocate the event to North Quay. An area on North Quay had been identified as potentially viable; Members were presented with a plan of the event layout. It was noted that preliminary discussions with the Event Safety Advisory Group had been held to explore the option and

no major concerns were identified at this stage. Members discussed the plan in detail and unanimously agreed to progress the proposal to hold the switch-on event on North Quay.

Members requested that a plan of the event layout be available to all Members at the March Council Meeting.

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

- (i) Subject to all necessary approvals being obtained, the event be promoted on North Quay on Thursday, 21st November, 2019, in a similar format to previous years' events in Ridgeway Street;
- (ii) Consultation continue with the Event Safety Advisory Group, the Department of Infrastructure (Highways and Ports Division), the Police, Fire and Rescue Service and Coastguard at an early stage to identify and deal with any issues;
- (iii) The Assistant Town Clerk commence work on detailed event planning in preparation for an early submission to the Licensing Courts."

A7. Bereavement Services Online Booking System

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to advise on the outcome of a trial of an online booking system and to seek approval to implementing it fully and to the rules to be applied to the system.

Members were advised that a review of overtime for bereavement services officers on a Saturday morning had been undertaken as a potential efficiency measure. Historically, the need for staff to be on duty at the Borough Cemetery on a Saturday morning was partly to allow Funeral Directors to telephone the office to check availability and make bookings during the weekend.

The Head of Parks explained that the current practice is to provisionally book several slots for each service/cremation. These provisional slots are then held until the final date and time is confirmed which can often take several days, reducing the availability of slots for others. Because these provisional bookings reduce availability temporarily, it perpetuates the need for Funeral Directors to try to secure a range of options and makes it more difficult for families to be able to secure the slot they want, even though that slot might become available if not required.

The proposal put forward was to introduce an online booking system to allow funeral directors to be able to check themselves when slots are available and to book the preferred slot on a tablet or telephone while they are with the bereaved family. This would eliminate the requirement to contact the office on a Saturday.

Members noted that an online calendar system had been identified as being suitable after it was introduced by another Council section as a booking system. In order to ensure if the system was suitable for service/cremation bookings, prior to rolling out to all funeral directors, officers instigated a trial with one funeral director which has proved a success. Having heard about the trial, the other funeral directors are keen to be permitted access to use the online calendar.

It was noted that the system has been free to implement and will result in a saving of £1,500 in overtime on Saturday mornings along with an improvement to service delivery.

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

- (i) The 'Team Up' online calendar system be implemented as the means for funeral directors to book cremations and burials subject to the following rules being applied;
 - (a) Users must only book one slot per deceased. If provisional bookings are required, these should be agreed with Bereavement Services in advance and may only be held for 24 hours before unrequired bookings are cancelled;
 - (b) Cremation slots can only be booked on Wednesdays, Thursdays and Fridays at the following times; 10:00, 10:45, 11:30, 13:13 and 14:00. Bookings at any other times must be agreed with Bereavement Services in advance;
 - (c) Any bookings that are no longer required should be deleted at the earliest opportunity;
 - (d) When making a booking, the event title should be the surname of the deceased and the name of the Funeral Director making the booking should be entered in the "Who" field;
 - (e) A "three strikes and out" policy will apply. This means that any user who contravenes these rules on three occasions will have their ability to book slots themselves suspended for one month. The length of suspensions for repeated contraventions will be increased at the discretion of the Head of Parks."

A8. TT 2019 – Application to Leave Heron and Brearley Bar in Situ for the period between the TT and Festival of Motorcycling 2019 and 2020

The Committee considered a report submitted by the Head of Parks, following a request from Heron and Brearley, to leave the TT bar in situ between the TT and Festival of Motorcycling events for 2019 and 2020.

Members were reminded that a similar request had been received in June 2018 which had been referred to the Executive Committee to consider with a retrospective planning application. The Council initially objected to the planning application on the basis that the bar had remained in situ without the consent of the Council or planning authority. However, as planning approval was subsequently sought for the structure, the Council reluctantly agreed to permit the structure to remain but with a penalty charge as detailed within the report.

The report recommended approving the request on the basis that planning has now been approved and the request had been agreed by the Council in 2018. It was recommended that approval be subject to an increase ground rent which will include the rent, management fees and legal agreement costs plus an annual inflation for years 2020, 2021 and 2022. (The Department of Infrastructure has an agreement with Heron and Brearley to provide the bar for the period 2019 to 2022).

The Head of Parks advised that a licence agreement will be implemented with Heron and Brearley to cover the period which will replicate applicable conditions of the main TT agreement.

Members requested that Heron and Brearley be asked to improve the exterior of the compound by including decoration on the fencing that is more aesthetically suited to the area.

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

- (i) Approval be given for the TT bar to remain in situ between the TT and Festival of Motorcycling for 2019 to 2022 and that a licence agreement for the period be implemented with Heron and Brearley;
- (ii) A ground rent for the intervening period be charged at a rate detailed within the report for 2019 and for subsequent years, plus inflation;
- (iii) Heron and Brearley be responsible for ensuring the bar and associated external areas are kept in a tidy and maintained condition throughout the intervening period;
- (iv) For the period 2019 to 2022, the Committee authorises officers to support Heron and Brearley’s applications for both alcohol and music licences by way of letter of consent to the Licensing Court, if the previous year’s licencing requirements were complied with.”

A9. Pulrose Recreation Ground Pavilion – Future Options

The Committee considered a report submitted by the Head of Parks to consider future options for the Pulrose Recreation Ground Pavilion following a decision by the Football Foundation not to offer the Council the grant applied for totalling £264,000.

Members were reminded that during October 2018, the Council submitted a Football Foundation grant application for £264,000 to enable a scheme to replace the Pulrose Recreation Ground Pavilion. Following a second tender exercise for the project, costs were considered too high due to the high standard of building specification required by the Football Foundation to enable the application to go forward for consideration.

It was noted that the current timber-frame building, is in a poor condition and is beyond economical repair.

The report advised that the Football Foundation has indicated that a lesser grant of £100,000 may be available. In addition, within the Council’s budget for 2019/20, the funding of £175,000 is still available. However, due to the previous failed application and condition of the building, the Head of Parks explained five options that had been considered;

1. Seek additional funding from the Executive Committee to increase the budget from £175,000 to £250,000 and seek tenders for a lower specification building;
2. Seek alternative replacement options for the building, including reduction of the building specification and alternative building types within the Council’s allocated budget of £175,000;
3. Seek alternative replacement options for the building including reduction of the building specification and alternative building types within an allocated budget of £275,000, the budget consisting of £175,000 Council funding and progressing the deferred application with the Football Foundation for a grant of £100,000;
4. Demolish the building without replacing but offer the pitches, with the demolition costs of £10,000 taken from the Council’s allocated budget of £175,000 and seek Executive Committee

approval to look at additional recreational features for the site with the remaining budget of £165,000;

5. Seek expressions of interest from the two football clubs currently regularly using the facility, offering opportunity to lease the land and pitches from the Council; any future agreement would require replacement of the current building within a specific timescale, with no Council funding allocated to the project.

Members were presented with a detailed explanation on each option, together with the positive and risk considerations. It was unanimously agreed that option 5 be progressed.

Members discussed the possibility of lottery funding towards the project; however the maximum funding offered by the Lottery Fund would not be sufficient to cover a reasonable proportion of the costs.

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

- (i) The Committee approve officers to seek expressions of interest from the site clubs, offering opportunity to lease the land and pitches from the Council, any future agreement would require replacement of the current building within a specific timescale with no Council funding allocated to the project;
- (ii) The evaluated proposals be presented to the Committee for consideration."

A10. **Attendance at 'Council of Ministers Working Party on Libraries' Workshop**

The Committee considered a report submitted by the Borough Librarian to consider whether or not to send a representative from the Regeneration and Community Committee to the workshop on Thursday, 28th March, 2019, and if so, who.

Resolved, "That particulars of the report be noted on the minutes and the Chair, Mr Councillor S.R. Pitts, attend the Council of Minister Working Party on Libraries workshop to represent the political side of Douglas Borough Council."

A11. **Items for Future Report**

The Committee considered a report submitted by the 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."

A12. **Date and Time of Next Meeting**

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Tuesday, 19th March, 2019.

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

PART B –

Matters requiring Executive Committee approval

B13. **Douglas Carnival 2019 – Proposed Relocation to Noble's park**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to update on the proposal to relocate the Carnival to Noble's Park to coincide with the Noble's Park Fun Day.

In January 2019, the Regeneration and Community Committee resolved that the Douglas Carnival and Noble's Park Fun Day be combined as a consequence of the disruption likely to be caused by the Promenade Highway Improvements works. Subsequently, officers met with the Event Safety Advisory Group on two occasions to discuss Douglas Council 2019 events, and on both occasions the proposals for the relocated Carnival were discussed with no objections raised.

Since the circulation of the report in front of Members, at the January Council Meeting the relocation of the Carnival was discussed in detail with some Members suggesting that the Carnival should be suspended and re-launched to coincide with the completed regeneration works on Douglas Promenade.

Two other routes had also been suggested by Members using lower Douglas, one forming at Athol Street and parading along North Quay, and the second starting at the Sea Terminal and looping along Lord Street and Finch Road. Both suggestions were discussed verbally with the Department of Infrastructure who explained there is likely to be disruption on Loch Promenade on the proposed dates for the Carnival and closing other major routes in lower Douglas would have a detrimental effect on traffic in and out of Douglas and to public transport routes. It was therefore not recommended that either of these routes be progressed.

Members considered a further suggestion to utilise South Quay to form the parade and finish at the North Quay but some Members had concerns with the logistics of this idea. Officers explained that the organisation of the event is already behind schedule, and any further suggestions for alternate routes

would be difficult to implement at this late stage as it would require a further report back to the March meeting of the Committee.

Members noted the suggested change to the prize categories to encourage all of the entries to consider aspects such as colour, energy, performance, music, costumes and overall presentation, and that the prizes would reflect the qualities of their entry.

It was agreed that no other suitable route in Douglas could be identified and therefore Members agreed to hold the event in conjunction with the Noble's Park Fun Day subject to approval from the Executive Committee for funding from Revenue Reserves.

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

- (i) The relocation of the Douglas Carnival to Noble's Park to coincide with the Noble's Park Fun Day on Saturday, 3rd August, 2019, be approved;
- (ii) The comments from the Event Safety Advisory Group raising no objection to the proposal be noted on the minutes;
- (iii) The proposed changes to the Carnival prize category be agreed;
- (iv) The item be referred to the Executive Committee to request a budget of £20,000 to be funded from Revenue Reserves."

B14. Adoption of Land at Governor's Hill

The Committee considered a report submitted by the Head of Parks to formalise adoption of land pockets and public open space around Governor's Hill.

Members were advised that during March 2018, the Council had been approached by Dandara to progress the adoption of public open space areas, verges and land pockets in and around Governor's Hill. A plan of the area was appended to the report.

It was noted that the areas in question have already been maintained by the Council in excess of 10 years without formal handover and there are no maintenance resourcing issue identified from the adoption of the areas as currently maintained by Parks Services.

The report emphasised that the Council are not formally adopting the lakes at Governor's Hill.

Resolved, "That particulars of the report be noted on the minutes and the item be referred to the Executive Committee for the formal adoption of the land pockets and public open spaces around Governor's Hill."

PART C –

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 11.57am.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 18th February, 2019.

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), Assistant Town Clerk (Mr P. Cowin), Accountancy Manager (Mr M. Quayle), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Community & Enforcement Manager (Mr A. Gordon) (Items A9 – A11), Dilapidation Enforcement Officer (Mr S. Salter) (Items A9 – A11), Assistant Democratic Services Officer (Miss C. Cullen).

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 – 14th January, 2019

The minutes of the meeting held on Monday, 14th January, 2019 were approved and signed.

A4. Matters Arising

Clause A5 – Douglas Beach Management Contract – Following comments made at January's Council meeting Members considered whether a budget should be sought for the repair of all six sets of groynes on Douglas Beach.

Members were reminded that a report was due to be presented to Committee in June 2019 to advise on the outcome of the repair to one set of groynes. The Director of Environment and Regeneration advised that following concerns expressed at the Council meeting officers intend to expand on this report to provide a full history on the groynes. Having discussed the matter at length the Committee unanimously agreed that the report in June should contain as much information as possible in order to make a determination on their repair.

Clause A4 – Extension of Wayleave for Discharge of Whey into Douglas Bay – Following January's Council debate the Director of Environment and Regeneration reported that the MUA had advised that further testing on bathing water quality was being carried out with the results of the testing expected in six weeks. She further advised that the Council had since received, in writing, confirmation from the MUA that whey and waste water discharge was not harming marine ecology or contributing to poor water bathing quality.

Members recalled their previous decision seeking a joint presentation to Council from the Isle of Man Creamery, DEFA and MUA, the Director of Environment and Regeneration advised that it was unlikely that MUA or DEFA would be ready to present to Council before April. It was unanimously agreed that officers seek a presentation from the Isle of Man Creamery preceding the next monthly Council meeting on 13th March and that officers continue to engage with DEFA and MUA seeking an outcome on the bathing water quality and plans for the existing pipeline.

Considering both discussions on the groynes and bathing water quality it was the general view of the Committee that clear objectives for the beach needed to be set in order to effectively manage the beach and its associated cleaning contract.

A5. Quarter Three Service Plan Performance Monitoring – 2018/2019

The Committee considered a report submitted by the Director of Environment and Regeneration to update on the performance made against measures as outlined in the Environment and Regeneration Services Plans as relevant to the Environmental Services Committee.

Appended to the report were the measures as outlined in each Service Plan together with an update on the performance as at the end of quarter three 2018/19. A red, amber and green status had been applied to each measure.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the progress made against performance indicators in Service Plans for Quarter Three 2018/19 be noted."

A6. Douglas Town Centre Regeneration Modullum LED Lantern Update

The Committee considered a report submitted by the Electrical Services Manager in response to a request on the possibility of upgrading the existing twenty seven Modullum lighting columns in the first three phases of the Town Centre Regeneration Scheme to LED Lighting.

The report advised that a retro fit LED unit is unavailable for the older lighting columns as the casting differs from the new columns. Urbis Lighting had therefore proposed that one unit is shipped to them so that a LED unit can be developed, on completion of this the process would then need to be repeated for all twenty seven units.

The Director of Environment and Regeneration advised that it is not recommended to proceed with the upgrade as the cost of conversion to LED lighting would lead to a nineteen year payback period, which was equal to the life expectancy of the units.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the LED upgrade for twenty seven Urbis Lighting Modullum columns in the Town Centre Regeneration scheme not be approved as it does not represent value for money."

A7. Douglas Town Centre Regeneration Area Phase 4 – Lighting Provisions

The Committee considered a report submitted by the Electrical Services Manager to advise on the lighting provisions required for an extension to phase four of the Douglas Town Centre Regeneration Scheme. It was noted that phase four of the scheme covers Duke Street/Market Hill.

The report advised that notification had been received from the Department of Infrastructure advising that this phase was to be extended to include the junction with Lord Street from Muckles Gate and Water Lane. To ensure that the extended scheme complies with the current British Standard for lighting the Highway, the Electrical Services Manager carried out a review of the scheme which had identified a requirement of two additional Urbis Modullum lighting columns.

Members were advised that no additional funding would be required as the contract has a contingency amount of £20,000.00. Funding for the two additional columns will cost £16,381.28 leaving a contingency balance of £3,618.72.

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

- (i) That the extended Department of Infrastructure works for phase four of the Town Centre Regeneration Scheme to include the Lord Street Junction be noted; and
- (ii) The installation of two additional Urbis Modullum lighting columns, in the sum of £16,381.28 to be funded from the contract contingency amount, be approved."

A8. Adjournment and Resumption and Attendance

The Committee adjourned at 11.40am and resumed at 11.50am.

The Mayor gave his apologies for the remainder of the meeting and left at 11.45am.

The Community and Enforcement Manager and Dilapidation Enforcement Officer joined the meeting for discussion of the following three items.

A9. Planning Applications – Former Newsoms Site, North Quay

The Committee considered the following planning applications that form part of a proposed development along North Quay, Douglas;

Application 18/01333/GB - for the refurbishment and conversion of the existing building to form a cafe bar/restaurant on the ground floor and first floor with a business hub/club on the upper floors at the former Newsoms Warehouse at 27 - 28 North Quay, Douglas.

Application 18/01331/B - for the demolition of the existing building and erection of a building incorporating dining and support facilities for a restaurant/bar at ground floor level and six apartments on the floors above at 25 - 26 North Quay, Douglas.

Application 18/01329/B - for the demolition of part of the existing building to the rear, conversion of the remaining building, erection of new build element to the rear of the site, all to form a café/bar/restaurant at ground floor and basement levels and six apartments on the floors above at 22 - 23 North Quay, Douglas.

Detailed proposals for the site development were set out in the officer's report. Supporting documentation and plans for the site were circulated and reviewed by the Committee.

The Dilapidation Enforcement Officer felt it prudent for Members to note all three planning applications were interdependent upon one another as part of the full development of the site. It was further noted that the development falls within a conservation area and that the former Newsons Trading building, number 27 - 28 is a registered building.

Members discussed parking provision. The Dilapidation Enforcement Officer explained that the developments location within the Town Centre and the fact that the proposal makes good use of redundant buildings in need of refurbishment were both mitigating factors for parking provision.

Members expressed concern on both the adequacy and access of the bicycle store.

In response to question, the Dilapidation Enforcement Officer advised that the plans do not indicate provision for recycling; however there are no concerns over the size or access to the bin store.

Having discussed the particulars of the application Members welcomed the development, specifically recognising that the plans have maintained the characteristics of the existing registered building and that the proposal will make good use of currently vacant properties ensuring that they do not fall into further disrepair.

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

- (i) That support be given to the planning application as it appears to comply with the relevant policies of the Isle of Man Strategic Plan 2016;
- (ii) The following comments be forwarded to the Planning Committee;
 - (a) The Council is concerned that the bicycle store provision is insufficient and asks for a minimum capacity of six cycles per rack;
 - (b) Concern was raised about access to the bicycle store at the rear of the property and the Council asks, as a preference, that access be maintained from the front of the building and that the store is secure with restricted access;
 - (c) The applicant be asked to show that recycling receptacles would fit within the designated bin store, to the satisfaction of the Council; and
 - (d) The Council asks that the kitchen provides adequate space for three section bins for recycling provision as recommended in the Affordable Housing Standards Design Guide (2016)."

A10. Planning Application 18/01342/B – Trafalgar House and 31 – 39 South Quay

The Committee considered planning application 18/01342/B for the demolition of Trafalgar House and existing industrial units and the construction of a development to include thirty seven apartments, a retail premises, offices, gym and wine bar at Trafalgar House and 31 - 39 South Quay, Douglas.

Plans for the site were circulated and reviewed by the Committee.

The Dilapidation Enforcement Officer advised that the proposal includes the construction of a two floor underground car park consisting of seventy one spaces. Members noted that the car park will be externally landscaped and that provision has been included for maintenance of the green space at the rear of the existing property bounded to the cliff face.

There was discussion on the proposed face brick finish, whilst Members recognised the need for redevelopment in the area, visually, the proposal was considered to be detrimental to the amenities of the area. Concern was also raised that the development was an over-intensive use of the site which is located on a busy arterial route.

In response to question, the Dilapidation Enforcement Officer advised that the applicant has been advised that a flood risk assessment is required as a condition upon any approval.

In response to concern raised over the insufficient bin store, the Director of Environment and Regeneration advised that comment from Building Control had already been given to the applicant on this matter.

The report recommended that support be given to the application.

Resolved unanimously, "That an objection be raised to the planning application on the grounds that;

- (a) The proposed development and finish of the building is not in keeping with the surrounding street scene;
- (b) The Council is concerned about the proposed mass of the building; and

- (c) Comment be forwarded to the Planning Committee that whilst the Council is very supportive of a development in this area any proposal should be in keeping with the surrounding street scene.”

A11. 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.

The Dilapidation Enforcement Officer provided the Committee with an update on a number of properties.

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

The Community and Enforcement Manager and Dilapidation Enforcement Officer were thanked for their attendance and left the meeting.

A12. Items for Future Consideration

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

In response to question, the Director of Environment and Regeneration advised that a briefing note would be circulated to the Committee advising on approval of the planning application for the development of the Lord Street site.

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

A13. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Monday, 18th March, 2019.

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

PART B –

Matters requiring Executive Committee approval

There were no matters requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 1.35pm.