



Borough of Douglas

**MR COUNCILLOR JONATHAN JOUGHIN, JP
MAYOR**

Town Hall,

Douglas,

3rd January, 2020

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 8th day of JANUARY, 2020, 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, 11th December, 2019.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Wednesday, 18th December, 2019.

Members Present: Mr Councillor D.W. Christian (Chair), the Mayor, Mr Councillor S.R. Pitts, Mr Councillor I.J.G. Clague, Councillor Mrs C.L. Wells, 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 (Mr D. Looney), Assistant Town Clerk (Mr P.E. Cowin) (for Clause A7), 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

No apologies for absence were submitted.

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes

The minutes of the meeting held on Friday 29th November 2019 were approved and signed.

A4. Matters Arising From Previous Minutes

Clause A8 – Attendance at the Recycling and Waste Management Exhibition (September 2019): following discussion, the wording of the resolution was confirmed.

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

A5. Referrals from the Environmental Services Committee

There were no referrals from the minutes of the Environmental Services Committee meeting held on Monday 16th December 2019; but referrals would be made to the January 2020 Executive Committee meeting, following the reconvened meeting of the Environmental Services Committee on 20th December 2019.

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

A6. Referrals from the Regeneration & Community Committee

There were no referrals from the public minutes of the Regeneration and Community Committee meeting held on Tuesday 17th December 2019.

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

A7. Consultation Document – Changes to Electoral Legislation

The Assistant Town Clerk joined the meeting at 3.05pm.

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Cabinet Office.

The object of the proposals was to review both the Representation of the People Acts and the Local Elections Act, combining them into one piece of legislation, bringing the processes for local elections and national elections more closely into line. Members commented that there was very little wrong with

local election processes, but that the 2016 House of Keys Elections had highlighted a number of areas of dissatisfaction.

The Assistant Town Clerk had drafted responses to the specific questions in the consultation document, and the Members' Working Group on Consultations had asked for several changes. The final draft responses were all approved as submitted, with the exception of the following:-

- Question 1: reference to notifying young people of the need to register deleted - as every voter should be reminded.
- Question 2: support for lifelong electoral registration - Mr Councillor I J G Clague voted against.
- Question 3: three-monthly is sufficient for electoral register updates to be published, rather than monthly as suggested.
- Question 7: delete Working Group proviso that appointment of Deputy Registration Officer should not create a new post.
- Question 11: support for combining the legislation into one Act - the Committee voted against, being of the view that different circumstances apply.
- Question 12: eligible age to be elected to Legislative Council, Keys or local authority - agreed that the age of eighteen years apply to all.
- Question 13: Government employees standing as candidates for Keys - Working Group suggestion of leave of absence during the election was rejected.
- Question 14: exclusion from process of Judiciary - add "Acting Deemster" to those specified.
- Question 15: terms of office and day of election - agreed that Keys and local authority elections should take place on the same day every five years (which includes longer term for local authority elections).
- Question 21: former local authority Members should be eligible for appointment to Electoral Commission as well as former MHK's.
- Question 22: delete proposal that local authority clerks should be Returning Officers for local elections.
- Question 26: candidates' election returns should only cover six months - not twelve months - prior to an election.
- Question 28: prohibition of support or funding from outside the Island - change response to "yes", it should be prohibited.
- Question 30: not accepted that the Deputy Returning Officer would necessarily be appropriate - could be another election official.
- Question 35: control of election banners, particularly around polling stations, supported - "Materials" should exclude manifesto leaflets.
- Question 38: the person in charge of any election should be empowered to correct procedural errors - not necessarily the "Returning Officer".
- Question 41: Pre-election meetings - support Government funding of one per constituency; also for Local Authority elections.

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

- (ii) That the responses in full to the consultation, including the above amendments, be submitted to the Cabinet Office on behalf of the Council and also published on the Council's website."

The Assistant Town Clerk was thanked for his attendance and left the meeting at 4.05pm.

A8. Monthly Financial Review – November 2019

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 and non-cheque payments; and the percentage of sundry debtors collected within three months.

Members' attention was particularly drawn to the following:

- the sundry debtor recovery position in relation to a dilapidated property, together with the actions being taken; and
- the update on the Rent and Rating Appeals Commissioners' Tribunal Hearings in respect of the Douglas Promenade works.

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

A9. Flag Day Street Collections for 2020

The Committee considered a written report by the Town Centre Manager seeking approval of the proposed schedule of flag day street collections for 2020.

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 September 2019, inviting charities to apply for a date in 2020, with seven responses received. In addition to those seven, the Royal British Legion had applied as usual for authority to hold its poppy appeal in Douglas from 24th October to 7th November 2020.

In accordance with Committee instructions - that collections should preferably not be held on consecutive days - all of the dates proposed for 2020 had been accommodated as such, without the need to offer alternative dates; and as agreed by the Committee in 2019, the Mayor's Charity Appeal had been allocated the Friday between Practice Week and T.T. Week accordingly.

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, 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 2020 (as appended to the written report) be approved; and

(iii) That the Mayor's Charity Appeal be allocated the Friday between Practice Week and T.T. Week, that was, the 5th June 2020."

A10. Isle of Man Municipal Association

At the time of the meeting, no documents had been received from the Isle of Man Municipal Association.

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."

PART C –

Matters subject to Council approval

No matters subject to Council approval were considered.

The Committee rose at 4.35pm.

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

HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 18th December, 2019.

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

In Attendance: Director of Housing and Property (Mr D. Looney), Assistant Chief Officer (Housing and Property) (Mr G. Atkin), Assistant Chief Officer (Income) (Mrs C. Pulman), Housing Manager (Mr V. Zivave), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies for Absence

Apologies for absence were submitted by Councillor Miss D.A.M. Pitts.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 20th November, 2019

The minutes of the meeting held on Wednesday, 20th November, 2019, were approved and signed.

A4. Matters arising

No issues were raised as arising from the minutes.

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 2019 there were eleven void properties awaiting attention.

Members were presented with a summary chart showing the number of properties returned in each month together with details of the category repair type for each property.

The Housing Manager advised that as of the date of the meeting there were twelve vacant properties awaiting attention. The Committee noted that nine properties had been returned during the month of November 2019, seven of which are ready for reallocation.

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

A6. 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.

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

A7. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.30am on Wednesday, 15th January, 2020.

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

PART C –

Matters requiring Council approval

C8. Spring Valley External Refurbishment – Phase 1

The Committee considered a report submitted by the Assistant Housing Manager (Capital) seeking approval to progress with phase one of the Spring Valley External Refurbishment scheme.

Phase one will consist of twelve semi-detached properties located on Groves Road and Springfield Avenue. It was noted that this pilot scheme is intended as a test phase to determine how the rest of the estate should be treated and it will provide essential information for the design team to enable a recommendation on the best procurement route for future works.

The primary purpose of this project is to replace defective lintels and window cills which have steadily deteriorated over the past several years presenting safety and structural concerns. The project will include a new external insulation and render system to improve weather tightness, thermal efficiencies and the overall appearance of the house.

The Committee noted that the scheme has evolved since its initial concept and now includes new front porches, paths, fences, removal of first floor fireplaces, future proofing for service authorities, masonry dividing walls between dwellings at the rear elevations to improve privacy, internal redecoration, replacement floor coverings where required and garden tidying.

Members were advised that the tenants will be fully decanted into one of the twelve project specific decant properties.

The report advised that suitable contractors from the Council's select list were invited to tender. Six companies had returned tenders by the closing date which were opened by the Chair of the Committee in the presence of Council officers. It is proposed to accept the tender submitted by NK Construction Limited. The Capital cost build up was appended to the report.

During discussion of the scheme Members considered both the redevelopment and re-build of the estate. Contained within the Consultants tender report was an estimated cost per property for rebuild. The Assistant Chief Officer (Housing and Property) advised that he anticipated this cost to rise with the introduction of new housing regulations in early 2020 and further advised that if minded to seek quotes for rebuilding the estate design team fees would be further required.

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

- (i) That the lowest tender received from NK Construction Limited be accepted;
- (ii) The Committee authorise the Chief Executive to petition the Department of Infrastructure for borrowing powers in the amount of £1,637,588.15 being the sum required to defray the cost of these works;
- (iii) 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 are available to fund the proposed scheme via that source; and
- (iv) That a review of the scheme take place whilst phase one is on-going to ascertain whether the project is value for money and to make a determination on continuation of the project beyond the first phase."

The meeting ended at 12.08pm.

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, 17th December, 2019.

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

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

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Councillor Miss D.A.M. Pitts submitted apologies for absence.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 19th November 2019

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

A4. Minutes – 5th December 2019

The minutes of the joint meeting of the Environmental Services and Regeneration and Community Committees held on Thursday, 5th December, 2019 were approved and signed.

A5. 2019 November Events

The Committee considered a report submitted by the Assistant Town Clerk to advise of some issues that arose during the Council's public events in November and to consider whether to continue promoting the events on similar lines in 2020.

During November 2019, there were four events organised on behalf of the Council; the Fireworks Display, Remembrance Sunday, Armistice Day Observance and the Christmas Lights Switch-on. Members were reminded that all of the events followed the usual pattern, except the Christmas Lights Ceremony which was moved from Ridgeway Street to North Quay to deal with issues raised at the Licensing Court about overcrowding. The report explained some of the issues encountered prior to and during the event. The Fire Service has since indicated that should the event take place in the same location in 2020, they will object to a licence being granted unless there are changes to crowd control and suitable access and egress for people can be demonstrated at all times.

The report therefore recommended that the Christmas Lights Ceremony does not take place in November 2020. Members concurred that the event had some issues, predominantly due to unfavourable wind conditions during set-up, however, the event attracted thousands of Island residents to the Town Centre to mark the start of late night Christmas shopping and it was therefore opined that the event should continue to go ahead. Members suggested that alternative locations be considered and the issues raised as part of the 2019 debrief be reviewed and suitable suggestions come forward to Committee, including possibly ticketing the event.

The report recommended promoting the Fireworks Display, Remembrance Sunday and Armistice Day in 2020.

Members were reminded that a tender exercise had been undertaken in 2017 for the provision of the Fireworks Display. The tender was for a three year maximum period. In 2017 the Committee resolved to appoint the successful tenderer, Star Fireworks, for a one-year period with the option to extend for a

further two years at the same price. It was agreed that the extension be approved for the remaining two-year period prior to the contract being re-tendered ahead of the 2022 display.

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

- (i) The Council stage the Fireworks Display, Remembrance Sunday and Armistice Day events in 2020;
- (ii) The Council stage the Christmas Lights Ceremony in 2020 and a further report on alternative locations and changes to the event be considered by the Committee;
- (iii) The option to extend the contract with the current fireworks provider, Star Fireworks, for a further two-year period, at the same cost as in 2019, be approved."

A6. Douglas Town Band

The Committee considered a report submitted by the Assistant Town Clerk, following a request from a Member, to inform of the relationship between the Douglas Town Band and the Council.

Members noted that the Council has historically given the Band a contribution towards its expenses. The contribution was reviewed as part of the budget process in 2018 and a fixed fee per event rather than an annual payment was approved. This has been accepted by the band and the arrangement appears to work. The band has served the Council very well in attending and performing at regular events and one-off occasions for many years, and the report therefore proposed that the Douglas Town Band continue to receive financial support at the current level, including inflationary increases.

The report further recommended that the Council do not appoint representatives to the Douglas Town Band Committee from 1st May 2020. Historically, Council representatives would attend to oversee the spending of the Band, however, now that payments are paid per attendance at event, it does not appear necessary to continue to appoint Members to the Douglas Town Band Committee.

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

- (i) The Douglas Town Band be informed of the Council's appreciation of its services in relation to civic events in the Borough;
- (ii) The present level of contribution for the Band's participation in Council events be maintained, with an inflationary increase incorporated into the public events budget;
- (iii) The contribution continue to be paid as an amount per event; and
- (iv) As payment is an amount per event, rather than an annual grant, the need for appointment of Borough Council Members to the Town Band Committee be reviewed."

A7. Items for Future Report

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

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

A8. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.30 a.m. on Tuesday, 14th January, 2020.

Resolved, "That the date and time of the next meeting be noted on the minutes."

PART B –

Matters requiring Executive Committee approval

There were no items requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 12.10pm.

**REGENERATION AND COMMUNITY COMMITTEE /
ENVIRONMENTAL SERVICES COMMITTEE**

REGENERATION AND COMMUNITY COMMITTEE / ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Special Joint Meeting held on Thursday, 5th December, 2019.

Members Present: Environmental Services Committee - Mr Councillor R.H. McNicholl (Chair), Councillor Miss N.A. Byron, Mr Councillor A.J. Bentley, Mr Councillor F. Horning. Regeneration and Community Committee - Mr Councillor S.R. Pitts (Chair), Councillor Mrs H. Callow, Councillor Mrs R. Chatel, Councillor Ms K. Angela. His Worship the Mayor, as *ex officio* Member of both Committees.

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

REPORT

PART A –

Matters delegated to the Committee

A1. Chair of Meeting

Mr Councillor S.R. Pitts was unanimously elected to Chair the meeting.

A2. Apologies

Councillor Miss D.A.M. Pitts submitted apologies for the meeting.

A3. Declarations of Interest

Councillor Ms J. Thommeny submitted a declaration of interest in Clause A4 and therefore submitted apologies for the meeting.

A4. Proposed Noble's Park Off-street Parking Places Order

Members were reminded that at the Council Meeting on 13th November 2019, Clause A4 in relation to the proposed Noble's Park Off-street Parking Places Order had been withdrawn for further consideration by the joint Committee. The Council asked particularly that the Committee reconsider the provision of free parking for police staff within the park. The Council also commented on the lack of reference to the petition submitted by the residents raising concern of the displacement of vehicles into the surrounding streets of Noble's Park as a result of pay and display charges in the paddocks area. It was noted that the Executive Committee subsequently acknowledged and recognised the concerns of the residents and resolved that Council officers write to the Department of Infrastructure seeking a meeting at Ministerial level with a review to undertaking a traffic management review of Noble's Park and the whole of the Borough. Members requested that their support of the Executive Committee's decision be noted.

The report in front of Members recommended that disc parking with a maximum stay of twelve hours, as opposed to the previously agreed £1 per day tariff, be introduced in the paddocks area. The proposal aimed to prevent the displacement of cars parking into streets surrounding Noble's Park whilst discouraging the storage of vehicles within the park. The report also recommended issuing permits to police staff needing to routinely stay for longer than twelve hours. Both recommendations were not supported by the Committee at the October 2019 meeting.

Members discussed both recommendations at length. Whilst sympathising with the residents of the surrounding streets, Members opined that introducing twelve hour disc parking will not discourage the storage of vehicles in the park. As the car disc is a twelve hour clock display with no provision to record date of arrival, it would be difficult to monitor when cars arrived at the park.

Members concurred that there are parking issues in the surrounding streets as a result of the school pupils, motorhomes and commercial vehicles, however, they felt that introduction of a fee in the paddock area is unlikely to improve nor worsen the current parking situation.

Members considered and discounted various ideas in an attempt to avoid the displacement of vehicles on surrounding roads whilst preventing the storage of vehicles in the park. Some Members felt that providing free parking could be perceived as counter-intuitive for promoting active travel. It was opined that a nominal fee of £1 per day will deter the long term storage of cars within the park and hopefully avoid cars from displacing on to the surrounding streets. A Member requested the installation of bicycle storage pods to encourage active travel from Noble's Park into the town centre.

The joint Committee noted that at the November Council Meeting a Member also suggested that the paddocks and boneyard should no longer be available for any public parking other than motorsport events. Members noted that the previous preliminary traffic management plan proposed that the boneyard area (which has access to electrical power supplies, water and chemical toilet emptying facilities) be operated as a pay and display area for motorhomes with a tariff of £10 per twenty-four hours. Members continued to support this recommendation. A Member requested that the shower block and toilets be reopened in this area.

Members discussed the free parking proposal for Police staff and reaffirmed their previous decision to charge a nominal fee of £1 per day to police staff using the car park.

Resolved, "That particulars of the report and discussion be noted on the minutes and that in relation to the paddock area of Noble's Park (zones D&E in the "Preliminary Traffic Management and Vehicle Parking Strategy for Noble's Park");

- (i) The introduction of disc parking with a maximum stay of twelve hours, instead of pay and display parking, be not approved and the original resolution to install pay and display machines in this area for a charge of £1 per day be reaffirmed;

For: 6 Against: 2

Councillor Mrs H. Callow and Mr Councillor A. Bentley voted against resolution (i).

- (ii) Permits be not issued to police staff needing to routinely stay for longer than twelve hours;

For: 6 Against: 2

Councillor Ms N.A. Byron and Mr Councillor A. Bentley voted against resolution (iv).

- (iii) Suggestions made in the Council on 13th November 2019 in relation to parking being prohibited in the paddocks and boneyard not be supported."

PART B –

Matters requiring Executive Committee approval

There were no items requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 11.34am.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 16th December, 2019.

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

In Attendance: Director of Environment & Regeneration (Mrs D. Eynon), Assistant Chief Officer (Environment) (Mr A. Donnelly), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Accountancy Manager (Mr M. Quayle), Senior Engineering and Waste Services Manager (Mr A. Crook) (Item A6), Dilapidation Enforcement Officer (Mr S. Salter) (Item A9), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

No apologies for absence were submitted.

A2. Declarations of Interest

There were no declarations of interest in the public minutes.

A3. Minutes – 18th November, 2019

The minutes of the meeting held on Monday, 18th November, 2019 were approved and signed.

A4. Minutes – 5th December, 2019

The minutes of the joint meeting of the Regeneration and Community Committee and Environmental Services Committee held on Thursday, 5th December, 2019 were approved and signed.

A5. Matters arising from the Minutes

No issues were raised as arising from the public minutes.

A6. Douglas Beach Groynes Appraisal

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager to provide the findings, conclusions and recommendations of a scoping study report carried out by HR Wallingford entitled ‘Assessment of the groyne removal at Douglas beach’.

Having considered a report at the July 2019 Committee meeting in respect of the beach groynes Members recalled that it had been resolved to commission a report from a leading specialist to carry out a scoping study to include an evaluation of the length, shape, orientation and placement of the existing groynes should they be fully reinstated. Appended to the officer’s report was the report prepared by HR Wallingford.

When HR Wallingford was approached to conduct a study they proposed a two stage process comprising; Stage 1 - A scoping study, which had been carried out on 13th August, 2019 and Stage 2 - To review documentation and data and a modelling study to confirm long-shore and cross-shore drift rates.

Stage 1, the report presented to the Committee, consisted of the following actions;

- Site walkover survey;
- Coastal processes review;
- Summary of how groynes work;
- High level coastal management options review;

- Conclusions and recommendations.

Referring to the report Section 4; Conceptual Framework, page 25, the second to last paragraph, HR Wallingford state *“As a summary of the sediment transport in the bay and associated morphological changes it can be said that the beach might swing slightly to one end or another depending on the main wave direction. There appears to be no overall gain or loss of sediment in the system”*.

In their options review, HR Wallingford state at 5.1 *“We believe that there is enough data to confirm that the present timber groynes on the beach in their present state are not efficient and are not having any influence in the coastal processes in the area”*.

HR Wallingford identified the 5 generic strategies for coastal management as follows (fig. 5.1):-

1. Do nothing (the assumption being the groynes have been removed in their entirety);
2. Manage retreat or realignment;
3. Armouring by constructing seawalls or other hard structures;
4. Constructing defences seaward of the coast;
5. Limited intervention.

Section 6. Conclusions and Recommendations, 6.1. Removal of groynes, paragraph 2 states; *“We believe that if the groynes were to be reinstated to the same level and depth to the original ones, the effect on the shoreline will not be very big. It will result in a difference of levels at either side of the groyne and some groyne bays in between the groynes but overall we do not think the groynes will have a strong effect on the shoreline. Obviously, if the groynes were to be reinstated with higher crests and/or deeper reach, the influence of the groynes will be bigger.*

The reinstatement of a groyne field of different characteristics (position, spacing, reach) onto the beach and the effects of this groyne field would require a more detailed wave and sediment transport modelling study”.

Section 6.2.2 Building up of the beach looks at several methods to counter the build-up of material in the central areas and these include:-

1. Export the sediment to the extremes of the beach;
2. Beach nourishment. Effectively adding more sand to help dissipate wave energy further offshore;
3. Install detached breakwaters.

In order to determine the best solution for reducing the sediment deposition in the central area, HR Wallingford stated that they would need to carry out a more detailed sediment transport study i.e. Stage 2.

Stage 2 would comprise the following activities:-

- Task A – historical Assessment of the beach
- Task B – Wave modelling & water levels
- Task C – Assessment of the sediment transport due to wave action
- Task D – Beach plan shape modelling

HR Wallingford proposed to carry the tasks out over a three month period at a fixed base cost excluding VAT.

The Committee received a presentation from Project Director, Dr James Sutherland on his findings. A question and answer session ensued.

Dr James Sutherland was thanked for his attendance and left the meeting at 11.39am.

Members had a lengthy discussion on options for the groynes noting their main concerns relate to sediment being deposited onto the Promenade Walkway in adverse weather conditions. The Director of Environment and Regeneration suggested that options to minimise this issue could be explored as part of the beach management contract, with one suggestion being a trial of transporting sand to the extremes of the beach as opposed to the movement of the material back to the shoreline. It was noted that Government proposals to form a new Sea Wall as part of an upgrade of the Island’s sea defences could potentially assist in alleviating the problem.

In response to the suggestion to transport sediment to the extremes of the beach, a Member suggested that two of the groynes at either end of the beach be reinstated and assessed to see if it had a positive impact on the movement of sand.

It was noted that the advice received from Dr James Sutherland indicated that for the groynes to have a greater effect they would need to be at least 4ft in height and span from the Sea Wall to the low tide

level of the beach and that assurances could not be given at this stage to the current placement of the groynes. Members expressed concerns on the aesthetics of this suggestion.

It was the general view of the Committee that a determination on the groynes would remain difficult to ascertain until such a time that the Council has determined and identified a plan for beach management.

Members unanimously agreed not to accept recommendation 2.2 of the report to *'Appointment Wallingford to carry out the stage two report in order to identify a long term solution.'*

The Committee requested that an assessment of the condition of the existing groynes be carried out to determine whether it would be economically viable and safe to leave the concrete foundations in situ.

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

- (i) Approval be given to seek tenders for the removal of the existing groynes and that the specification for the groyne removal be provided to the Committee;

3 For. 1 Against. Mr Councillor R.H. McNicholl asked that his name be recorded as voting against resolution.

- (ii) The Committee noted that as the stage two report was not approved continued beach re-profiling would be necessary and should be incorporated as part of the specification of the new beach management contract from 2020 onwards."

A7. **Adjournment and Resumption**

The Committee adjourned at 12.10pm and resumed at 12.18pm with the same Members and officers present.

A8. **Works for Public Lighting Planned Maintenance – Column Painting 2019-2020**

The Committee considered a report submitted by the Assistant Chief Officer (Environment) to advise on the tenders received for planned maintenance works for the painting of Public Lighting Columns.

Thirteen companies were invited to tender via Douglas Borough Council's procurement system. Members noted that two tenders had been received by the closing date and were opened by the Chair of Environmental Services Committee in the presence of Council officers. It is proposed to accept the tender submitted by Buchanan and Pitts Limited. The scheme is for a total of 276 public lighting columns at various locations around the Borough, a column location list was appended to the report.

The Chair expressed concern that the appended list of column locations contained a number of duplications. In response, the Director of Environment and Regeneration advised that the error had occurred when converting the information from spreadsheet to a pdf format for the agenda and that the information given to tenderers contained the correct number of public lighting columns. It was agreed that this information be corrected and provided to the Committee before making a determination on the tender.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the item be deferred until the next meeting of the Committee."

A9. **Planning Applications – Various**

The Dilapidation Enforcement Officer joined the meeting for discussion of the following two items.

Members were presented with a covering report submitted by the Dilapidation Enforcement Officer detailing three planning applications. Appended to the officer's report were planning appraisal reports for each planning application.

Planning application – 19/01236/B for the removal of condition 4 from approved planning application 19/00117/B at 15-17 Duke Street, Douglas (The Front Porch). The Condition to the planning application had been to amend the business opening hours to 01:00 hours seven days per week, this was a temporary variation for a period of six months, which expired on 8th October, 2019. It was noted that during these six months Council officers had monitored any complaints from residents of Council owned properties in King Street and Lord Street, with only one complaint being received during this time in regard to the emptying of glass recycle bins, it was further noted that Council officers intend to visit the business owners, prior to TT 2020 to remind them of the issue.

Planning application – 19/01059/B for the conversion of a residential property to create five apartments at 3 Mona Terrace, Douglas. The report recommended support of the application with conditions. Amended plans for the site were circulated and reviewed by the Committee.

The Dilapidation Enforcement Officer advised that the revised proposal meets the standards required for the apartments to be registered as flats upon completion if approved, the inclusion of bicycle storage, additional communal storage for prams and the increase in ceiling height of the top floor apartment had now addressed the previous grounds that may have prevented the apartments from being registered.

Planning Application – 19/01237/B for the creation of off road parking at 61 Port E Chee Avenue, Douglas. The Dilapidation Enforcement Officer advised that to date, no objection has been raised by the Highway Services Division of the Department of Infrastructure and that the proposal will not have an adverse impact on the effect of the surrounding area.

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

- (i) That the Council supports planning application 19/01236/B for the removal of condition 4 from approved planning application 19/00117/B at 15 - 17 Duke Street Douglas Isle Of Man (The Front Porch);
- (ii) That the Council supports planning application 19/01059/B for the conversion of residential property to create five apartments at 3 Mona Terrace Douglas and the Council requests that the applicant gives consideration to the suitability of the bicycle storage area as per the recommendations of the Secured by Design Homes 2019 Standards and that the applicant fits a secure door to the entrance of the rear yard; and
- (iii) That no objection be raised to planning application 19/01237/B for the creation of off road parking at 61 Port E Chee Avenue Douglas on the condition that no objection is raised by the Highway Services Division of the Department of Infrastructure on the grounds that the development would have an adverse effect on pedestrian or traffic safety.”

A10. Remainder of Agenda

As the time approached 1.00pm the Committee noted the remaining five agenda items. Due to Members availability in the afternoon the Committee agreed to reconvene at 10.00am on Friday, 20th December, 2019 to consider the remaining business.

PART B –

Matters requiring Executive Committee approval

There were no items requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 1.25pm.

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Friday, 20th December, 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 Housing and Property (Mr D. Looney), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Accountancy Manager (Mr M Quayle), Senior Engineering and Waste Services Manager (Mr A. Crook) (Items A3 and A4), Electrical Services Manager (Mr D. Cullen) (Item A3), Dilapidation Enforcement Officer (Mr S. Salter) (Item A5), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

No apologies for absence were received.

A2. Declarations of Interest

There were no Declaration of Interest.

A3. Works for Public Lighting Planned Maintenance – Column Painting 2019-2020

The Electrical Services Manager joined the meeting for discussion of the item.

Members reconsidered a report submitted by the Assistant Chief Officer (Environment) to advise on the tenders received for planned maintenance works for the painting of Public Lighting Columns.

Members recalled that question had been raised at the meeting held on Monday, 16th December, 2019 in relation to the number of columns to be included in the tender. The Committee were presented with the revised column lists detailing the 276 columns to be painted. It was noted that an error had occurred when converting the information from spreadsheet to pdf format.

It was proposed to accept the tender submitted by Buchanan and Pitts Limited. The scheme is for a total of 276 public lighting columns at various locations around the Borough.

Resolved, “That particulars of the report and discussion be noted on the minutes and that the tender received from Buchanan and Pitts Limited be approved.”

A4. Guidelines for developers and architects on the design of refuse storage in buildings

The Committee considered a joint report submitted by the Assistant Chief Officer (Regeneration) and the Senior Engineering and Waste Services Manager on the proposed guidelines for developers and architects on the design of refuse storage in buildings.

The report is a follow up to a report considered by the Committee on 15th July, 2019 which provided further information in relation to the use of Planning, Building Regulations and Flat Registration to ensure that the design process allows for full recycling facilities to be available in all new flat developments.

Appended to the report were three draft sets of guidelines aimed at architects and developers when designing refuse storage for domestic and commercial properties. The guidelines aim to summarise as comprehensively, yet concisely as possible, how the Council expects architects, designers and property managers to support it in the design and management of waste facilities in premises.

The guidelines are comprised of requirements wherever possible, alongside suggestions of good practice which can be requested but not enforced. In drafting the guidelines it became clear to officers that local authorities are not currently being provided with the powers that could be made available to them to prescribe how refuse is stored and presented for collection.

The second recommendation of the report was that the Council seeks the Department of Infrastructure’s agreement to make the regulations necessary to provide these powers. The Council has several roles and statutory duties in respect of the storage and collection of refuse from properties in the Borough as the Waste Collection Authority and has a duty to collect household and commercial waste from premises in Douglas under Section 65 of the Public Health Act 1990. The Council is also the Building Control Authority and is responsible for implementing the Building Regulations within the Borough. The

Council is also responsible for maintaining the Flats Register and is a statutory consultee on planning applications. The Council uses all of these roles to try to ensure the most efficient, responsible and sustainable practices for the collection and treatment of waste.

Members discussed the proposed draft guidelines, noting that it is intended to publish the guidelines on the Council's website in a suitable format. The Committee requested that they be provided with the links to the information once available.

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

- (i) That the draft guidelines for publication in a suitable format on the Council's website be endorsed; and
- (ii) That a letter be sent to the Department of Infrastructure requesting that it make regulations under the provisions of Section 66(9) of the Public Health Act 1990 to increase powers available to local authorities to prescribe how refuse is stored and presented for collection."

A5. 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.

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

The Dilapidation Enforcement Officer was thanked for his attendance and left the meeting.

A6. Items for Future Consideration

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

A Member requested that the Car Park Licence Fee be added to the schedule for review before the break clause in the contract in 2022.

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

A7. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Monday, 13th January, 2020.

Resolved, "That particulars of the next meeting be noted on the minutes."

The meeting ended at 12.55pm