



Borough of Douglas

**MR. COUNCILLOR DAVID JOHN ASHFORD, J.P.
MAYOR**

Town Hall,

Douglas,

5th October, 2012

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 10th day of OCTOBER, 2012, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the TOWN HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

Town Clerk & Chief Executive

Order of Agenda

I - Election of a person to preside (if the Mayor is absent).

II - Any statutory business.

III - Approval as a correct record of the minutes of the last regular and any intermediate Meetings of the Council.

IV - Questions of which Notice has been given by Members of the Council, pursuant to Standing Order No. 39.

V - Consideration of the minutes of proceedings of the Council in Committee.

VI - Consideration of the minutes of proceedings of Committees of the Council in the following order:

- (i) The Executive Committee;
- (ii) The Pensions Committee;
- (iii) The Standards Committee;
- (iv) The Eastern Civic Amenity Site Joint Committee;
- (v) Any other Joint Committee;

VII - Consideration of the report of each Lead Member in the following order:

- (i) Housing and Property;
- (ii) Regeneration and Community;
- (iii) Environmental Services;

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, 8th August, 2012, the Special Private Council Meeting held on Friday, 7th September, 2012, and the Special Council Meeting held on Friday, 14th September, 2012.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 28th September, 2012.

Members Present: Mr. Councillor D.W. Christian (Chair), the Mayor, Messrs Councillors S.R. Pitts, E.A. Joyce, Councillor Mrs. C.E. Malarkey (from 2.35pm), Mr. Councillor R.H. McNicholl.

In Attendance: Chief Executive, Borough Engineer & Surveyor, Assistant Chief Officer (Finance), Assistant Town Clerk (from 2.30pm to 4.30pm).

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 the Borough Treasurer.

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes

The minutes of the meeting held on Friday 27th July 2012 and the special meeting held on Thursday 30th August 2012 were approved and signed.

A4. Matters Arising from Previous Minutes

Clause B20 – Minutes and Referrals of the Housing and Property Advisory Committee (Pulrose Development, Phase 10 (Upper)): following the meeting of Council held on 8th August 2012, it had been requested that resolution (ii) be deleted and substituted with 'that the Council does not support the installation of bio-mass heating in the Pulrose Development Phase 10'. It was noted that this matter had been further discussed and resolved at the Special Meeting of Council held on 7th September 2012.

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

Clause D23 – Pulrose Farm Development, New Castletown Road, Douglas: following the meeting of Council held on 8th August 2012, it had been requested that resolution (iii) be deleted and substituted with 'that negotiations with Haven Homes Ltd be suspended and that the properties be advertised for sale'. Since that meeting, however, a Briefing Note had been circulated by the Borough Engineer & Surveyor advising Members that this matter was within the delegated powers of the Executive Committee and should not, therefore, have been altered by the Council.

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

A5. Minutes and Referrals of the Environmental Services Advisory Committee

The Committee noted that the meeting of the Environmental Services Advisory Committee, scheduled for Monday 17th September 2012, had been inquorate and did not therefore take place. All agenda items were to be deferred to the October 2012 meeting.

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

A6. Minutes and Referrals of the Regeneration and Community Advisory Committee

The Committee considered the minutes of the Regeneration and Community Advisory Committee meeting held on Tuesday 18th September 2012. Although there were no items requiring specific referral to the Executive Committee, discussion took place in respect of Clause A15, 'Santa Horse Trams'.

Resolved, "(i) That particulars of the minutes of the Regeneration and Community Advisory Committee be noted; and

(ii) That the Borough Engineer & Surveyor be requested to investigate the use of battery-operated low-voltage lights for the Santa Horse Trams.”

A7. Minutes and Referrals of the Housing and Property Advisory Committee

The Committee considered the minutes of the Housing and Property Advisory Committee meeting held on Wednesday 19th September 2012. It was noted that there were no items requiring specific referral to the Executive Committee.

Resolved, “That particulars of the minutes of the Housing and Property Advisory Committee be noted.”

A8. Consultation Document – Social Policy

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Department of Social Care.

The fundamental principles proposed in the document were that resources should be targeted at areas of greatest need, and that more people should be empowered to be self-sufficient. Members considered in detail the draft responses to the specific questions contained in the consultation document, which had been formulated by the Council’s Chief Officers, and it was agreed:

- In relation to Question 2, whether it was thought any principles were missing, this be amended so that the response be that the main aim of the social policy model should be to make people become more self-sufficient;
- In relation to Question 7, whether the ‘cliff-edge’ effect should be avoided, this be amended so that the response be that a grading effect was required but that there should be a limited number of grades in order to keep the administration as simple as possible;
- In relation to Question 10, whether those receiving support should face penalties if they have been paid unfairly or abused that support, this be amended so that the response be that deliberate abuse of any support scheme should be punishable and the amount recoverable;
- In relation to Question 11, whether the ‘two-way escalator’ treats all groups fairly, this be amended so that the response be that, although it includes reasonable and supportable principles for development of social policy, it was the method of implementation in practice that would make a difference;
- In relation to Question 13, regarding the pace of change, this be amended so that the response be that the Council would expect to see any changes being completed before the end of the current House of Keys;
- All other responses were agreed as drafted;
- It was also agreed that a further note be included in the response that it was considered that there were too many types of benefits and ‘top-ups’ that could be applied for, and that the key to any change was to make the whole benefits system more simple.

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

(ii) That the draft responses (as appended to the written report and amended as set out above) be approved for submission to the Department of Social Care on behalf of the Council.”

A9. Consultation Document – Proposed Relocation of Douglas Bus Station

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Department of Community Culture and Leisure.

Although Victoria Street was an ideal location for a bus station in the context of pedestrian access to the principal shopping area and not requiring any investment in land, the proposal contained in the consultation document simply envisaged shelters being placed along the pavements on the north side of the street to create a bus station, and there appeared to be no further enhancement of the facility, by way of waiting rooms, toilets, etc.

Members considered the proposal to be inappropriate on the grounds that, as the pavements in Victoria Street were relatively narrow, it would lead to pedestrian congestion as well as to traffic congestion. Additionally, several premises in Victoria Street had licensed ‘pavement cafe’ areas and it was not appropriate to place heavy vehicles in close proximity.

It was noted that the Douglas Development Partnership was opposed to the proposed use of Victoria Street and had submitted a detailed response accordingly, objecting on a number of grounds (including the perceived detriment to the ambience of the area, the quality of the proposed facility, increased vehicular traffic movements, and increased street clutter and congestion). The Council, as a member of the Partnership, was fully supportive of the objection.

It was noted that alternative sites had been considered, but these had been dismissed for various reasons. Those sites included the AXA town square development; the area bounded by Ridgeway Street / King Street / Duke Street and Lord Street; Parade Street; the Sea Terminal; and Loch Promenade.

Members agreed that the need for a new bus station must be recognised and considered the most ideal location as being the current site in Lord Street.

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

(ii) That the Department of Community Culture and Leisure be advised that the Council opposed the relocation of the Douglas Bus Station to Victoria Street on the grounds of traffic and pedestrian congestion.”

A10. Consultation Document – Scope of Government

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Council of Ministers’ Office.

As there were potentially serious implications for the Council from changes in the Government’s structure and methods of service delivery, including the suggested transfer of functions to local authorities, the Extended Chief Officers’ Management Team had considered the document in detail and produced draft responses to the specific questions (as appended to the written report).

Members considered those draft responses in detail and it was agreed:

Question 1: in relation to operational matters, the response be amended so that the word ‘devolve’ be substituted with ‘transfer’;

Question 2: in relation to alternative service delivery methods, this be amended so that the response be that an in-depth Government appraisal should take place before any decision is made;

Question 3: agreed as suggested;

Question 4: in relation to corporatisation, this be amended so that the response be that corporatisation may be suitable for certain services;

Question 5: in relation to the various options for alternative methods of service delivery, this be amended so that the response be -

Bus service	Corporatise / Privatise
National Sports Centre	Contract out / Corporatise
Tourism events	Contract out
Villa Marina / Gaiety Theatre	Contract out / Corporatise
Airport	Contract out / Corporatise
Harbours	Contract out / Corporatise
Operations divisions of Department of Infrastructure	Contract out
Quarries	Contract out
Commercial forestry	Contract out
Fish hatchery	Contract out (and not considered an essential service)
Water and Sewerage Authority	Contract out

(Mr Councillor R H McNicholl declared an interest in the item on the list relating to the Manx Electricity Authority)

Manx Electricity Authority	Corporatise
Isle of Man Post Office	Corporatise
Residential and Day Care Services	Contract out / Privatise
Home Care Services	Contract out
Prison	Retain under Government control
Heritage railways	Retain under Government control
Safeguarding children	Retain under Government control
Employment / training support	Contract out;

Question 6: in relation to elected politicians concentrating on strategic issues, the response be supported but amended to read that recruitment of senior management be within the remit of politicians;

Question 7: in relation to the Executive Agency model, this be amended so that the response be that the Council is not convinced that the United Kingdom Executive Agency model works as it is expensive to operate and accountability is lost;

Question 8: this to be amended so that the response be the same as in Question 7 above;

Question 9: in relation to the devolvement of functions, this be amended so that the response be that the statement of principle is not open to challenge. It should take place. The term 'devolve' is not totally transparent and it needs to be clear that if local authorities are to be responsible for additional functions, and the costs, they should be permitted to manage according to their own political leadership and not suffer the direction of Government except in the settling of parameters and standards through legislation;

Question 10: in relation to the devolvement of functions, this be amended so that the response be that local government reform should happen now (on the basis of four authorities plus Douglas), with functions being transferred to the Council now as it was ready to take these on, and that a joined-up debate take place between local authorities and the Council of Ministers;

Question 11: in relation to what functions should be devolved, this be amended so that the response be -

Public sector housing	Agreed as suggested
Building Regulations	Agreed as suggested
Town and Country Planning	This be amended so that the draft response be the Council has long pressed for first-stage planning to be transferred to local authorities on the grounds that local representatives are more aware of local needs and expectations
Environmental health matters	This be amended so that the response be that this function should be transferred to the four plus one (Douglas) regional authorities, and that Douglas could contract out to the other authorities
Pest control	This be amended so that the response be that this function should be transferred to the four plus one (Douglas) regional authorities and that Douglas could contract out to the other authorities
Street cleaning	This be amended so that the response be that Douglas Borough Council undertakes some street cleaning as agent of the Department of Infrastructure, but enhances it at its own cost in the interests of the Borough, recognising the importance of environmental cleanliness
Car parks and parking control	This be amended so that the response be that Douglas Borough Council operates three off-street car parks already. Car parking is specifically a local authority function and should be transferred. Parking control (on-street car parking) is not currently a local authority function but in Douglas could be easily accommodated as a supplementary function to the off-street parking
Waste management and refuse disposal	This be amended so that the response includes reference to the four plus one (Douglas) regional authorities and that heavy costs involved should be off-set by the 'producer pays' principle;

Question 12: agreed as suggested;

Question 13: this be amended so that the response be the recommendation is not supported; in respect of the first bullet point, whatever transitional route is chosen three years is an unnecessarily long period for preparing local authorities to take on the functions. In the case of Douglas, the existing local authority has sufficient size and capability already to immediately assume some additional functions. The Department of Infrastructure currently governs most of the functions proposed for transfer to local authorities, as well as being responsible for local government by way of the Local Government Unit and, rather than setting up an additional layer of bureaucracy, it would be preferable for that Department to take the role of transitional agency in respect of its own current functions and to act as a conduit for others;

Question 14: agreed as suggested;

Question 15: in relation to benchmarking, this be amended so that the response states that this could easily be undertaken through such organisations as APSE (Association for Public Service Excellence);

Question 16: agreed as suggested;

Question 17: in relation to the protection of employees' terms and conditions, this be amended so that the response be that the Council is of the belief that proper legislation should be in place to protect employees;

Question 18: this to be amended so that the response be the same as in Question 17 above;

Question 19: this to be amended so that the response be it is ethically wrong to seek to change current compensation schemes purely to avoid high redundancy costs;

[no questions numbered 20 and 21]

Question 22: agreed as suggested.

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

(ii) That the draft responses (as appended to the written report and amended above) be approved for submission to the Council of Ministers."

A11. Consultation Document – Armed Forces' Community Covenant for the Isle of Man

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Chief Secretary's Office.

Members were advised that the proposed Armed Forces' Community Covenant sought to formalise the relationship between the Armed Forces (all branches) and the community generally. The principles behind the covenant were to avoid any disadvantage to members and past members of the Armed Forces and their families arising as a result of their service.

As the Council had long links with the United Kingdom Armed Forces and there were a number of local people currently serving, it was recommended that the Covenant be supported as a means to remove any disadvantage caused through military service.

Members discussed the specific question in the consultation document (Question 5) relating to the potential impact a Community Covenant would have on the organisation. In the case of the Council, there was the potential for points to be allocated in respect of housing, which would have an effect on the housing waiting list if points were awarded to service personnel in recognition of their being unable to gain residential qualifications while serving off the Island. It was agreed that the response should make it clear that service personnel should not be disadvantaged in this respect, provided they otherwise qualified for inclusion on the Council's housing waiting list.

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

(ii) That the creation by the Isle of Man Government of a formal Armed Forces' Community Covenant be supported; and

(iii) That the draft responses to all the specific questions (as appended to the written report and as amended at Question 5) be approved for submission to the Chief Secretary's Office."

A12. Consultation Document – Post Office (Amendment) Bill 2012

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Department of Economic Development.

It was noted that the consultation was on the proposed amendment of the Post Office Act to enable some diversification in the services the Post Office could provide.

Since the passing of the Act in 1993, when the scope of the business the Post Office could conduct had been defined, rapid change had taken place in technology, leading to a decline in the use of postal services. Some of the services proposed now to be included were already provided and could be seen as complementary to the postal service. By developing those services, the Post Office was seeking to make itself more efficient and to generate revenue, which would support the continuation of the six-days-per-week postal delivery service.

It was noted that the proposed Bill sought to introduce a new Clause, which would enable the Department of Economic Development, by Order, to vary the main duties and services the Post Office provided. Such an Order would require Tynwald approval, but would not be subject to public consultation.

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

(ii) That the Department of Economic Development be advised:-

- That the Council recognised the significance of the Post Office to the Island's economy, and supported the introduction of the specified additional services to supplement its core business; and

- That the Council supported the content of the proposed Post Office (Amendment) Bill, with the exception of the provision enabling further legislative change by Order of the Department of Economic Development.”

A13. **Monthly Financial Review (August 2012)**

The Committee considered a written report by the Borough Treasurer setting out details of progress made compared to key performance indicators in relation to rates collected; the increase in direct debit take-up for the year; the percentage of net rent collected; gross rent arrears; the number of tenants owing over £500; and sundry debtors over three months old.

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

A14. **Treasury Management Out-Turn 2011 / 2012**

The Committee considered a joint written report by the Borough Treasurer and the Assistant Chief Officer (Finance) in relation to treasury management.

It was noted that the out-turn report was a key aspect of delivering the Treasury Management Strategy, as approved in 2011. It summarised treasury management activities undertaken in respect of long-term loans; Bonds repayments; short-term investments; and outlined information in relation to Prudential Indicators for 2011 / 2012. Members recalled that the indicator for prudence was that the net external borrowing would not exceed the capital financing requirement – it was confirmed that this had been complied with for 2011 / 2012.

Members also noted that the indicator for treasury management was whether the CIPFA Treasury Management Code of Practice and Cross-Sectoral Guidance Notes had been adopted by the organisation - it was confirmed that this had been adopted by the Council in 2011.

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

(ii) That the achievement of the Prudential Indicators for affordability, prudence and treasury management also be noted.”

A15. **Contract Tenders**

The Committee considered a written report by the Assistant Chief Officer (Finance) in relation to the contracts for Internal Audit and Insurance Brokerage services.

Members were advised that both the Insurance and Internal Audit contracts were for a five-year term ending on 31st March 2013 (with both allowing extension by mutual agreement for up to a further five years). Due to lack of resources in the Borough Treasurer’s Department during 2012, it had not been possible to undertake these tender exercises. It was noted that the new Assistant Chief Officer (Income) was due to take up post at the beginning of December 2012, however, training would then need to be given in the Council’s particular approach.

It was recommended that the tendering work should be staggered over two years, which would ensure that both tenders did not come up for renewal in the same year in the future, allowing the workload involved to be spread out.

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

(ii) That the Insurance Brokerage services contract be extended for one year to allow a tendering exercise to be undertaken in 2013; and

(iii) That the Internal Audit contract be extended for two years to allow a tendering exercise to be undertaken in 2014.”

A16. **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.

Members also requested the following to be included on the list of items for future report:

- Cambrian Place Development: the Borough Engineer & Surveyor to report on the specific details of the contract with the developer of the Cambrian Place development, especially in respect of any compensation for expenses incurred by the Council in the event of any slippage in the contract period.

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.”

Further resolved, “That the items detailed above also be included on the list of items for future report to Committee.”

A17. Date of Next Meeting

Resolved, "That the next meeting of the Executive Committee be held at 2.00pm on Tuesday 30th October 2012."

A18. Lower Pulrose – Adoption of Roads (Financing)

The Committee considered a joint written report by the Borough Treasurer and the Borough Engineer & Surveyor seeking approval for initial funding for the adoption of roads in Lower Pulrose.

Members recalled that this Committee (in July 2012) had approved the Housing and Property Advisory Committee's request to amend the Capital Programme to provide funding for a one-off payment of £75,000 to the Department of Infrastructure in respect of a road bond and adoption agreement for the new sections of highway at Lower Pulrose (Phases 1, 2 and 3).

Petition approval had been sought from the Department of Social Care for borrowing powers to fund the project by loan over thirty years. This petition request had, however, subsequently been refused as the Department, in the circumstances, did not consider it appropriate to incur additional capital borrowing to fund the adoption sum. Following detailed negotiations with the Department of Infrastructure regarding the adoption status of the Lower Pulrose Estate roads, it had now been accepted that the majority of the roads were simply resurfaced original roads, and were therefore already adopted.

It was, however, recognised that the earlier phases of the development contained new sections of highway, which were not resurfaced roads and were not subject to formal road bonds and adoption agreements. This was because such agreements had not been required by the former Department of Transport for local authority projects at the time of construction.

Both the Council and the Department of Infrastructure wished to finalise the adoption issues of the Estate's roads and the Department had requested the payment of a one-off fee in the sum of £75,000 via a retrospective road bond and adoption agreement. This was considered reasonable as the Council did not pay the road adoption agreement fees to the Department at the time of construction.

Until formal adoption was in place, the Council was responsible and liable for the sections of new roads on the Estate. As defects had been discovered, it was considered that the Council should conclude this matter urgently to allow remedial works to commence on site.

In order to avoid future maintenance costs falling on the already stretched Housing Maintenance budget, it was proposed to make the initial funding of £75,000 from the General Revenue Reserves. This amount to then be reimbursed up to a fifteen year period by no less than £5,000 per year from the Housing Maintenance Allowance.

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

(ii) That the initial funding of £75,000 for the Lower Pulrose adoption of roads be approved from General Revenue Reserves;

(iii) That the General Revenue Reserves be reimbursed up to a fifteen year period by no less than £5,000 per year from the Housing Maintenance Allowance; and

(iv) That this arrangement be subject to the approval of the Department of Social Care by exchange of letters."

PART B –

Matters subject to Council approval

No public matters subject to Council approval were considered.

The Committee rose at 4.50pm.

VII(i) – The Proceedings of the HOUSING AND PROPERTY ADVISORY COMMITTEE as follows:

HOUSING AND PROPERTY ADVISORY COMMITTEE

HOUSING AND PROPERTY ADVISORY COMMITTEE – Minutes of Meeting held on Wednesday, 19th September, 2012.

Members Present: Councillor Mrs. C.E. Malarkey (Chairman), the Mayor, Messrs Councillors J. Joughin, J.E. Skinner, Councillor Ms K. Angela, Mr. Councillor S.C. Cain.

In Attendance: Assistant Town Clerk, Assistant Chief Officer (Finance), Assistant Chief Officer (Housing and Property), Assistant Chief Officer (Corporate and Development)(from 10.30 – 10.55am only), Democratic Services Officer.

REPORT

PART A –

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

A1. Minutes 18th July, 2012

The minutes of the meeting held Wednesday, 18th July, 2012 were approved and signed. In approving the minutes as a correct record of the meeting, the Committee noted that minute C7 (Willaston External Refurbishment Pilot Scheme) was withdrawn at Council for further consideration by the Committee, and resolution (ii) of C1 Private was referred back by the Council for further consideration by the Committee.

A2. Matters Arising – Minute B5 – Lower Pulrose Road Adoption

Members queried if the roads in Pulrose have now been adopted. The Assistant Chief Officer (Housing and Property) advised that the borrowing petition has been submitted, but approval has not yet been received. Members raised serious concerns about the condition of the road surface near the Pulrose shops. The Committee directed that the issue be raised by the Assistant Chief Officer (Housing and Property) with the Department of Infrastructure as an urgent matter, rather than one which could wait until scheduled officer meetings.

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

A3. Matters for Future Consideration

The Committee discussed matters requiring a report for future consideration. There was some discussion as to whether or not a report on the possible renaming and/or re-numbering of the flats on James and King Streets. Several suggestions to deal with the matter were put forward then it was agreed that a report setting out options was required for the next meeting. It was suggested that there should be consultation with the residents and the emergency services over any changes which were proposed.

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

PART B –

Matters requiring Executive Committee Approval

There were no matters requiring only Executive Committee approval.

PART C –

Matters requiring Council Approval

C4. Willaston External Refurbishment Pilot Scheme

The Committee considered a report on the Willaston external refurbishment pilot scheme. This project is a pilot scheme to refurbish the external fabric of six properties in Willaston with a view to identifying the best way of methods and materials to be used providing the best value for money on future phases of work. The project is being carried out by a two-stage tendering procedure. Auldyn Construction Ltd's 'Stage A' tender was received and approved by the Public Health and Housing Committee on 26th March, 2012.

Auldyn Construction Ltd submitted their 'Stage B' tender for the scheme in accordance with the finalised design on Friday 24th August, 2012. The tender was opened by the Chairman of Housing and Property Advisory Group on the 7th September, 2012. As this project involves a negotiated tender, the design team and Auldyn Construction Ltd scrutinised the tender cost breakdown and agreed that a number of items should be omitted from the submitted tender price. The design team are satisfied that

the amended negotiated tender represents good value for money and has been calculated in accordance with the approved 'Stage A' tender previously received.

The total petition amount will be £302,857.05 payable over fifteen years. The annual amount payable will be £28,420.80. The total amount payable will be £426,312.00 and the total interest will be £123,454.95. It is expected that future maintenance on these properties will be considerably reduced through the proposed use of maintenance free products, although some periodic maintenance will still be required.

Resolved, "That particulars of the report be noted on the minutes; and approval be given for the acceptance of the "Stage B" negotiated tender from Audlyn Construction Limited."

Further resolved, "That the Town Clerk and Chief Executive be authorised to petition the Department of Social Care for borrowing powers not to exceed the sum of £302,857.05 being the amount required to defray the cost of the Willaston External Refurbishment Pilot Scheme works."

Further resolved, "That the Department of Social Care be advised that an assessment of the Council's housing reserve funds had been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source."

C5. Various Sites Replacement Doors

The Committee considered a report submitted by the Planned Maintenance Officer on the capital project to replace doors in Council housing properties. The report recommended approval of two framework agreements one for the supply of the doors and the other for the installation of the doors into the properties. Extensive research has been carried out during the design stage of the project to identify the preferred doorset manufacturers and suppliers. GRP fibre-glass composite doorsets are considered a better product than UPVC doorsets in terms of robustness and value for money and were established as the best product to use. From the shortlist of GRP fibre-glass composite doorset suppliers, "Rockdoor Limited" and "Apeer Doors" were invited to submit their rates based on the supply only of the Council's door style specification. Rockdoor Limited submitted the lowest schedule of rates for the supply of doorsets and therefore they are the recommended supplier.

Contractors who applied to be on the select list were invited to submit tenders for the removal and disposal of existing doors and installation only of the new doorsets, including any making good (but not including the supply of the new doorsets). The competitive tenders were based on a notional 2,200 door installations to determine the rates per individual installation. Four companies submitted tenders, and the lowest of these was NK Construction Ltd who are recommended to be appointed as the principal framework contractor.

NK Construction Ltd. submitted their tender for Phase 1 of the door replacements using their framework rates previously tendered for the installation work together with the rates from Rockdoor Ltd for the supply of the necessary materials. Phase 1 is made up of six hundred and nine properties in the Upper Pulrose Outer Ring, the Anagh Coar Estate, the Hillside Estate and Willaston Estate.

The total petition amount for Phase 1 will be £655,114.70 payable over fifteen years. The annual amount payable will be £61,477.46. The total amount payable will be £922,161.90 and the total interest payable will be £267,047.20.

Phase 2 of the framework agreement is intended to commence immediately after Phase 1 without delay, which is one of the benefits of a framework agreement. The exact areas to be included as Phase 2 will be established in due course but will include some of the Willaston Estate and the completion of the Anagh Coar Estate.

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

- (i) Approval is given to the appointment of Rockdoor Limited as the framework door supplier for the project; and
- (ii) Approval is given for the appointment of NK Construction Ltd as the principal framework contractor; and
- (iii) Approval is given for acceptance of the tender submitted by NK Construction Ltd for Phase 1 of the Door Replacement Framework agreement; and
- (iv) The Town Clerk and Chief Executive be authorised to petition the Department of Social Care for borrowing powers not to exceed the sum of £655,114.70 being the amount required to defray the cost of Phase 1 of the Door Replacement works; and
- (v) The Department of Social Care be advised that an assessment of the Council's housing reserve funds had been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source."

VII(ii) – The proceedings of the REGENERATION AND COMMUNITY ADVISORY COMMITTEE as follows:

REGENERATION AND COMMUNITY ADVISORY COMMITTEE

REGENERATION AND COMMUNITY ADVISORY COMMITTEE – Minutes of meeting held on Tuesday, 18th September, 2012.

Members Present: Mr. Councillor S.R. Pitts (Lead Member), the Mayor, Councillor Mrs. R. Chatel, Mr. Councillor G.J. Faragher, Councillor Miss D.A.M. Pitts, Mr. Councillor W.M. Malarkey.

In Attendance: Assistant Chief Executive, Assistant Town Clerk (items A1 to A10), Assistant Chief Officer (Finance), Assistant Borough Engineer, Head of Parks, Assistant Chief Officer (Corporate and Development) (items A10 and A11 only), Assistant Democratic Services Officer.

REPORT

PART A –

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

A1. Minutes – 17th July 2012

Minutes of meeting held on Tuesday, 17th July, 2012 were approved and signed.

A2. Matters Arising – Noble's Park Bowling Club Kiosk

It was confirmed the sprinkler system at Noble's Park Bowling Green Number 1 has been repaired.

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

A3. Matters Arising – Daffodil Competition

It was confirmed Braddan School will be invited to participate in the Daffodil Competition. A Member requested Ballacottier School, situated on the outskirts of Douglas, be invited to participate.

Resolved, "That particulars of the matter arising be noted on the minutes and Ballacottier School be invited to participate in the Douglas Borough Council Daffodil Competition."

A4. Donkey Fields Site

The Committee considered a report by the Head of Parks on the future management of land adjacent to Lheannag Park, Anagh Coar, known as the Donkey Fields.

It was suggested that a management regime be implemented to enhance the site and encourage diversity of flora, fauna and habitats based on a Manx Wildlife trust assessment. A Member suggested Anagh Coar School be approached to get involved with the project.

In answer to question the Head of Parks confirmed the Manx Wildlife Trust assessment will be free of charge.

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

- (i) The Manx Wildlife Trust undertake a survey of the site and establish the ecological value;
- (ii) A management regime be produced for the site based on the Manx Wildlife trust assessments;
- (iii) Compartments of native planting be established;
- (iv) Interpretation boards be installed at strategic points along the footpaths subject to costs being approved by the Committee;
- (v) Anagh School be approached to be involved in the project."

A5. Kaye Memorial Gardens

The Committee considered a report submitted by the Head of Parks on progress and further options for the restoration of the Kaye Memorial Gardens.

Members previously requested that the memorial gardens be improved with planting to brighten the area and that additional seating be installed. It was noted that during July additional planting was completed, hanging baskets installed and paving was jet washed.

Members agreed picnic style benches should be reinstalled in the gardens despite creating a possible area for underage drinking and anti-social behaviour.

Members were presented with two options for the gardens, to maintain the gardens in the current format or to improve the gardens.

A Member informed the Committee that the forty year anniversary of the Summerland fire will be August 2013, Members requested a report be brought back to Committee suggesting options to commemorate the anniversary. It was noted there is a memorial plaque in the gardens.

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

- (i) The existing planting be removed from the central area and replanted with colourful species of hardy/semi hardy and herbaceous plants. The areas around the pillars with climbing plants be replanted to encourage coverage of the brick surfaces. To leave established planting in the front borders and plant new colourful species of hardy/semi hardy and herbaceous plants around them.
- (ii) A report be brought back to the November meeting of the Regeneration and Community Advisory Committee suggesting options to commemorate the fortieth anniversary of the Summerland fire."

A6. Strategic Framework for Parks

The Committee considered a report by the Head of Parks to establish a strategic and management framework for Parks and open spaces throughout the Borough.

It was noted that a strategic framework will set the Council's vision for using its green spaces and the goals it wants to achieve, plus the resources, methods and time needed to meet these goals. Members were presented with an explanation of why a strategic framework is needed, what areas it would apply to and the documents that are required to be developed.

Within the report it was suggested that Noble's Park and the Loch Promenade sunken gardens be entered for the 2012/2013 Green Flag Award. A baseline assessment would be undertaken in October 2012 of each site using the Green Flag judging criteria and a further report would be presented to the Regeneration and Community Advisory Committee in November 2012. This report would detail the findings of the assessments and any initial capital required. Members were presented with the eight key judging criteria.

Members agreed the Queen's Promenade and Loch Promenade should be judged as one entry with only one entry fee payable. Members raised concern that Noble's Park may not be in a position to be judged and agreed to consider the baseline report before entering the Park for the competition.

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

- (i) The strategic framework be adopted for Parks;
- (ii) The production of management plans and strategies for the future management, development, investment and vision of parks and open spaces throughout the Borough be supported;
- (iii) The current technical and strategic resources within the Parks Management structure be reviewed and returned to Committee with further recommendations;
- (iv) A Green Flag baseline assessment be carried out for both Noble's Park and the Promenade, to include both Loch and Queen's Promenade, and reported back to the Committee with a hope to enter both areas for the 2012/2013 Green Flag Award."

A7. Allotments

Mr Gerrard, independent allotments representative, joined the meeting at 11:00am to discuss current issues with the allotment plots.

Mr Gerrard informed the Committee a number of allotment plots are not being kept in line with the expected standard. Mr Gerrard provided Officers with the plot numbers and issues relating to each plot.

Mr Gerrard then went on to suggest inserting an additional clause to the allotment contracts to avoid the persistent problem with allottees not developing plots. Mr Gerrard suggested all allottees be given a deadline of March to develop plots or the Council will evict the allottee and re let the plot in April in time to be developed for the next allotment season. It was noted the ideal month to develop a plot is April, any time after April can be difficult to grow crops.

Mr Gerrard suggested that the next phase of allotment plots should be decreased in size, a number of current allottees have commented that the allotments are a large size to maintain. A size approximately three quarters of the current standard allotment size was suggested.

In answer to question the Assistant Chief Executive confirmed the second allotment phase should be complete within the 2012/2013 financial year.

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

- (i) An additional clause be inserted in the allotment contracts detailing a deadline date for developing plots;

- (ii) Officers write to allottees of plot numbers provided by Mr Gerrard;
- (iii) Officers research the size of allotment plots for the next phase of the allotments.”

A8. Noble’s Park BMX Track Usage

The Committee considered a report submitted by the Head of Parks on the Government’s Sports Development Unit (SDU) usage of the Noble’s Park BMX Track.

Officers reported the Council approached the Government’s SDU and following discussions and consultation with the Chairman it was agreed that BMX sessions would be trialled at the Noble’s Park BMX Track, commencing September 2012.

It was noted that a trial session took place on Saturday, 15th September, 10.00am to 11.00am. The SDU have agreed to provide two qualified coaches and the cost per child per session is £1. This is to go towards the cost of the coaches and there will be no cost to the Council. The SDU have the necessary insurance in place and have completed necessary risk assessments.

The SDU have suggested they are interested in running similar schemes with other Council facilities.

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

- (i) Usage of the BMX track be promoted through the Government’s Sports Development Unit;
- (ii) Future BMX sessions organised through the Government’s Sports Development Unit be supported by the Council.”

A9. Noble’s Park BMX Track Development Works

The Committee considered a report submitted by the Assistant Chief Executive suggesting improvements to the Noble’s Park BMX Track.

BMX Isle of Man initially agreed to run the Noble’s Park BMX track on a similar basis to the BMX track in Ramsey which is situated on land owned by Ramsey Commissioners but fully maintained by the Club. To date, despite numerous contacts with the Club, no firm indication of what the Club is prepared to do has been forthcoming and therefore it has not been possible to put in place any lease or license between the Club and the Council.

It was noted that the Club has expressed some concerns in respect of the track’s suitability, mostly relating to the first berm. In order to clarify and progress matters, a report was commissioned from BMX track experts Clark & Kent which created the Olympic BMX track and advises a number of bodies on BMX tracks.

Clark and Kent’s report was circulated to Members of the Committee; the report suggested seven track alterations, to upgrade the track to a top specification national track. Members queried if there was a difference between a top specification track and a standard national track, the Assistant Chief Executive agreed to discuss the difference with Clark and Kent.

In answer to question the Assistant Chief Executive confirmed contractors carried out the original track works in accordance with a specification which was based on a similar track in Manchester.

A Member requested costings of the BMX track to date.

It was noted that no significant safety concerns were raised in the Clark and Kent report.

Members raised concern that a number of Clark and Kent’s suggested alterations had been unknown issues to the Committee and felt that all alterations may not necessarily be essential but rather desirable to create a top specification national track.

The Assistant Chief Executive agreed to approach the British Cycling Association to request advice on the current track and essential works.

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

- (i) A further report be presented to the Committee detailing essential works required to upgrade the Noble’s Park BMX track to a national standard track, in consultation with the British Cycling Association.”

A10. Promotion of Hop Tu Naa

The Assistant Chief Officer (Corporate and Development) joined the meeting to discuss the following two items.

The Committee considered a report by the Assistant Democratic Services Officer, following receipt of a letter, suggesting the Council consider promoting a Hop Tu Naa event utilising one or more of the Douglas Parks.

The Chairman received a letter from a Douglas MHK Mr Corkish MBE requesting a short meeting to consider the promotion of Hop Tu Naa in Douglas parks. Mr Corkish MBE was off island and therefore unable to attend the Committee meeting.

The Assistant Chief Officer (Corporate and Development) informed Members Douglas Development Partnership have organised a Hop Tu Naa themed event, 'Fright Fest', in Douglas Town Centre on Saturday, 27th October. A draft advertisement poster was presented to the Committee.

Members made reference to the 'Trick or Treat' attraction and requested the title be renamed to Hop Tu Naa, it was confirmed turnips, rather than pumpkins, have been organised for the event.

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

- (i) The Council do not proceed with a Hop Tu Naa event utilising Douglas parks and MHK Mr Corkish MBE be informed of the Douglas Development Partnership Hop Tu Naa themed event 'Fright Fest';
- (ii) Mr Corkish MBE be authorised to organise a 2012 Hop Tu Naa event utilising one or more Douglas parks subject to no cost falling on the Council."

A11. **Living Promenade**

The Committee considered a report and presentation by the Assistant Chief Officer (Corporate and Development) to update the Committee on the Living Promenade project.

It was noted following a consultation exercise undertaken by the Department of Infrastructure Highways Division, seeking views to undertake highway improvements, the Assistant Chief Officer (Corporate and Development) was invited to lead a project called the "Living Promenade". "Living Promenade" is a project to develop some concept ideas for non-highway related improvements.

The Assistant Chief Officer (Corporate and Development) presented eighteen ideas to improve the Promenade.

Members were generally enthusiastic about the ideas. It was noted there was no budget provision for any of the concepts.

Resolved, "That the report and presentation be noted on the minutes and the Assistant Chief Officer (Corporate and Development) present a further report to the Regeneration and Community Advisory Committee detailing an action plan and costings for the concepts suggested."

A12. **Attendance**

Mr Councillor G.J. Faragher left the meeting at 12.50pm.

A13. **Adjournment and Resumption**

The Committee adjourned at 1.05pm and resumed at 2.30pm.

Mr Councillor Faragher submitted his apologies for the remainder of the meeting.

A14. **Public Events**

The Committee considered a report submitted by the Assistant Democratic Services Officer on forthcoming public events, namely, the fireworks display, Remembrance Sunday and the Christmas lights ceremony.

Members discussed the revised layout of the Christmas lights ceremony, it was suggested that the staged area be relocated to the top of King Street to increase the public viewing area therefore decreasing the crowd congestion outside the Town Hall.

Members disagreed with the relocation of the stage, the relocated stage would block Colebourns fire exit, would result in King Street being closed throughout the day of the event and the Mayor, who visited the site prior to the meeting, felt the viewing area would be decreased and crowd congestion would increase.

Members did not agree with escorting the performers from the Borough Treasurer's exit and behind a barrier to the stage and there was comment the Pantomime would lose the surprise factor when introducing performers on stage as the public would be able to see the performers at the side of the stage rather than inside the Town Hall.

Members did not agree with the installation of an additional column to provide an electricity supply to the relocated stage and were not satisfied with the suggested relocation of the disabled area as those in the area would be unable to view the stage behind the crowd.

Members enquired if the event could be projected on a screen at Colebourns and other areas that crowds congregate but cannot necessarily see the staged area.

It was noted that the caterers and 3FM, attending the fireworks display, will be relocated further along the Promenade, past the Broadway slip, to encourage the public to congregate further along the Promenade to where the display is being fired from the beach.

Members requested an advert be placed in the local paper for the supply of a sound system and stage for all three events as requested at the July meeting of the Committee.

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

- (i) The Committee notes and approves the change in layout to the fireworks display;
- (ii) The suggested relocation of the Christmas lights ceremony stage not be approved and the layout used in previous years (stage located outside the main entrance of the Town Hall) be approved for the 2012 event;
- (iii) An advert be placed in the local paper seeking suppliers for a sound system and staging for the fireworks display, Remembrance Sunday and the Christmas Lights ceremony;
- (iv) The Chair and Vice-Chair be authorised to approve further necessary changes in the detail of the arrangements for the event."

A15. Santa Horse Trams

The Committee considered a report submitted by the Assistant Chief Executive on the format of the 2012 Santa Horse Tram Service.

It was suggested that the Santa Horse Tram Service is concentrated on the weekend of 15th and 16th December. It was noted the local schools do not break up until the 21st December, 2012, and therefore there are no week days to run the service prior to Christmas. The Department of Home Affairs and Department of Infrastructure have previously advised that the service not be run past 4:30pm.

The Assistant Chief Executive reported a small profit of £120.49 from the 2011 Santa Horse Tram Service.

Members noted that, although not confirmed, the Department of Community Culture and Leisure is going to be running three different Manx Electric Railway services during the Christmas period.

A Member suggested Officers discuss plans with the Department of Community Culture and Leisure and, if possible, create together one Santa's Grotto and use one Father Christmas for both services.

The Assistant Chief Executive would like to further enhance the event and Members were asked if they have any ideas to pass them to the Assistant Chief Executive for consideration.

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

- (i) A Santa Horse Tram Service be operated for 2012;
- (ii) The Santa Horse Trams operate on Saturday, 15th December, and Sunday, 16th December, 2012, operational times each day from Strathallan at 10.00am, 10.40am, 11.20am, 1.00pm, 1.40pm, 2.20pm, 3.00pm and 3.40pm (arriving back at Strathallan at 4.20pm);
- (iii) The ticket price for the Santa Horse Tram Service remains at £7.50, for adults and children, with refreshments, a visit to Santa's Grotto, a gift for children included, and a child under the age of two travels free if accompanied by an adult."

A16. Creation of an access gate in wall between St Andrew's United Reformed Church and Noble's Park

The Committee considered a report by the Assistant Chief Executive, following a request received from St Andrew's United Reformed Church, to create a gate on the boundary wall between the church and Noble's Park.

Members requested a walkway be created from the gate into Noble's Park to ensure the grass is kept in good condition.

Resolved, "That St Andrew's United Reformed Church be permitted to create a pedestrian access gate in the wall between St Andrew's United Reformed Church grounds and Noble's Park, subject to:-

- All costs being borne by the church;
- Plans being approved by the Borough Engineer and Surveyor prior to submission of planning application;
- The proposed gate being suitable for disabled users;
- Suitable licence agreement being put in place for use, maintenance and associated matters in respect of the proposed gateway;
- A walkway being installed from the gate and into Noble's Park."

A17. Items For Future Report

The Committee considered a report submitted by the Assistant Town Clerk regarding reports for future consideration by the Committee.

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

A18. Hire of the Community Room

The Committee considered a request received via e-mail, prior to the meeting, requesting approval to hire the Noble's Park Community Room at a discounted rate. The room would be required for two hours on a weekly basis for St Thomas Brownies, it was hoped that the Committee would agree a rate lower than the current charity rate.

In answer to question the Assistant Chief Executive confirmed the charity rate does not cover the cost to open, clean and close the room.

Resolved, "That the requester be invited to attend the next meeting of the Regeneration and Community Advisory Committee, scheduled for 16th October 2012, to discuss requirements for the hire of the community room."

A19. Agenda Review

The Committee reviewed the Agenda to ensure that all matters had been dealt with and to determine which items should be considered in public and which in private Council.

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 3.40pm.