



Borough of Douglas

**COUNCILLOR MS JANET THOMMENY, JP
MAYOR**

Town Hall,

Douglas,

6th April, 2023

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL of the BOROUGH OF DOUGLAS to be held on WEDNESDAY, the 12th day of APRIL, 2023, 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 Housing and Property Committee;
- (iii) The Pensions Committee;
- (iv) The Standards Committee;
- (v) The Eastern District Civic Amenity Site Joint Committee;
- (vi) Any other Joint 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 monthly Council Meeting held on Wednesday, 8th March, 2023 and the Special Private Council Meeting held on Thursday, 23rd March, 2023.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Thursday, 26th January, 2023.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, Mr Councillor A.J. Bentley, Mr Councillor I.J.G. Clague, Mr Councillor D.R. Watson, Mr Councillor F. Horning.

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), Executive Officer (Mrs J.M. Keig) (taking minutes).

REPORT

PART C –

Matters subject to Council approval

C1. Referrals from the Regeneration and Community Committee (December 2022)

The Committee considered the following referral from the minutes of the Regeneration and Community Committee meeting held on Tuesday 20th December 2022:

Clause B1 – Play Policy: the Committee had considered a report by the Assistant Chief Officer (Regeneration) proposing the adoption of a Play Policy for the Council. A play policy document had been drafted during the planning process for the replacement of the play equipment in the Marine Gardens, and it was now recommended that the policy be adopted for all sites owned and managed by the Council. The Regeneration and Community Committee had reviewed and approved all the specific play policies contained within the Play Policy document, and endorsement was sought accordingly.

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

- (ii) That the resolution of the Regeneration and Community Committee be endorsed and that the Play Policy be adopted by the Council.”

The Committee rose at 3.55pm.

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Thursday, 23rd March, 2023.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, Mr Councillor A.J. Bentley, Mr Councillor I.J.G. Clague, Mr Councillor D.R. Watson, Mr Councillor F. Horning.

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 Chief Officer (Democratic Services) (Mrs L. Radcliffe) (for Clauses A8, A9, A14, C20), Head of Digital and Information Services (Mr D. Yates) (for Clauses A13, A14, C19, C20), 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

There were no apologies for absence.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes

The minutes of the meeting held on Thursday 23rd February 2023 were approved and signed.

A4. Matters Arising From Previous Minutes

There were no matters arising from the public minutes.

A5. Referrals from the Environmental Services Committee

There were no referrals from the minutes of the Environmental Services Committee meeting held on Monday 13th March 2023.

A6. Referrals from the Regeneration and Community Committee

There were no referrals from the minutes of the Regeneration and Community Committee meeting held on Tuesday 14th March 2023.

A7. Referrals from the Housing and Property Committee

There were no referrals from the public minutes of the Housing and Property Committee meeting held on Wednesday 15th March 2023.

A8. Draft Local Authority Members (Travelling Allowances) Order 2023

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) in relation to a consultation received from the Local Government Unit at the Department of Infrastructure.

Under Section 68 of the Local Government Act 1985, Local Authority Members were able to claim travel allowances for travel associated with local authority business and the amounts payable, where such Member undertook those approved duties, were set out in the Order.

Local Authority Members' Travelling Allowances had not been updated since 2000, and, with recent changes made to the Tynwald Members' Expenses Order, the Department had felt it to be an opportune moment to look to update this Order. The purpose of the review was to increase the mileage rate that could be claimed by local authority members, to be in line with the level within the Members' Expenses Order 2022.

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

(ii) That a response be submitted to the Local Government Unit of the Department of Infrastructure, confirming concurrence to the mileage rate as set out in the draft Local Authority Members (Travelling Allowances) Order 2023, but expressing some concern that the proposed pence-per-mile rate was very low, and that a review of attendance allowances was also required."

A9. Council's Civic Service

The Committee considered a written report by the Democratic Services Officer seeking a change in date and a revised format for the 2023 Civic Sunday event.

The Civic Service had, for a number of years, taken place on the second Sunday in June. However, this date had been problematic for the Isle of Man Constabulary due to resourcing issues immediately after the T.T. period and it was noted that, for 2023, the second Sunday in June had been designated as a

contingency date for the Senior T.T. Race. Not only would this preclude the police from assisting at the event, but it was unlikely that the usual road closures would be approved.

The Civic Sunday event provided an opportunity to celebrate civic pride; and the occasion could also be used to celebrate the work and contribution made by many individuals and local groups, who worked to enhance the quality of life in Douglas City. With this in mind, it was suggested that invitations to attend and participate in the event be extended to third sector organisations and to representatives of the Mayor's chosen charities.

Members also considered the proposal that the recently-created Community Champion and Young Hero Awards be re-branded as the 'Civic Awards', and that the opportunity be taken, at the reception following the Civic Service, to present the awards to the winners. While it was agreed that the presentation to the winners take place at the reception, Members requested that the awards continue to be promoted as the Community Champion and Young Hero Awards.

It was recommended that the 2023 Civic Service take place on Sunday 17th September, which would allow sufficient time to promote the awards competition and to bring the event to the early attention of third sector organisations. The historic parade, which was key to the promotion of the City's civic pride, would still take place, and dignitaries would be invited to participate as in previous years.

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

- (ii) That the Council's 2023 Civic Service takes place on Sunday 17th September;
- (iii) That the Mayor's Community Champion and Young Hero Awards be not re-branded to the 'Civic Awards';
- (iv) That the winners of the Mayor's Community Champion and Young Hero Awards be invited to participate in the Civic Service, with the awards being presented at the reception in the City Hall following the Service;
- (v) That the Mayor's chosen charities for the 2023 / 2024 municipal year be invited to participate in the event; and
- (vi) That local third sector organisations also be invited to attend and to celebrate the City."

A10. **Officer Attendance at Off-Island Conferences and Exhibitions**

The Committee considered a written report by the Chief Executive proposing an amendment to the current Executive Committee resolution regarding officer attendance at off-Island conferences and exhibitions.

Part 5 of the Council's Constitution – Codes and Protocols (Section K, Attendance at Conferences), covered attendance by Members at conferences, however, it did not relate to officers, and this had led to the introduction of the current resolution, which stipulated '*that the attendance of officers at conferences to improve operational knowledge and skills for the benefit of the Council as an improving organisation be supported, but that, in future, any attendance at off-Island conferences or exhibitions by officers, funded out of Committee budgets, was to have prior approval from the relevant Committee.*'

Whilst upholding the principles of good governance, the resolution had, on occasions, resulted in officers missing an opportunity to attend vital training because of the timing between receiving notice of the event and the next available Committee cycle at which to seek approval. It was therefore proposed, particularly in respect of one-off events or those that were less frequently attended, that where attendance was considered to be of benefit to the Council and the individual concerned, the relevant Chief Officer should seek approval from the Chief Executive and the relevant Committee Chair, on the basis that the costs of attendance could be accommodated from within existing service budgets.

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

- (ii) That approval be given for the Executive Committee resolution of 29th November 2019 to be amended to include, in cases where funding could be accommodated from within existing budgets, that approval would be by the Chief Executive in consultation with the Chief Officer and relevant Committee Chair."

A11. **Monthly Financial Review – February 2023**

The Committee considered a written report by the Director of Finance setting out details of progress made against Key Performance Indicators for Finance, together with other related key financial monitoring information.

Members were advised that, from 1st April 2023, the electricity tariff relevant to public lighting would increase, with a further increase then due from 1st July 2023 - the total of both rises representing a 57% increase on the current tariff. The main commercial tariff was also due to increase by 55% on current prices and, with only a 10% inflationary increase assumed within the approved budget, the 2023 increases were therefore expected to generate a budgetary shortfall.

Resolved, “(i) That particulars of the report be noted on the minutes, including particularly -

- (ii) The rates collection figure of 99.1% compared against a target figure of 98.5% for the April to February period of 2022 / 2023; and
- (iii) The estimated £130,000 rate-borne budget shortfall in 2023 / 2024 arising from the Manx Utilities’ electricity unit tariffs announced for 2023.”

A12. Treasury Management Plan 2023 / 2024

The Committee considered a written report by the Assistant Chief Officer (Income) detailing the Council’s plans and related Prudential Indicators for 2023 / 2024.

As an annual report, the Plan was a key aspect of delivering the Treasury Management Strategy. It summarised planned treasury management activities in respect of long-term loans, short-term investments, and the Capital Strategy; and outlined information in relation to the Prudential Indicators for 2023 / 2024. It was noted that the Prudential Indicators had been updated to align with those now incorporated into the Capital Strategy, as approved by the Executive Committee in September 2021.

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

- (ii) That the Treasury Management Plan 2023 / 2024 be approved.”

A13. New Online Procurement System Selection

The Committee considered a written report by the Head of Digital and Information Services setting out an update on the new procurement system selection process.

The Council had made the transition from an entirely paper-based procurement process in 2015 and progressed to an in-house electronic procurement system that allowed suppliers to submit tenders electronically. This system did, however, have limitations and a large-scale review of the whole procurement process had commenced in 2018. The outcome of this review determined that the Council needed to modernise its procurement processes and move to an industry-standard, fully-online application.

A number of suppliers had been identified to establish if they were a suitable match in terms of the Council’s requirements and cost profile; and a shortlist of four suppliers had progressed for detailed demonstrations and scoring (although one supplier had withdrawn at that stage).

Detailed demonstrations had been held with the remaining three suppliers, and each was scored against the Council’s sixteen core requirements - based on quality (60%) and cost (40%). The preferred supplier at the conclusion of the selection process was ‘Atamis’, as their system best matched the Council’s requirements.

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

- (ii) That approval be given for Atamis, as the chosen supplier and system, to provide an online procurement system for Douglas City Council subject to the completion of acceptable reference site reviews; and
- (iii) That approval be given for the five-year contract option to be entered into with Atamis, with the first year’s costs funded from the ICT Fund and the four subsequent years’ costs funded from General Revenue Reserves.”

A14. Remote Attendance at Council Meetings and Proposed Changes to the Council’s Constitution

The Committee considered a written report by the Assistant Chief Officer (Democratic Services), with input from the Head of Digital and Information Services, proposing changes to the Constitution to permit remote attendance by Members at Council Meetings in extenuating circumstances.

The proposal had originally come forward in response to a question raised by a Member seeking consideration to be given to permitting remote attendance at Council and Committee Meetings by Members who, for legitimate reason, could not attend in person. The Executive Committee, at its January 2023 meeting, had considered an initial report and requested that a further report be brought forward setting out the changes that would be required to Standing Orders and the Constitution, together with quotes for the equipment that would be required to progress a professional-standard audio-visual capability in the Council Chamber.

As previously advised, the Local Government Act 1985 (as amended) permitted remote attendance at meetings, however, the view was expressed that, whilst remote attendance at Committee meetings should be facilitated (as agreed in Clause C18 above), the importance of attendance in person at Council Meetings should not be under-estimated, and that in respect of statutory requirements and good governance, it would not be appropriate for Members to attend Council Meetings virtually.

In relation to equipment, the existing technology in the Council Chamber did not have the required capability nor the facility to live stream (if that decision was taken in the future), and Members accordingly noted the proposed technology and software that would be required for the technical solution together with a full cost analysis.

It was suggested, once a decision had been made in respect of the technical equipment, that the proposal to introduce a policy to facilitate remote attendance at Council Meetings could then be further reviewed if that was the wish of Members.

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

- (ii) That it be recommended to Council that remote attendance by Members at Council Meetings be not permitted at the current time; and
- (iii) That the cost analysis of replacing the present technology and software (with / without the facility to live stream, but excluding equipment for remote attendance), as contained in the appendix to the written report, be explored in more depth with a further report being brought before the Committee accordingly.”

[On a vote being taken on resolution (ii), Members voted 4 For; 1 Against. Mr Councillor D.R. Watson requested his vote against to be noted on the minutes.]

A15. Isle of Man Municipal Association

No documents had been received from the Isle of Man Municipal Association in advance of the meeting.

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.

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.”

A17. Chair’s Closing Remarks

The Chair extended thanks to Members and officers for their support in her role as Chair of the Executive Committee and Leader of the Council during the previous two years. While the Council had faced numerous challenges, the support from Members and officers had been invaluable and greatly appreciated in achieving a great deal during that time.

Members of the Committee and officers reciprocated their thanks to the Chair, recognising the significant amount of work involved.

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

PART C –

Matters subject to Council approval

C18. Financial Regulations Review and Standing Orders Values Review

The Committee considered a joint written report by the Chief Executive and the Director of Finance seeking approval to update Financial Regulations and the limitation values in Standing Orders.

Within the Constitution, the Council had a set of Financial Regulations which formed a key aspect of the Council’s system of internal control. Certain Financial Regulations and Standing Orders granted authority (whilst stipulating limitations) as to the value that the relevant Committee or officer could approve. The current limits had not been updated for four years, and Members accordingly noted the proposed schedule of amounts (as contained within appendix 1 to the written report) which had been updated in line with the increase in the Manx Retail Prices Index. It was proposed, going forward, that the amounts be updated annually by the Finance Department in liaison with the Chief Executive, and without any further recourse to the Committee, so that they kept pace with inflation.

Members also noted proposed revisions to the Council’s Financial Regulations, as contained within appendix 2 to the written report, mainly as a result of Internal Audit recommendations arising from a recent audit review of the Council’s Financial Regulations. The revised values (as set out in appendix 1) and the proposed updates (appendix 2) were agreed and a further report was requested in relation to Regulations F21, F21A, and F22.

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

- (ii) That it be recommended to Council:
 - (a) That the updated values as set out in appendix 1 to the written report be approved;

- (b) That the Finance Department in liaison with the Chief Executive be instructed to increase the values in Financial Regulations and Standing Orders in line with inflation annually;
- (c) That the proposed updates to the Financial Regulations as set out in appendix 2 to the written report be approved, subject to an amendment to the wording on page 2 of the Financial Regulations to read -

‘Non-compliance reports will be made by the Director of Finance (after appropriate consultation with the Chief Executive and any other Chief Officer involved). Any non-compliance report *shall* then be reported to the Executive Committee’; and
- (iii) That a further report be brought before the Committee in respect of Financial Regulations F21, F21A, and F22.”

C19. New Procurement Process and Digital Procurement System

The Committee considered a written report by the Director of Environment and Regeneration setting out the results of a review of the Council’s procurement process, and also seeking approval to a new procurement process.

The current procurement system was a ‘hybrid’ system – that was, quotations and tenders could be submitted either in paper format or electronically. However, regardless of the method used, all tenders required a paper-based record to be created, and were opened in the presence of the relevant Chair of Committee. It was noted that issues could sometimes be incurred if there was a delay in opening the tenders, especially if suppliers were only prepared to hold their prices for a short period of time.

The issues being experienced with the current system had therefore prompted a review of procurement within the Council. An officer working group had undertaken the review, the initial remit of which was to derive a specification for a completely digital system, thereby removing the issues associated with a hybrid and paper-based system. The resulting proposed process was much more streamlined, and allowed tenders to be evaluated across a number of criteria, such as price, quality, and social value.

It was additionally proposed that the necessity for Members to attend tender openings should no longer be required – the important Member scrutiny and oversight being provided at the budget approval stage. The officer working group had also taken the opportunity to review the financial limits in line with those approved for the Financial Regulations - and Members noted the various proposed procurement processes, depending on the value of the contract in question. It was also noted that no goods or services would be procured without prior Committee approval of the budgetary provision.

In order to facilitate the proposed change in the process, there were a number of necessary amendments required to the Constitution. These were as set out in the appendix to the written report and were noted accordingly.

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

(ii) That it be recommended to Council:

- (a) That approval be given for a new procurement process, as cited within the report; and
- (b) That approval be given for the amendments, as set out in appendix 1 to the written report, to be incorporated into the Constitution accordingly.”

C20. Remote Attendance at Committee Meetings and Proposed Changes to the Council’s Constitution

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) proposing changes to the Constitution to permit remote attendance by Members at Committee Meetings in extenuating circumstances.

The proposal had originally come forward in response to a question raised by a Member seeking consideration to be given to permitting remote attendance at Council and Committee Meetings by Members who, for legitimate reason, could not attend in person. The Executive Committee, at its January 2023 meeting, had considered an initial report and requested that a further report be brought forward setting out the changes that would be required to Standing Orders and the Constitution.

As noted at the January 2023 meeting, the Local Government Act 1985 (as amended) allowed for remote attendance at meetings. Members were already provided with the equipment required to participate in virtual meetings (iPads), and therefore remote attendance at Committee Meetings could be implemented with very little input.

Members considered a proposed Policy which, if approved, would be incorporated into the Constitution. The Policy required notice of at least one business working day when seeking to attend a Committee Meeting virtually, with the request to be considered initially by the Chief Executive. The reason for the request was to also be cited; and Members accordingly considered the proposed list of extenuating circumstances for which remote attendance could be sought.

It was noted that it was not recommended that Members be encouraged to 'remote in' while on holiday for several reasons, including that Members should not feel expected to attend meetings during their leave time; and also as Council devices should not be taken away for reasons of privacy and security.

Members were reminded that the Local Government Act 1985 stated that, if a Member of a local authority failed to attend any meetings of the authority throughout a period of three consecutive months they would cease to be a member of that authority, unless the reason for non-attendance had been approved by the authority. It was therefore recommended that the proposed Policy in relation to remote attendance should not count towards consecutive attendance at meetings, as there was an expectation by ratepayers that Members would be available and contactable via different communication methods.

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

(ii) That it be recommended to Council:

- (a) That remote attendance by Members at Committee Meetings be permitted in extenuating circumstances;
- (b) That the changes to Standing Orders to permit remote attendance at Committee Meetings, as set out in Appendix 1 to the written report, be approved, subject to the following -
 - That Standing Order 85a be amended to read, 'To virtually attend a Committee Meeting, a Member must make such a request in writing to the Chief Executive no less than one working business day ahead of the meeting, who will then consult with the Chair of the relevant Committee'; and
- (c) That the Policy, as set out in Appendix 2 to the written report, be adopted and included in the Constitution, subject to the following -
 - That paragraph 1 be amended to read, 'To attend a meeting remotely, a Member must request permission from the Chief Executive one working day in advance of the meeting, who will then consult with the Chair of the relevant Committee. The Chief Executive will ensure the necessary arrangements are made for the Member to attend virtually'."

The Committee rose at 5.40pm.

VI(ii) – The proceedings of the HOUSING AND PROPERTY COMMITTEE as follows:

HOUSING AND PROPERTY COMMITTEE

HOUSING AND PROPERTY COMMITTEE – Minutes of Meeting held on Wednesday, 15th March, 2023.

Members Present: Mr Councillor D.R. Watson (Chair), the Mayor, Mr Councillor F. Schuengel, Mr Councillor S.R. Crellin, Mr Councillor P.J. Washington.

In Attendance: Director of Housing and Property (Mr D. Looney), Assistant Chief Officer (Housing and Property) (Mr V. Zivave), Assistant Chief Officer (Income) (Mrs C. Pulman), Housing and Property Operations Manager (Mr J. Chatwood), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies for Absence

There were no apologies for absence submitted.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 15th February, 2023

The minutes of the meeting held on Wednesday, 15th February, 2023, were approved and signed.

A4. Matters Arising

There were no matters arising from the previous meeting.

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.

Appended to the officer's report was the void properties schedule, which showed that as at the end of February 2023, there were thirty-one vacant properties receiving attention. The Assistant Chief Officer (Housing and Property) advised that nine properties were ready for allocation.

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

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

A6. Housing Rent Arrears

The Committee considered a report submitted by the Housing and Property Operations Manager to monitor the progress made on rental income collection.

Members were presented with a table setting out the rent arrears statistics for January and February 2023. It was noted that as at the 26th February, 2023 the level of rent arrears was £63,502.91.

Appended to the officer's report was statistical data prepared by the Housing Operations Manager setting out the rent arrears statistics by estate; property type and occupancy.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the progress made on rental income collection be noted."

A7. Annual Maintenance and Repairs to the Sheltered Complex Central Heating and Hot Water Systems

The Committee considered a report submitted by the Assistant Housing Manager (Maintenance) to consider the tenders submitted for the annual maintenance and repairs to the sheltered housing complex central heating and hot water systems. The works involved included annual boiler servicing, safety checks, routine repairs, water testing, alternative heating and bio-mass maintenance. The contract will commence April 2023 and end March 2026.

Members noted that the current contract has now ended. The new contract was advertised by tender in January 2023 and two submissions were received.

The report explained that the new contract includes additional scope items including the installation of alternative heating sources. The contract also includes a contingency figure for any unforeseen items. This sum will only be expended upon written instruction from the Project Co-ordinator or the Employer's Representative.

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

- (i) The lowest tender submitted by Stewart Clague Services (SCS Ltd.), be accepted for the annual maintenance and repairs to the sheltered housing complex central heating and water systems."

A8. Review of Public Sector Housing (General Needs) (Allocations) Policy

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) to consider the Council's response to the Department of Infrastructure (DOI) in relation to the review of the Public Sector Housing (General Needs)(Allocations) Policy.

The DOI are current undertaking a review of the Public Sector Housing (General Needs) (Allocations) Policy and is formally seeking Members' views on the proposed amendments. Appended to the report was the Council's suggested response.

The Committee were disappointed that the Council's previously submitted responses on the matter had not been incorporated into the proposed legislation. In particular, Members were concerned at the disparity between the single and joint income threshold, the lack of clarity on how thresholds will annually increase in line with a reasonable indicator (such as the living wage or inflation), the lack of correlation with the fixed term tenancy thresholds and no introduction of an independent appeals process.

The Director of Housing and Property advised that the Department had previously indicated this was a short-term solution to the threshold levels and a full review would be forthcoming at a later date. However, there is no mention in the Policy that this is short-term solution, and if this is the permanent solution, Members and officers raised serious concerns over the proposal.

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

- (i) The Director of Housing and Property formally responds with feedback to the questions on Public Sector Housing (General Needs) (Allocations) Policy as set out in appendix 1 of the report, subject to the addition of a request for an independent review/appeals process;
- (ii) The updated draft response be circulated to the Committee ahead of submission;
- (iii) The Council's responses to earlier consultations on the matter be submitted with the response;
- (iv) A full copy of the response be submitted to the Minister for the Department of Infrastructure."

A7. 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."

A8. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Wednesday, 17th May, 2023.

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

The meeting ended at 11.41am.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 22nd March, 2023.

Members Present: Mr Councillor J.E. Skinner (Chair) (Items A1 to A7), the Mayor, Mr Councillor I.J.G. Clague, Mr Councillor S.R. Crellin, Mr Councillor F. Horning, Mr A. Thomas (Independent Member) .

In Attendance: Director of Finance (Mr A. Boyd), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Payroll Manager (Mr R. Leach), Democratic Services Officer (Mrs D. Atkinson), Scheme Administrator - Mr A. Beedall (Capita).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Apologies

There were no apologies for absence submitted.

A2. Declarations of Interest

It was noted that all officers present were members of the pension scheme and so would be affected by the Scheme Reform proposals. It is however necessary for them to be present to advise Committee and record proceedings. Officers do not have a vote.

Mr A. Thomas, Independent Member, declared an interest in item C12 and retired whilst it was considered.

A3. Minutes – 1st March 2023

The minutes of the meeting held Wednesday, 1st March, 2023, were approved and signed.

A4. Matters Arising

There were no matters arising from the previous minutes.

A5. Training: Administering Authority Decisions and Responsibilities

The Committee received a training presentation on the decisions and responsibilities delegated to the Pensions Committee, by the Council as Administering Authority to the Isle of Man Local Government Superannuation Scheme.

Mr Beedall firstly ran through the requirement for annual benefit statements and a communications policy. He moved on to explain that Capita, as scheme administrator are responsible for calculating and paying benefits. The Committee were then advised of the three-tier complaints process, and the presentation finished with a reminder of the authority's discretionary policies and the circumstances when admission agreements may be created.

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

A6. Superannuation Scheme Performance Monitoring

The Committee considered a report submitted by the Assistant Chief Officer (Finance) to update on the performance against measures outlined in the Superannuation Scheme Service Plan.

Members had in front of them the actions from the service plan together with an outcome on each. A red, amber and green status had been applied to determine progress in comparison to the action. Members noted that all objectives are on schedule or completed.

Resolved, "That particulars of the report and discussion be noted on the minutes and the progress against the planned actions in the Service Plan be noted."

A7. Annual Review of the Pensions Risk Register

The Committee considered a report submitted by the Assistant Chief Officer (Finance) to review the Pensions Risk Register.

Members were reminded that the document is presented annually to the Committee to advise of any risks facing the scheme, and to ensure that the Council, as administering authority, and all of its partners, have effective strategies for the management of those risks. Officers confirmed a review had been conducted together with the investment consultant, actuary and contract administrator. A 'changes

made' column was included in the document for Committee's benefit to highlight changes made in the version.

Members were presented with a table of thirty-nine risks. The risks were categorised and colour coded by low, moderate and high risks. The risks were re-calculated after chosen action(s) and colour coded accordingly using the red amber green model.

It was noted that there were no residual risk scores showing high risk (severe); however there were four risks showing high risk (major), albeit most of them were at the lower end of the scale.

Resolved, "That particulars of the report be noted on the minutes and the updated Pensions Risk Register be approved."

A8. Items For Future Report

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

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

A9. Date and Time of Next Meeting

Members noted that the next scheduled meeting was due to take place at 10.00am on Wednesday, 24th May, 2023.

The Committee rose at 12.45pm.

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, 14th March, 2023.

Members Present: Mr Councillor A.J. Bentley (Chair), the Mayor, Councillor Miss N.A. Byron, Mr Councillor S.R. Pitts, Mr Councillor F. Schuengel.

In Attendance: Director of Environment and Regeneration (Ms D. Eynon), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Assistant Head of Parks (Services) (Mr M. Higgins) (Items A4 to A6), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

There were no apologies submitted for the meeting.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 14th February, 2023

The minutes of the meeting held on Tuesday, 14th February, 2023 were approved and signed.

A4. Douglas Golf Course Update

The Golf Professional, Mr M. Vipond, joined the meeting to provide an update on the golf course service.

Mr Vipond advised that the course and club are busy and the number of golfers are increasing, despite the economic climate. He advised of plans in principle that have been discussed with officers to improve the offering to the users. A general update on the course including areas that could benefit from improvement was provided. He also suggested an increase to the senior fees for consideration as part of the 2024/25 budget process.

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

A5. Bathing Raft Location and Douglas Control Byelaws

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek approval of the position of the bathing raft and advise on any implications in relation to the dog control byelaws.

The report explained that officers have been exploring options for the location of the bathing raft with the assistance of the Council’s Health and Safety consultant. Based on the requirements of the raft listed in the report, the most suitable location was considered to be at a point approximately 65 metres below the mean high tide line at a point approximately opposite the Empress Hotel. It was noted that this point also provides ramp access on to the beach and is positioned well in terms of the aesthetics and gradient of the beach.

In response to question the Director of Environment and Regeneration explained that minor adjustments to the raft’s location may be possible using original tethers, but a major relocation would require new anchor blocks.

The Committee had requested that the Douglas Dog Control Byelaws 2018 be reviewed in relation the bathing raft to ensure that users do not come into contact with dog fouling. The proposed site of the raft is within the area of the beach which dogs are prohibited between the hours and 10am and 5pm between 1st May and 30th September (inclusive) every year. The report therefore recommended no change to the current Byelaws.

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

- (i) The bathing raft is installed approximately 65 metres from the mean high tide line at a point approximately opposite the Empress Hotel on Central Promenade;

- (ii) No amendments to the Douglas Control Byelaws 2018 are required as a result of locating the raft as proposed.”

A6. **Bereavement Services Prospectus**

The Committee considered a report submitted by the Bereavement Services Manager to seek approval for the publication of a Bereavement Services Prospectus.

The aim of the Prospectus is to provide information on all the services available, what can be expected from the Council and what will be required from the bereaved. The Committee thanked those involved for creating a very user friendly and considerate document. For ease of reference, Members suggested that the list of fees be appended to the printed versions of the document rather than by hyperlink to the Council’s website.

It was agreed that a Member visit to the crematorium would be helpful for the new Committee in May. The Bereavement Services Manager also advised of plans to welcome the public to open days to see how the crematorium works.

Resolved, “That particulars of the report and discussion be noted on the minutes and the Bereavement Services Prospectus be approved and publicised.”

A7. **Matters Arising**

The Committee reconsidered the report on the proposed beach festival. The Committee’s decision not to proceed with the event had been withdrawn at the March Council with a request to reconsider the Committee’s decision.

Members had a lengthy discussion about the initial proposal to allocate up to £20,000 to hold a beach event. The report had recommended that the cost of the event be funded from unbudgeted income received from events held in Noble’s Park. Whilst there was support for holding events on the beach, some Members felt that the level of cost was considerable for one day. A Member also felt that the unbudgeted income could be better spent on permanent additions to Noble’s Park such as a disabled swing.

During the discussion, it was agreed that a reduced budget be put forward, and Members and officers work together to agree the best way to spend the budget available considering the proposed activities put forward in the report.

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

- (i) A budget of up to £10,000 be allocated towards the holding of a beach festival on Saturday, 1st July, 2023, funded from unbudgeted income received from events held in Noble’s Park SL080;
- (ii) A virement of up to £10,000 from Noble’s Park SL080 to Open Spaces SL110 be approved in respect of resolution (i);
- (iii) Officers seek sponsorship for external funding for any additional costs above £10,000;
- (iv) Event Management Solutions be engaged to provide consultancy services in relation to some of the organisation, planning and delivery of the event at rates tendered to the Council in January 2022. If sponsorship for the event is received and the cost of this service exceeds £21,000, the matter be referred to the Executive Committee for approval in accordance with Standing Order 149.”

For: 3 Against: 1

Mr Councillor S.R. Pitts requested that his name be recorded as voting against the resolution.

A8. **Items for Future Report**

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

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

A9. **Date and Time of Next Meeting**

Members were advised that the next scheduled meeting was due to take place on Tuesday, 16th May, 2023.

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

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 13th March, 2023.

Members Present: Mr Councillor F. Horning (Chair), the Mayor, Councillor Miss N.A. Byron, Mr Councillor J.E. Skinner, Mr Councillor P.J. Washington.

In Attendance: Assistant Chief Officer (Environment) (Mr I. Jackson), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Community and Enforcement Manager (Mr A. Gordon), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

There were no apologies for absence.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes –13th February, 2023

The minutes of the meeting held on Monday, 13th February, 2023 were approved and signed.

A4. Planning Application 22/01113/B – Gloccamorra, Douglas Head

The Committee considered an appraisal of planning application 22/01113/B for demolition of the existing dwelling and redevelopment of the site adjacent to the land, with an apartment block accommodation comprising seven apartments with associated drainage, access, basement parking and landscaping at Gloccamorra, Douglas Head, Douglas.

Members were reminded that the application had previously been considered by the Committee on 17th October, 2022 when it had been resolved to raise an objection against the proposed development on the grounds that it failed to comply with the Isle of Man Strategic Plan 2016 general policies 2(c) and 2(g). It was considered that the proposal would adversely affect the character of the landscape and adversely affect the amenity of the local residents. The application was also contrary to TAPE landscape proposal 6 (Douglas Head) as the applicant had failed to demonstrate that the development could be suitably integrated into the surrounding landscape particularly in regard to the scale of the proposed development in comparison to the existing dwelling on the site.

Members were also reminded that the Head of the Government’s Health and Safety Directorate had made comment in relation to the site’s location being within the inner zone of Princess Alexander Pier, licenced dangerous goods site and that the H&S at Work Directorate had advised against the development due to the risks associated with the development site’s location.

The report advised that although this amended application had addressed some of the previous concerns raised by the DOI and DEFA’s Ecology officer, the guidance and objection raised by the Government’s Health and Safety Directorate still stands, despite the reduction in the number of bedrooms within the development, therefore, the report recommended that objection be raised against the proposed development.

Although the amended proposals had addressed some of the Council’s previous concerns in relation to access and manoeuvrability around the building, the proposed development remained contrary to TAPE landscape proposal 6 and the Chair proposed that the Council neither supports nor objects to the application.

Resolved, “That particulars of the report and discussion be noted on the minutes and that the Council neither supports nor objects to planning application 22/01113/B.”

A5. Planning Application 23/00128/B – 40 Peel Road, Douglas

The Committee considered an appraisal of planning application 23/00128/B for the conversion of a residential site to a block of four residential apartments at 40 Peel Road, Douglas.

The Community and Enforcement Manager advised that Council officers had raised concerns over insufficient bin and bicycle storage, Members noted that since the time of writing the appraisal, the Council's Waste Services had confirmed that the proposed development did not include adequate bin storage. Members were further advised of concerns raised regarding the lack of storage space within the apartments.

Members noted that Highways Services had not yet made comment in relation to parking.

Resolved, "That particulars of the report and discussion be noted on the minutes and that an objection be raised against planning application 23/00128/B on the grounds that the applicant had not provided sufficient information in relation to bin and recycling storage and the lack of an expert view on parking from Highways Services."

A6. Planning Application 22/00865/B – Millmount Complex, New Castletown Road, Douglas

The Committee considered an appraisal of planning application 22/00865/B for the erection of eleven light industrial units with associated road infrastructure, parking and amendment to site levels and ground infill at the Millmount Complex on the New Castletown Road, Douglas.

Members were reminded that when the application had previously been considered by the Committee on 19th September, 2022, it had been resolved to raise an objection against the application due to issues that were identified relating to contaminated land (Japanese Knotweed) and a failure to comply with Environment Policy 24 (lack of Environmental Impact Assessment and supporting environmental information).

The new amended proposal is for a reduction in the number of units from eighteen to eleven and retention of the existing warehouse which had previously been considered for demolition, and for improvements to the existing road infrastructure with associated parking. The proposed changes will create more space for landscaping the site and with the reduction in car parking spaces there will more outdoor space within the site.

The Community and Enforcement Manager advised that the amended proposals have also resulted in the retention of all the trees apart from one category U sycamore tree which is categorised as such due to irremediable defects and structural weakness.

As the new application complies with the various policies considered it is recommended that the application be supported.

Resolved, "That particulars of the report be noted on the minutes and that support be given to planning application 22/00865/B."

A7. Schedule of Dilapidated, Ruinous or Dangerous Properties

The Committee considered a schedule of properties in a state of dilapidation or disrepair. Members noted that no properties had been added to the schedule since the last meeting; two properties had been removed because work had been completed; and a total of fifty-eight properties remained on the list.

Resolved, "That the schedule of dilapidated properties be noted and approved and that the Director of Environment and Regeneration be authorised to progress improvements to the properties, by service of Notice and legal action where necessary."

A8. Items for Future Report

The Committee noted a report submitted by the Assistant Democratic Services Officer with an appendix setting out a number of reports that would be brought forward for consideration by the Committee in due course.

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

A9. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting of the Environmental Services Committee was due to take place at 10.00am on Monday, 15th May, 2023.

The meeting ended at 10.27am.