



Borough of Douglas

**COUNCILLOR MRS NATALIE BYRON-TEARE, JP
MAYOR**

Town Hall,

Douglas,

4th August, 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 9th day of AUGUST, 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

A handwritten signature in cursive script, appearing to read 'Kathleenie'.

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 Council Meeting held on Wednesday, 12th July, 2023.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Thursday, 27th July, 2023.

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

In Attendance: Acting Chief Executive / Director of Housing and Property (Mr D. Looney), Director of Finance (Mr A.J.T. Boyd), Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Head of Digital and Information Services (Mr D. Yates) (Clause A11), Executive Officer (Mrs J.M. Keig) (taking minutes).

REPORT

PART A –

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

A1. Apologies for Absence

Apologies for absence were submitted on behalf of the Worshipful the Mayor, Mr Councillor A.J. Bentley, and the Chief Executive.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes

The minutes of the meeting held on Thursday 29th June 2023 were approved and signed.

A4. Matters Arising From Previous Minutes

Clause A5 – Referrals from the Environmental Services Committee, Alternate Weekly Collections (Additional Funding in Support of the Change in Service): disappointment was expressed at the inaccurate reporting in the media in relation to the source of funding for extra communications and receptacles.

The sum of £60,000 had been agreed at the Special Executive Committee Meeting in January 2023, and budgeted for accordingly. There had been no use of the Council's Reserves, as had been claimed in the media.

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

A5. Referrals from the Environmental Services Committee

There were no referrals from the minutes of the Environmental Services Committee meeting held on Monday 17th July 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 18th July 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 19th July 2023.

A8. Referrals from the Eastern District Civic Amenity Site Joint Committee

The Committee considered the following referral from the Eastern District Civic Amenity Site Joint Committee meeting held on Tuesday 18th July 2023:

Clause B12 – Operational Contractors' Report: the Joint Committee had agreed the purchase of three bespoke angled plates for each garden waste skip, designed to avoid members of the public

overstretching when depositing waste into them, and authority was accordingly sought for the expenditure.

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

- (ii) That the resolution of the Eastern District Civic Amenity Site Joint Committee be endorsed, and that the cost of the three moveable shedding plates (£1,050 plus VAT in total) be apportioned to each of the relevant Authorities accordingly.”

A9. Consultation on Updating the Health and Safety At Work Etc Act 1974

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) in relation to a consultation document issued by the Health and Safety At Work Inspectorate under Section 68 of the Local Government Act 1985.

The Health and Safety At Work Etc Act 1974, as applied to the Isle of Man by the Health and Safety At Work Order 1998, was the primary piece of health and safety legislation on the Isle of Man. The UK had made several amendments to the Act since its introduction, however, the Island’s application of the UK Act was ‘fixed’ at the point it was last applied – i.e., 1998 – and it had therefore fallen out of step with the UK Act.

An application was being made to update the Island’s Act, to bring it into line with the current UK Act; and the Health and Safety At Work Inspectorate was consulting to ensure that all duty-holders had an opportunity to comment on, or suggest, proposed amendments. The changes proposed to the legislation were noted; and Members further noted that the Council’s Health and Safety Officer had indicated that no implications were anticipated for the Council if and when the updated Act was introduced.

The closing date for the consultation was 30th July 2023.

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

- (ii) That the proposed response to the consultation, as appended to the written report, be approved for submission on behalf of the Council.”

A10. Consultation on Isle of Man Heritage Railways Independent Review and Economic Impact Assessment

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) in relation to a consultation document issued by the Department of Infrastructure under Section 68 of the Local Government Act 1985.

The purpose of the consultation was to develop an understanding of who used the heritage rail network, and why, and what was considered to be the most important factor in their operation. Although it was a consultation for individuals to complete as it was personalised to their journeys, a draft response had been prepared in recognition of the importance of the Heritage Railway Network for visitors to the centre of Douglas.

The closing date for the consultation was 13th August 2023.

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

- (ii) That the proposed response to the consultation, as appended to the written report, be approved for submission on behalf of the Council, subject to an amendment that the Heritage Railway should be a connected and holistic service, and that it should provide a transport corridor along the full length of Douglas Promenade; and also to remove the suggestion to allow all rail services to be accessed via a single Heritage Travel Card, as this was introduced for the 2023 / 2024 season.”

A11. CCTV Performance Report

The Committee considered a written report by the Head of Digital and Information Services setting out the six-monthly update in relation to CCTV usage, enhancements, and changes for the period 1st January to 30th June 2023.

The intelligence provided by CCTV was used for the prevention of crime and also used as evidence in cases, and therefore, the information contained within the report had to remain private as it could be subject to court proceedings. It was noted that it was not possible to report on the final outcome of cases, due to the confidential legal nature of the court procedure.

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

- (ii) That the progress report for 1st January to 30th June 2023 be accepted, and that the Council’s ongoing commitment to the use of CCTV be supported.”

A12. **Monthly Financial Review - June 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.

Following the resolution of the Committee in May 2023, the Director of Finance had written to The Isle of Man Treasury regarding the decision to award an increase in audit fees to the Council's auditor without any consultation or communication with the Council. A response had been received, together with an indication from the Tynwald Auditor General of reassurances that would be implemented for subsequent years.

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

- The rates collection figure of 61.4% compared against the target figure of 56.3% for the period April to June 2023; and
- The response received from the Isle of Man Treasury in respect of the communication with local authorities regarding the recent increase in external audit fees, and also the communicated intentions of the Tynwald Auditor General."

A13. **Treasury Management Outturn Report 2022 / 2023**

The Committee considered a written report by the Assistant Chief Officer (Income) setting out details on treasury management.

The outturn report was a key aspect of delivering the Council's Treasury Management Strategy. It summarised treasury management activities undertaken in respect of long-term loans and short-term investments, and outlined information in relation to the Prudential Indicators for 2022 / 2023 in respect of affordability (the indicator for prudence being that net external borrowing would not exceed the capital financing requirement).

The CIPFA Treasury Management Code of Practice and Cross-Sectoral Guidance Notes (i.e., the indicator for treasury management) had been adopted by the Council in 2011 and reviewed in 2019, and it was confirmed that these had been complied with and adhered to for all treasury management activities.

Members were advised that the Isle of Man Treasury had formally advised of its intention to seek an extension of the HSBC Local Authority Borrowing Scheme until 27th July 2026, thus providing a further year of certainty as to the position under the Facility Agreement.

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

- The achievement of the Prudential Indicators for affordability, prudence, and treasury management; and
- The Isle of Man Treasury's intention to extend the Local Authorities' Long Term Agreement with HSBC for one further year until 27th July 2026."

A14. **Fleet Services – Disposal of Equipment**

The Committee considered a written report by the Head of Fleet Services and Stores detailing items that had been sold in the first quarter of the 2023 / 2024 financial year in accordance with Standing Order 161, 'Disposal of Surplus Property, Materials, etc'.

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

- (ii) That the Schedule of Vehicles and Plant sold and the income achieved at auction in the sum of £650 (excluding VAT) less auctioneer commission in the sum of £57.50 (giving net income on the day of £592.50) also be noted."

A15. **Environmental Policy**

The Committee considered a written report by the Director of Environment and Regeneration seeking approval of the Council's Environmental Policy.

An Environmental Policy was a written commitment of an organisation's agreed position to seek continual improvement throughout its operations to lessen the impact on the environment. This was done by conserving energy, water, and other natural resources; by reducing waste generation and the use of toxic materials; and by recycling.

The previous policy had been in existence for several years and had been updated on a number of occasions. The purpose of the policy was to set out the Council's intention and commitment to ensure its operations had an overall positive environmental impact. Reference was made to it in the Council's Net Zero Strategy and Action Plan, and in its Biosphere Partnership Narrative; and it was also integral to the Council's Corporate Plan 2022 – 2026. In working towards this policy, the Council would ensure

its operations were conducted in accordance with the relevant legislation, regulations, and where practicable, industry best practice.

Members noted the commitments set out in the Environmental Policy (as appended to the written report). As a number of additions were requested for inclusion, it was agreed that the updated document be submitted to the next meeting of the Committee for review and approval accordingly.

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

(ii) That the Director of Environment and Regeneration be requested to re-submit the updated Environmental Policy to the Committee for consideration at its September 2023 meeting.”

A16. Isle of Man Municipal Association

The Committee had been circulated with a number of documents received from the Isle of Man Municipal Association.

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

A17. 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.”

The Committee rose at 5.25pm.

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, 19th July, 2023.

Members Present: Mr Councillor D.R. Watson (Chair), the Mayor, Mr Councillor S.R. Crellin, Councillor Ms J. Thommeny, 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), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Assistant Property Manager (Capital) (Mr R. Green), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies for Absence

No apologies for absence were received.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 21st June, 2023

The minutes of the meeting held on Wednesday, 21st June, 2023, were approved and signed.

A4. Matters Arising

There were no matters arising from the previous meeting.

A5. Vacant Property 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 June 2023, there were thirty-seven vacant properties receiving attention. The Assistant Chief Officer (Housing and Property) advised that there were thirty-four vacant properties as at 19th July 2023 and that six properties from the schedule would be ready for allocation in the forthcoming weeks.

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 the monthly 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 April and May 2023. It was noted that as at the 4th June, 2023 the level of rent arrears stood at 4.8%.

Appended to the officer's report was statistical data prepared by the Housing and Property Operations Manager setting out the rent arrears statistics by estate; property type and occupancy. The Director of Housing and Property reminded Members that a Performance Report will be presented to the Committee in September 2023 as agreed at the previous meeting.

The Committee commended the Housing Team for the production of a leaflet, which was circulated at the meeting, on financial information to share with tenants in arrears at the same time as the formal stage 1 Letter is instigated. It is hoped this will assist some tenants to avoid formal proceedings for arrears commencing.

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. 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, 20th September, 2023.

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

PART C -

Matters requiring Council approval

C9. Fire Alarm Framework

The Committee considered a report submitted by the Assistant Property Manager (Capital) to progress the fire alarm framework. The project will replace the existing fire alarm and detection systems at the blocks of flats within the Council's housing stock.

It was noted that the existing fire alarm systems are compliant with the Fire Precautions (Houses in Multiple Occupation and Flats) Regulations 1996, and are close to reaching the end of their usable life. New alarm systems will be installed to meet the current Fire Precautions (Houses in Multiple Occupation and Flats) Regulations 2016.

The report proposed appointing the following;

1. March Consultants Limited as the Lead Designer and Contract Administrator. March Consultants Limited provided professional services for the recent James Street Flats fire alarm pilot project.
2. Ferncroft Environmental (IOM) Limited to undertake asbestos surveys on 279 flats and associated communal areas.
3. John Bellis, Fire Safety Management Consultant, to provide professional services in direct relation to the fire alarm upgrade works.

It was noted that planning supervision services will also be required. As a result of no tender applications submitted for this part of the project, the supervision will be carried out internally up to tender stage.

The capital cost build up, to take the scheme to tender, and the main petition stage were appended to the report.

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

- (i) March Consultants Limited, Mechanical and Electrical Consultants, be appointed as lead designer and contract administrator;
- (ii) Ferncroft Environmental (IOM) Limited be appointed asbestos surveyor;
- (iii) John Bellis, Fire Safety Management Services, be appointed to assess, report and advise of any necessary fire safety works in direct relation to the scheme;
- (iv) That the capital cost build-up be approved and the Chief Executive be authorised to petition the Department of Infrastructure for borrowing powers in the amount of £181,311 being the sum required to defray the project costs up to tender stage;
- (v) That the Department of Infrastructure be advised that an assessment of the Council's Housing Revenue Reserve Fund has been undertaken to establish if sufficient monies are available to fund the proposed scheme via that source."

The meeting ended at 11.20am.

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

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE – Minutes of Meeting held on Tuesday, 18th July, 2023.

Members Present: Councillor Ms J. Thommeny (Douglas) (Chair), Mr T. Kenyon (Garff), Ms F. Logan (Onchan), Mrs A. Davidson (Santon).

Apologies: Mr N. Mellon (Braddan), Mr I. Jackson (Douglas).

In Attendance: Mrs D. Eynon (Douglas), Mr P. Pierce (Douglas), Mr M. Quayle (Douglas), Mr J.C. Whiteway (Braddan), Mrs L. Radcliffe (Secretary).

REPORT

PART A –

Matters dealt with under delegated authority

A1. Election of Chair

The Secretary requested nominations for a Chair for the municipal year 2023/24. Mrs A. Davidson nominated Councillor Ms J. Thommeny and the nomination was seconded by Ms F. Logan, and Councillor Ms J. Thommeny was unanimously elected and took the chair.

A2. Election of Vice-Chair

Nominations were requested for the position of Vice-Chair. Mr T. Kenyon (Garff) proposed himself, Councillor Ms J. Thommeny supported the proposal and Mrs A. Davidson (Santon) seconded the nomination. Mr T. Kenyon was unanimously elected Vice-Chair of the Joint Committee.

A3. Minutes – 19th April, 2023

Approved unanimously.

A4. Declarations of Interest

None noted.

A5. Operational Contractors Report

Mr Crook joined the meeting to present the operational contractor's report.

1.2 – Gas Cylinders. Mr Crook advised that Mann Recycling has been contracted to remove the gas cylinders from the ECAS site at Middle River. However, there has been a delay to the collection. The Committee have been informed that rental costs are accruing until such time that the waste material is removed from the site. A suggestion was made to cross charge the accruing rental fee to the Department of Infrastructure (DOI). The Committee Secretary was requested to escalate the removal of the gas cylinders to the DOI.

1.3 – Batteries. Mr Crook advised that Costain's have been contracted to collect the Lithium Ion Batteries from the ECAS site at Middle River, however due to a change in policy in May 2023 by the Environmental Protection Unit Costain's now require an amendment to their current licence. Mr Crook advised that the Waste Management Unit are trying to resolve the issue. Rental fees for the Middle River site will continue to accrue until the batteries are removed.

1.5 – WEEE Contract. Mr Crook advised that Government have extended their contract with Mann Recycling until March 2024 when each amenity site will be expected to make their own arrangements. The Committee requested that Mr Crook look into the various options and report back to the Committee.

1.7 – Creamery Cartons. Mr Crook advised that the Isle of Man Creamery have confirmed that they have no plans to vary the existing arrangements as anticipated when the move to the new facility occurred. The current arrangement will continue at a cost to the Committee. The Committee Secretary was asked to write to the Isle of Man Creameries to clarify the position and to request collection volumes from the two sites to establish if there has been a shift in material from one to the other.

1.8 – Attendance monitoring. Mr Crook advised that there is the potential to reduce the opening times of the site by 1 hour / week which will attract a nominal saving with agency staff but that the less busy

time is very useful for completing certain tasks. The Committee agreed that they are happy with the current opening hours.

1.9 – Letter from the Rotary Club. Mrs Eynon advised that confirmation has been received from the Council’s internal advocate confirming that child seats and collapsible buggies should not be received by the amenity site for health and safety reasons and potential litigation. The Committee Secretary was asked to write to the Rotary Club to confirm that wheelchairs, crutches and walking frames are suitable for collection by the Rotary Club.

1.10 – G4S Contract Labour. Mr Crook requested clarification of the number of hours budgeted for the amenity site to operate. Mr Quayle clarified the hours. The Committee requested that Mr Crook look at the hours available and report back to Committee.

1.11 – Fixing Factory. Mr Crook reported that he attended the 2023 Keep Britain Tidy Conference and that one of the concepts developed is the ‘Fixing Factory.’ The contents of the report were noted and the Committee agreed that Mr Crook should discuss the concept at the Joint CA Sites meeting to discuss the practicalities.

1.12 – Wood separation. Mr Crook reported that since the removal of wood subsidy in April 2023 there is no longer a requirement for them to separate the wood.

1.13 – Reusable items from bulk waste collections – The Committee agreed that the trial should continue even though no item has been collected of suitable for reuse and the position to be reviewed once a suitable item arises.

1.14 – Mr Crook recommended that the Site rules be amended to include the following:-

- Opening paragraph to additionally include: Creamery cartons and other Tetrapak products.
- Clause 5. To be removed in its entirety.
- New clause – Non-acceptance of oversize items that cannot be reduced in size without physical dismantling, with the exception of recliner chairs, sofa beds and items suitable for the re-use area.
- New Clause – Non acceptance of Electric car batteries.
- Clause 12. Remove the last sentence as it is no longer applicable and review the clause in 6 months.

A number of questions in relation to the new ECAS were raised by the Chair, including staffing numbers, a request for the extension of a ‘sleeping policemen,’ additional CCTV, wind speed measuring equipment, covers for the skips and the smell from the animal plant.

It was agreed:

1. That the report and statistics be noted;
2. That Mr Crook continue to pursue the contractors to confirm a date for the removal of the Gas Cylinders and Lithium Batteries;
3. That the Committee Secretary write to the DOI and escalate the Committee’s concern of ongoing rental charges at Middle River ECAS due to the presence of Gas Cylinders and Lithium Batteries and that consideration is being given to invoicing them for additional charges incurred;
4. That Mr Crook explore the various options for WEEE provision going forward and report back to Committee;
5. That the Committee Secretary write to the Isle of Man Creameries to clarify collection points and to request collection volumes from the two sites to establish if there has been a shift in material from one to the other;
6. That the Committee Secretary write to the Rotary Club with the advice from Douglas Council Advocate on the collection of car seats and confirming those items that can be collected by the Club;
7. That Mr Crook assesses the staffing requirement and G4S Contract and report back to Committee;
8. That Mr Crook discuss the concept of ‘Fixing Factory’ at the Joint CA Sites meeting to discuss the practicalities;
9. That Mr Crook amend Clause 12 and Site Rules to be circulated for implementation by Committee Secretary;

10. Mr Crook was requested to look into the issues raised by the Chair concerning the new site and report back to Committee; and
11. That the Committee Secretary write to DEFA regarding the filtration system at the animal plant site.

A6. Old ECAS Site – Schedule of Dilapidations and Deed of Surrender

Mrs Eynon reported that the Schedule of Dilapidations at the time when the Committee took over the site and the survey at the end of the agreement contains the same issues. There are three items that the landlord requires the Committee to do that will be done at no cost to the Committee.

The Deed of Surrender is awaiting to be signed by the landlord when the dilapidations are completed and the removal of Gas Cylinders and Lithium Batteries from the site.

A7. New Eastern Civic Amenity Site

Mrs Eynon reported that positive feedback has been received from the public; positioning and size of signage has received some comment on social media. Mrs Eynon reminded the Committee that back in April 2023 a request was put to the DOI for highway signage and speed limits to be implemented. Mrs Eynon informed the Committee that the request to the DOI did not obtain the desired response.

A8. Completion Certificate

Mrs Eynon advised that the Completion Certificate is attached for information.

A9. Contractor Specification Update 2025

Ms Logan provided an update on behalf of Mr Phillips that the draft specification for the operational contractor of the new Site is almost finished. The Committee requested that it is sent to them prior to the next Committee meeting. Mrs Eynon recommended officers meet in the first instance to discuss the draft specification which will be required by September to meet the tender schedule and end date of the current contract of March 2024. The Committee requested the next meeting is earlier than scheduled to meet this deadline.

A10. Complaint

The Committee Secretary informed the Committee that following a review of a complaint that they had upheld the decision of the reduction of a 6 month ban being reduced to a three month ban and that no further review has been requested.

A11. Date and Time of Next Meeting

The next meeting of the Committee on Tuesday, 17th October, 2023 to be rescheduled to take place on Tuesday, 19th September, 2023.

PART B –

Matters requiring approval by the Relevant Authorities

B12 Operational Contractors Report

During the consideration of the contractors report, under 2.1 – Incidents, Mr Crook advised, following a review of an incident, that the Committee consider the provision of bespoke angled plates for garden waste skips to avoid members of the public overstretching. An initial quote for the moveable shedding plate is £350.00 each for three skips, giving a total cost of £1,050.00.

It was agreed: that three moveable shedding plates be recommended for purchase at a cost of £1,050.00 plus VAT which will be apportioned to each of the relevant Authorities accordingly.

The meeting ended at 4.30pm.

VI(vii) – The proceedings of the REGENERATION AND COMMUNITY COMMITTEE as follows:

REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Tuesday, 18th July, 2023.

Members Present: Mr Councillor A.J. Bentley (Chair), the Mayor, Mr Councillor J.E. Skinner, Mr Councillor S.R. Crellin.

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

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Apologies for absence were submitted on behalf of Mr Councillor F. Schuengel.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 20th June, 2023

The minutes of the meeting held on Tuesday, 20th June, 2023 were approved and signed.

A4. Special Joint Committee Minutes – 20th June, 2023

The minutes of the special joint meeting of the Environmental Services and Regeneration and Community Committees were approved and signed.

A5. HBN Library Performance Report

The Committee considered a report submitted by the Borough Librarian to update on the performance against measures outlined in the Library Service Plan.

Appended to the report were the actions as outlined in the Library's Service Plan, together with an update on performance as at the end of quarter one 2023/24. A red, amber, green or black status had been applied to each measure. All measures were either on target or not applicable to this quarter. Members were also provided with the user statistics during the quarter. It was noted that book loans, digital downloads and the number of library users had increased in comparison to quarter one of the 2022/23 year. The Borough Librarian talked through the events planned for the library over the coming months, the Committee were pleased to see the library being used as a community and event space.

Resolved, "That particulars of the report and the progress made against performance indicators in the Library Service Plan be noted on the minutes."

A6. Policy on Memorial Plaques

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek approval to adopt a revised approach to the sale of memorial plaques.

Members were advised that the Council sells bronze memorial plaques for £197.90 (including VAT) and these are installed on walls in the Garden of Remembrance at the Borough Cemetery without a prescribed end date.

The Garden of Remembrance will run out of space for plaques in approximately ten years. If the Council wishes to continue to provide the existing type of service beyond that time it would be necessary to construct more walls to accommodate the plaques.

The Bereavement Services Manager had researched a widely used practice in the UK where it is normal for the purchase of memorial plaques to include installation for a limited period for the initial fee. The report proposed that the Council adopt a similar approach whereby the purchase of a plaque includes for its installation for an initial ten year period but that future periods can be purchased, either at the time of the original purchase or during the initial term, in multiples of five years. The suggested fee per each extended five year period is £85.

It was noted that the proposed policy would only relate to new plaques. The Assistant Chief Officer (Regeneration) advised that legal advice is currently being sought on how long the current plaques on the wall should remain in situ.

Resolved, "That the item be deferred pending legal advice on the retention of existing plaques."

A7. Donation by the Manx Plant and Garden Conservation Society

The Committee considered a report submitted the Assistant Chief Officer (Regeneration) to advise on an offer of a donation by the Manx Plant and Garden Conservation Society (the Society) and to seek agreement to its use.

The Society aims to stimulate interest in the knowledge and appreciation of gardening and plant conservation and cultivation in the Isle of Man. As part of the Society's 40th anniversary celebrations in 2023, it would like to make a donation to the Council of £700, ideally to spend in the Marine Gardens.

The report recommended that the donation be used to make improvements to the Lion's Head Fountain at the northern end of Marine Gardens. The fountain has recently been refurbished and is now in full working order. The recommendation was to utilise the donation to repopulate the pool beneath the fountain with water lilies, and to purchase two large pots of a design suited to the area and to plant these with appropriate planting to enhance the vicinity of the fountain.

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

- (i) The donation of £700 from the Manx Plant and Conservation Society be accepted;
- (ii) The donation be used to enhance the Lion's Head Fountain and its surrounding in Marine Garden Number 6."

A8. Hutchinson Square

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to advise of discussions underway regarding the potential for an arts festival in Hutchinson Square and to seek approval in principle for officers to progress discussions with event partners, prospective participants and local residents.

A request, and a subsequent meeting, to explore a potential arts festival in 2024 to coincide with the 80th anniversary of the closure of Hutchinson Internment Camp took place in April 2023 attended by the Chair and two external attendees.

The proposed concept of the Hutchinson Arts Festival is to mark the 80th anniversary of the closure of the camp by bringing forward to the present a festival of artistic experiences for the benefit of Douglas ratepayers and Island residents. It is anticipated that it could include a wide range of artistic disciplines.

Initial contact has been made with Culture Vannin, the Isle of Man Arts Council and Manx National Heritage and all three bodies have expressed a willingness to become involved in the project. It has been indicated that funding from the Arts Council may also be applicable for the event.

The report requested approval in principle to the use of Hutchinson Square as part of the event. Members noted that if the project gains momentum, a further report will be required to seek any further approvals.

The Mayor advised that the metal detecting club would be interested in searching the area if ground conditions permit. The Assistant Chief Officer (Regeneration) took note of the offer to progress.

Resolved, "That particulars of the report be noted on the minutes and officers be authorised to progress discussions with event partners, prospective participants and local residents."

A9. 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."

A10. Date and Time of Next Meeting

Members were advised that the next scheduled meeting was due to take place on Tuesday, 19th September, 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, 17th July, 2023.

Members Present: Mr Councillor F. Horning (Chair), the Mayor, Councillor Ms J. Thommeny, Mr Councillor P.J. Washington.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Community and Enforcement Manager (Mr A. Gordon), Dilapidation Enforcement Officer (Mr S. Salter), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Apologies for absence were submitted by Mr Councillor J.E. Skinner.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes –19th June, 2023

The minutes of the meeting held on Monday, 19th June, 2023 were approved and signed.

A4. Matters Arising from the Minutes

No issues were raised as arising from the previous minutes.

A5. Planning Application 22/01114/B – Sea Court, Victoria Road

Members considered a report submitted by the Dilapidation Enforcement Officer seeking decision on whether to lodge an appeal against the Planning Authority's decision to refuse planning application 22/01114/B for demolition of the existing three apartments on site and the erection of six replacement dwellings at Sea Court, Victoria Road, Douglas.

Members were reminded that the Committee had previously considered the planning application at its meeting held on 17th October 2022 when it had been resolved to support the proposed development.

Members were advised that the Planning Authority had subsequently refused the application under delegated powers with their grounds for refusal relating to the layout of the site, the height of the proposed buildings, the impact the development may have on the habitat of the site as well as the impact the development may have on the visual appearance of the neighbourhood which is mostly made up of large houses. A copy of the refusal notice was appended to the officer's report.

Council officers have reviewed the original planning appraisal and it is considered that the Committee's original grounds for supporting the application were both balanced and fair, based upon the various planning policies considered at that time. Council officers also consider that the proposed development is in line with the Isle of Man Government's "Our Island Plan 2022" which clearly recognises the negative effects that unused vacant properties and brownfield sites have on the environment.

It was recommended that should the applicant lodge an appeal, the Committee continue to support the development by way of written submissions and by attending any future appeal hearing.

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

- (i) That the Council does not lodge an appeal at this time; and
- (ii) Should the applicant submit an appeal, that the Council supports the applicant at any future appeal hearing to give both verbal and written representation in support of the development"

A6. Planning Application 23/00616/B – Former Salvation Army Citadel

The Committee considered an appraisal of planning application 22/00616/B for demolition of the existing former Citadel building, and the erection of a forty-four bedroom hotel with associated

drainage, refuse bin storage, pick-up layby and reinstatement of the adjacent pavements at the former Salvation Army Citadel, Lord Street, Douglas.

Detailed within the appraisal were the proposals for the site. Members were advised that a revised planning application had been resubmitted by the applicant following engagement with the Council's waste services team and following comment by Highway Services.

It was noted that the previous concerns raised by the Department of Infrastructure had now been addressed as it is considered that the cycle storage is sufficient.

Members were advised that the Citadel building has been on the Council's dilapidated properties list since 2019 and if the development is approved, the proposed new hotel would enhance the area and make good use of what is currently an unused vacant property within a prominent central Douglas location.

Resolved, "That particulars of the report and discussion be noted on the minutes and that support be given to planning application 23/00616/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 six properties had been added to the schedule since the last meeting; four properties had been removed because work had been completed; and a total of fifty-nine properties remained on the list.

Members discussed a property on South Quay. The Dilapidation Enforcement officer advised that the owner is awaiting advice from the Planning Authority before they are able to progress matters further.

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

- (i) 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; and
- (ii) That Council officers be authorised to write to the Planning Authority requesting that any assistance / advice required by the owner of the property on South Quay be expedited to assist the owner with making progress to remove the detriment currently posed by the property's ruinous and unsightly condition."

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, 18th September, 2023.

The meeting ended at 10.55am.

IX – Motions, of which Notice has been given by Members of the Council pursuant to Standing Order 26:

MOTIONS

Mr Councillor S.R. Crellin to move:

1. “That the Deputy Mayor & Mayoress be recognised for their service at the end of their term by issuing badges the same way the Mayor and Consort are recognised.
2. All previous Deputy Mayors & Mayoresses are recognised by issuing badges in the same way.
3. All Deputy Mayors & Mayoresses have their names entered onto a scroll the same as previous mayors and consorts.”

Upon being moved and seconded, the Motion shall stand referred to the Executive Committee for consideration and report to the Council by 13th December, 2023.