



City of Douglas

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

City Hall,
Douglas,
6th December, 2024

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL of the CITY OF DOUGLAS to be held on WEDNESDAY, 11th DECEMBER, 2024, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the CITY HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

A handwritten signature in black ink, appearing to read 'Kathleen', written in a cursive style.

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, 13th November, 2024.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Thursday, 28th November, 2024.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor (until 4.20pm), Mr Councillor I.J.G. Clague, Mr Councillor F. Horning, Mr Councillor A.J. Bentley, Mr Councillor D.R. Watson (until 3.25pm).

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) (Clauses A8, A9), Assistant Chief Officer (Human Resources) (Mrs C.M. Ashton) (Clause A8), Council Advocate (Mrs L. Rothwell) (Clause A8), Head of Digital and Information Services (Mr D. Yates) (Clause A8), 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 Tuesday, 29th October 2024 were approved and signed.

A4. Matters Arising from Previous Minutes

There were no matters arising from the previous minutes.

A5. Referrals from the Environmental Services Committee

There were no referrals from the public minutes of the Environmental Services Committee meeting held on Monday 18th November 2024.

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 19th November 2024.

A7. Referrals from the Housing and Property Committee

The meeting of the Housing and Property Committee scheduled for Wednesday 20th November 2024 had been cancelled.

A8. Chief Executive's Department's Service Plan Performance Report

The Committee considered a written report by the Chief Executive providing an update on performance compared against measures outlined in the Chief Executive's Department's Service Plans for 2024 - 2026.

Following the Council's adoption of a new Corporate Plan for the years 2022 – 2026, each Service had its own Service Plan to run for the financial years 2022 – 2024 and 2024 – 2026. As this was the first monitoring report for the 2024 – 2026 Service Plan, the Chief Executive's Department's Heads of Service were in attendance to respond to Members' queries.

Service Plans were an important part of the process to ensure that performance and standards were addressed and delivered; and Members accordingly noted the actions from the Service Plans, together with an update on performance for the first six months to the end of October 2024.

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

(ii) That the progress against planned actions and performance indicators also be noted.”

A9. Consultation Document – Climate Change (Single Use Vaping Products) Regulations

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) in relation to a consultation document issued under Section 68 of the Local Government Act 1985 and under the provisions of the Climate Change Act 2022.

Under the Climate Change Plan 2022 – 2027 and the Single Use Plastic Reduction Plan for the Isle of Man Community, the Department of Environment, Food, and Agriculture was aiming to reduce unnecessary single-use items (especially plastics) where alternatives were available.

The Regulations were being proposed in order to control the sale, supply, and distribution of single-use vaping products in the course of a business or the activities of a charity or non-profit organisation. Litter from single-use vapes had increased rapidly with their increased use; and a reduction in these single-use plastic items would not only have a positive impact on litter collection, but would also reduce the fire hazard created by the lithium batteries in litter bins, waste collection vehicles, and at the Energy from Waste Plant.

The Council’s Net Zero Officer Working Group had met to prepare a draft response on behalf of the Council, and this had subsequently been agreed by the Members’ Consultation Working Group. As the consultation period had closed on 11th November 2024, the response had already been submitted as the Council’s response.

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

(ii) That the response (as appended to the report) be endorsed as the Council’s response to the consultation, it being noted that the closing date was prior to the Committee’s November meeting.”

A10. Monthly Financial Review – October 2024

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

The monthly report was required to monitor progress against the Finance Department’s Service Plan actions, and to meet objectives set out in the 2022 – 2026 Corporate Plan.

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

- The rates collection figure of 90.6% for the April to October 2024 period, which compared well with the target figure of 88.6%, and 90% for the previous year’s equivalent.”

A11. Items for Future Report

The Committee considered a written report by the Chief Executive identifying those issues on which further reports had been requested or which were outstanding, so that Members and officers were aware of them and could monitor progress.

The Report that Members had requested for this cycle, on the revised Employee Code of Conduct, would now come to the December cycle. The updated Code had been approved by the Chief Executive, the Assistant Chief Officer (Democratic Services) as Monitoring Officer, Human Resources, and Legal, but further consultation with Chief Officers had been requested.

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.”

A12. Time and Date of Next Meeting

The time and date of the next scheduled meeting was confirmed as 2.00pm on Wednesday 18th December 2024.

The Committee rose at 4.35pm.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 27th November, 2024.

Members Present: Mr Councillor J.E. Skinner (Chair), the Mayor, Mr Councillor I.J.G. Clague, Mr Councillor S.R. Crellin, Mr Councillor F. Horning.

In Attendance: Director of Finance (Mr A.J.T Boyd), Assistant Chief Officer (Finance) (Mr M. Quayle), Assistant Chief Officer (Project) (Mr E.P. Pierce) (Item A12), Democratic Services Officer (Mrs D. Atkinson). Mr J. Glasgow, Hymans Robertson (Items A1 to A12), Mr J. Penn and Mr M. Seaward, Capital International (Item A10), Mr N. Teare, Capita (Item A12).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Apologies

Mr A. Thomas (Independent Member) submitted apologies for the meeting.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 23rd October, 2024

The minutes of the meeting held Wednesday, 23rd October 2024 were approved and signed.

A4. Matters Arising

There were no matters arising.

A5. Training: Suitability and Diversification

The Committee received a training presentation delivered by Hymans Robertson about the key principles of suitability and diversification in relation to IOMLGSS portfolio.

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

A6. Annual Review of Investment Managers

The Committee considered a report submitted by Hymans Robertson to compare the performance of the Scheme's investment managers with their benchmarks and peer groups over the last 12 months to 30th September 2024.

The report analysed each manager individually and the following key points noted;

- Capital International's absolute return fund has significantly outperformed its benchmark over the past 12 months. Although the fund is still underperforming its benchmark over longer time periods. Performance relative to peer group over 1-year has been slightly below the median, while 3-year performance was slightly below the third quartile. Hymans Robertson remain supportive of Capital for the Scheme's absolute return fund. It was noted that Capital International fees were last reviewed in 2015, Mr Glasgow was authorised to discuss the current fee structure with the manager.
- The BlackRock Property Fund (held via Canaccord) has underperformed its benchmark over all time periods to 30th September 2024. From a peer group perspective, the fund is above the median within its peer group of seven similar property funds over the past year and has performed close to the median within the peer group over the three-year period. Hymans Robertson continue to support BlackRock as the manager of the Scheme's property fund however the continued underperformance is being monitored. Mr Glasgow suggested that this could be a consequence of the benchmark due to the broad range of property investments included within. From the peer group analysis, evidence showed that on a like for like basis to similar property managers, BlackRock were above the median for the last twelve months and broadly in line with median over the longer 3 year period. Mr Glasgow suggested that the Scheme may benefit from a deeper dive into the underlying benchmark to understand what has driven its return over the long-term. This would be picked up with officers after the meeting for further consideration. If changes are required a further report will be presented to the Committee. It was agreed that BlackRock be approached to consider reducing the fees for this portfolio.

- The Capital ESG Fixed Income bond portfolio has slightly underperformed its benchmark over the previous 12 months by -0.2%. This can be attributed to the fund's underperformance in the fourth quarter of 2023 when the key driver of the fund's relative underperformance was due to its shorter duration relative to benchmark. The peer group analysis placed the fund slightly behind the third quartile over the one-year period and trailing the median over the three-year period to 30th September 2024. Hymans Robertson continue to support Capital as the manager of the Scheme's corporate bond portfolio.

The five index-tracking funds performed in line with their respective benchmarks and Hymans Robertson continue to support these funds.

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

A7. Quarterly Review of Investment Managers' Performance

The Committee considered a report submitted by Hymans Robertson to review the investment managers' performance during the third quarter of 2024.

The Scheme achieved a return of 2.1% over the quarter, performing in line with the benchmark. Returns over 5 years remain positive albeit behind the overall benchmark. The largest relative outperformer was the Capital Absolute Return fund, and the largest relative underperformer was the Canaccord BlackRock Property Fund which underperformed its benchmark across all time periods shown.

Mr Glasgow advised that all funds are still within their rebalancing ranges at the end of the quarter; however the Scheme is 2.1% overweight in growth versus protection. Mr Glasgow did not recommend any further action at this point but recommended this is monitored for rebalancing at a later date.

Mr Glasgow provided a market background and finished with the presentation of individual manager analysis during the quarter. It was noted that there are no changes recommended to the current manager appointments.

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

A8. Responsible Investment Beliefs

The Committee received a presentation by Hymans Robertson on the review of the Scheme's Responsible Investment Policy.

Following discussions at the September meeting regarding the review of the Responsible Investment Policy, a responsible investment questionnaire was issued to the Pensions Committee Members to capture their views. The outcome of the questionnaire was presented at the meeting. Based on the results of the questionnaire a set of proposed responsible investment beliefs had been produced which will form the main themes to be included in the Scheme's responsible investment policy, to sit alongside the Scheme's Statement on Investment Principles. The proposed investment beliefs were based on the following;

1. Fund and governance
2. Objectives and constraints
3. Strategic considerations and selecting investment managers
4. Stewardship
5. Responsible ownership

Mr Glasgow suggested there could be value in seeking the views of Scheme members and employers on the matter and recommended circulating a briefer version of the questionnaire electronically. It was noted that the results may be biased as those Scheme members or employers that feel strongly about responsible investment will respond, and those that do not feel strong may choose not to voice their opinion. Mr Glasgow would gather insights from experts on the subject within Hymans Robertson in order to determine the most appropriate methodology before issuing the questionnaire.

Members discussed whether the policy should stipulate a deadline for achieving net zero. It was noted that the Isle of Man Government's target of 2050 was in line with the Paris Agreement. Mr Glasgow suggested that, subject to further consultation, a realistic date in line with the Paris Agreement commitments be included, and he suggested that an exercise be undertaken to compare carbon footprint prior to the introduction of the ESG tilted funds in 2020 and the current date.

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

- (i) The results of the responsible investment questionnaire to Pensions Committee Members be noted;
- (ii) A Responsible Investment questionnaire be drafted and circulated to Scheme employees and employers with results reported back to the February/March meeting of the Committee;

- (iii) The proposed Responsible Investment beliefs be supported in principle and be reviewed in line with responses to resolution (ii) with an update to be brought to the Committee in February/March 2025.”

A9. Plan of Activities for 2025

The Committee considered a report submitted by the Director of Finance to plan the investment and administration matters to be considered by the Committee during 2025.

Members had in front of them the activity schedules submitted by the investment consultant (Hymans Robertson) and the administration consultant (Capita) setting out the proposed subjects to be covered in the 2025 Committee meetings.

It was noted that the training needs of the Committee will be reassessed once the make up of the Pensions Committee is known following Local Authority Elections in 2025.

Members noted that the statutory triennial valuation will take place in 2025. Barnett Waddingham will undertake the exercise and plan to report the results to the 2025 November Committee.

Resolved, “That particulars of the report be noted on the minutes and the 2025 plan of investment and administration activities be approved.”

A10. Manager Reporting: Capital International

Mr J. Penn and Mr M Seaward joined the meeting to present the Capital absolute return and corporate bonds funds.

Mr Penn commenced the presentation with the absolute return fund performance for third quarter of 2024. He advised that the portfolio had a good quarter, producing an absolute positive return of 2.26%. Mr Penn provided the strategy comments for the quarter, the strategy outlook, asset allocation and attribution and finished with the top and bottom contributors and activity during the quarter.

Mr Penn moved onto the bond portfolio performance during the quarter of 2.5% slightly ahead of the benchmark return. He finished with strategy and outlook comments.

In addition to the quarterly update presentation, Mr Seaward delivered a presentation on the innovation of AI and the AI market capitalisation, highlighting its potential implications for investment strategies and market trends.

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

A11. Adjournment and Resumption

The meeting adjourned at 1.00pm and resumed at 2.15pm.

A12. The Isle of Man Local Government Superannuation Scheme Pension Fund Annual Report for the Year Ending 31st March 2023

Mr N. Teare joined the meeting virtually for consideration of the item.

The Committee considered a report submitted by the Director of Finance and the Assistant Chief Officer (Project) to approve the Pension Fund Annual Report. Members had in front of them the letter of representation for issue to Baker Tilly, the Pension Fund Annual Report for the year ended 31 March 2023 and Audit Findings report from Baker Tilly.

Members were reminded that Capita originally provided the accounts for audit in July 2023, and these were issued to Baker Tilly on 29th July 2023. However, Baker Tilly encountered a lot of issues during their audit, resulting in many queries to Capita. The report advised that the responsiveness of Capita had been very poor. Capita finally provided a substantially updated set of accounts to Baker Tilly in November 2024.

As part of the audit Baker Tilly has included a series of recommendations following a number of internal control deficiencies having been identified, Members had a copy of the issues found. Communications have been ongoing with Capita about the matters raised and assurances have been given by Capita that the issues are being addressed for future accounts. The Assistant Chief Officer (Project) agreed to share Capita’s responses to the control deficiency recommendations with the Committee.

Mr Teare apologised for the unsatisfactory level of service provided by Capita in connection with the preparation of the accounts, which had caused the partner from Baker Tilly to again place on record his dissatisfaction with the process. Mr Teare gave a detailed update on Capita’s internal procedures as a result of the issue and assured that going forward the Scheme will not incur the problems experienced with the 22/23 accounts. Mr Teare advised that the 23/24 accounts will be ready for audit in January and the 24/25 accounts will see the accounts back on schedule. Mr Teare confirmed that the quarterly

performance reports will now include service updates and more details on contributions and calculations to give reassurance that the issues raised by Baker Tilly will not reoccur.

In response to question, Mr Teare explained that providing a quarterly update on income and expenditure for management accounts would be a difficult task, predominantly due to the time-consuming exercise of extracting information from investment manager reports. He suggested that the information provided by investment managers could be presented in a standard format and agreed to provide examples of the format used for other schemes.

The Assistant Chief Officer (Project) confirmed the Scheme will incur additional charges due to the extra work carried out by the auditors and this surcharge should be met by Capita. It was noted that the Tynwald Auditor General has advised that the IOMLGSS falls outside the scope of the Audit Act, however, as a matter of good practice, officers seek to close the accounts and have them audited on a timely basis.

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

- (i) The delays experienced in securing audit clearance of the Isle of Man Local Government Superannuation Scheme Annual report in respect of 2022/23 be noted;
- (ii) The Isle of Man Local Government Superannuation Scheme Annual Report for the year ending 31st March 2023 be approved;
- (iii) The Letter of Representation be signed by the Chair of the Committee and presented to the Council's external auditor;
- (iv) The Audit Findings Report from Baker Tilly (Isle of Man) Limited be noted;
- (v) Capita be asked to note the serious internal control deficiencies identified by Baker Tilly (Isle of Man) Limited in its Audit Findings Report and ensure that these are adequately addressed for future accounts;
- (vi) The Director of Finance be authorised to pay the Baker Tilly (Isle of Man) Limited audit fee invoice;
- (vii) The Director of Finance be instructed to invoice Capita for the audit surcharge."

A13. Independent Member Applications

The Democratic Services Officer advised that the closing date for applications for the Independent Member position had passed, and no submissions had been forthcoming. Applications were originally scheduled to be presented at the November meeting, with candidate interviews planned for the new year. However, due to the lack of submissions the position will be readvertised and will be presented to the February meeting. It is likely a special meeting will be required to interview candidates ahead of the March Council Meeting.

Resolved, "That the update on the Independent Member application process be noted on the minutes."

A14. 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. It was noted that the approved plan of activities will be added to the schedule.

In response to question regarding pension scheme reform, the Director of Finance advised that there was no further updates available as the Department of Infrastructure had confirmed no resources are currently available to dedicate to the preparation of drafting instructions to the Attorney Generals Chambers for the new Scheme regulations. The Committee requested that written representation be made to Minister for the Department of Infrastructure on the matter and that the Minister for Policy and Reform and also the Tynwald Auditor General be copied into the correspondence.

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

A15. Date and Time of Next Meeting

The Committee noted that the date and time of the next meeting is Wednesday, 26th February, 2025 at 10.00am.

The Committee rose at 3.06pm.

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

REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Tuesday, 19th November, 2024.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Finance) (Mr M. Quayle), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Head of Parks (Mrs S. Parkinson), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

The Mayor submitted apologies for absence.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 23rd October 2024

The minutes of the meeting held on Wednesday, 23rd October, 2024, were approved and signed.

A4. Matters Arising

There were no matters arising.

A5. Update on ‘No Mow May’

The Committee considered a report submitted by the Head of Parks to update on the ‘No Mow May’ initiative in 2024 and to seek approval to expand the initiative into two further areas within Douglas for 2025.

Members were reminded that the Council participated in the No Mow May initiative in 2024 at Bayr Cam and an area of land near the play area in Governor’s Hill. Parks initially received mixed feedback from the public regarding the initiative.

Parks noted at both sites species of mayflower, daises, buttercup and clover appeared during the initiative, and as a result, recommended expanding the initiative to include additional sites, one at Douglas Head and one in front of houses at Harcroft Meadows. As in 2024, Parks Services plans to publicise the campaign before May 2025 and display signage throughout the period to ensure the public is aware. In response to question, the intention is to continue with the initiative for up to three years and then assess if the areas would be suitable for permanent naturalised grass lands depending on the species that emerge in these areas and in line with the Council’s Pollinator Plan.

Resolved, “That particulars of the report be noted on the minutes and that in addition to the two ‘No Mow May’ sites at Governor’s Hill and Bayr Can introduced in 2024, the following areas be included in the 2025 initiative;

- (i) The land below the accessible pathway to the viewpoint at Douglas Head;
- (ii) The open space in front of houses 64-69 Harcroft Meadows on Ballaughton estate.”

A6. Noble’s Park Electrical Infrastructure – Phase 2

The Committee considered a report submitted by the Head of Parks to seek approval for the Department for Enterprise to install additional electrical infrastructure from St Ninian’s Court substation into Noble’s Park.

Members were reminded that in January 2024, the Committee approved phase one works to upgrade the electrical infrastructure in Noble’s Park, to reduce the reliance on generators during motorsport events in the park. The report confirmed the works had been completed in May 2024.

The Department for Enterprise have requested to progress phase two of the works to install further LV cables within existing ducts and to install permanent power to the rest of the site, which includes Paddock A, the Boneyard and Noble's Park. The works will commence from St Ninian's Court substation and will terminate on the edge of the car park in separate electrical kiosks, one for Manx Utilities equipment and one for Council equipment. It was noted that the works have been developed in conjunction with Manx Utilities and the Council's Electrical Services. Manx Utilities proposed to carry the work out ahead of TT 2025 and on the condition that installations are approved by the Council's Electrical Services before adoption.

Resolved, "That particulars of the report be noted on the minutes and the Department for Enterprise be authorised to install additional electrical infrastructure from St Ninian's Court substation into Noble's Park."

A7. Quarter Two Service Plan Performance Monitoring – 2024/25

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

Appended to the report were the measures as outlined for the Parks Service, and Douglas City Centre Management as at the end of quarter two of 2024/25. A red, amber, green and black status had been applied to each measure.

It was noted that within Parks Services, three measures were completed, one has been deferred to 206/2027 and all others are on target. Within City Centre Management, two measures were slightly behind target due to officer time spent supporting North Quay events. All other measures were on target.

Resolved, "That particulars of the report and the progress made against performance indicators in the Environment and Regeneration Department Service Plans as relevant to the Regeneration and Community Committee for quarter two of 2024/25 be noted on the minutes."

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 Friday, 13th December at 10.00am. Due to apologies this meeting will be inquorate. The 2025/26 budget was due for consideration as part of the agenda, and it is imperative to consider this ahead of the Executive Committee's budget meeting. The Committee agreed to move the date of the meeting forward to Friday, 29th November at 10.00am.

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

PART C –

Matters requiring Council approval

C10. North Quay Events and Pedestrianisation

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to review the summer event programme on North Quay and to seek support to progress towards securing full permanent pedestrianisation of part of North Quay.

Members were reminded that in 2024, the Council was granted a road closure by the Department of Infrastructure to close North Quay at its discretion for events. The Committee subsequently agreed to close the road from Friday to Monday and all public holidays between 1st April and 30th September, the entirety of TT race week, between 1st October and 31st March on Saturday mornings to facilitate the market, and during other periods to facilitate special leisure and hospitality events subject to the agreement of the Committee.

The Assistant Chief Officer (Regeneration) advised that, despite the inclement summer weather, the activities taking place on North Quay during the road closure were successful. The programme of events and the involvement of local businesses demonstrated the viability and suitability of North Quay to become a venue for community events as well as focus for the Council and hospitality businesses in the area to collaborate on bringing vibrancy to that part of the city. The success of the 2024 summer has generated momentum which North Quay hospitality businesses are eager to build on.

The report recommended progressing with a permanent road closure for the area, except for deliveries between 07.00 and 10.00am daily. The Assistant Chief Officer (Regeneration) explained there are several obstacles that limit the suitability of the Quay for events, the most problematic being the temporary nature of the current closure and the requirement to reopen the road during the working week. A temporary closure impacts the event schedule as the area must be cleared on a Sunday evening, which also reduces the will for investment in the area, such as the erection of a stage that would need to be lifted or moved. In addition to the issues caused by the temporary closure, there are other obstacles which include the impact of weather on events, this could be partially mitigated by investment in equipment and there are ongoing objections from a business located within the closure due to a shortage of suitable disabled parking in Ridgeway Street for drop off points for church users and customers. It was also noted that Council officers are required to be involved and present for events using the temporary road closure, which is impacting officer time and not feasible long term. The report therefore recommended that the Department of Infrastructure be approached seeking a traffic regulation order or other appropriate mechanism permanently prohibiting traffic from the section of North Quay between the junction with Ridgeway Street and the junction with Market Hill.

It is anticipated that a local business in the area will object to the permanent traffic order. There is also a possibility that a Church in the vicinity may object because of anticipated impact on customer parking and drop-off/pick-ups. To alleviate the parking and drop off concerns that may be raised, the report recommended asking the Department of Infrastructure to create two disabled spaces on Ridgeway Street with its junction at North Quay and remove the resident's permit exemption from the disc zone parking on the eastern side of Ridgeway Street between its junction with James Street and North Quay. This would create more frequent turnover of spaces and improve customer parking in the area. Members were supportive of the proposal and asked that further consideration be given to access for funeral corteges.

Members were advised of a further option that could be considered to help the church and local business, which was to allow the use of two contract parking spaces on North Quay, adjacent to the Saddle Pub, to be reserved for customer parking for pre-arranged appointments potentially using an online booking system. This would result in an annual revenue income loss of £3,637.40 and would require Housing and Property Committee approval together with an ongoing growth item with City Centre Management to cover the commercial property income. Members felt it would be unfair to subsidise parking for commercial ventures in one area and could set a precedent for other businesses to come forward with similar requests.

At the October Council Meeting, a motion had been moved by Mr Councillor Watson "That Douglas Council undertakes efforts to encourage the extension of both the location and time period for the pedestrianisation of the section of North Quay, with a view to permanently pedestrianising the area." The extension to the time period would be covered under the proposed permanent traffic regulation order. In relation to the extension to the location, the report divided North Quay into four areas;

1. Bank Hill/Bank's Circus/Bridge Road to Quine's Corner
2. Quine's Corner to Ridgeway Street
3. Ridgeway Street to Market Hill
4. Market Hill to Double Corner/Parade Street

It was accepted that the timing of the pedestrianisation in area 2 would be better placed following redevelopment of the Newson's Building. Area 3 is recommended as part of this report and Area 4 is currently subject to a planning application and would not be appropriate to consider while this is ongoing.

In relation to area 1, this section of North Quay is made up of virtually all leisure and hospitality businesses and would benefit from the use of the outdoor space. However, this section of North Quay is currently an important part of the traffic network. It is one of the only two links into the city centre from the south and the main highway link for buses exiting the depot at Bank's Circus towards the terminus on Lord Street. It is also an important exit route from the Tesco store in Lake Road. The report advised that the pedestrianisation of this area has always been vigorously objected to by Isle of Man Transport. The Committee accepted there were changes to traffic in the area required to facilitate the pedestrianisation but felt that the extension in this area would be beneficial and instructed officers to discuss the feasibility with the Department of Infrastructure.

A Member requested an update on the equipment used to close the road and if the previously approved gate would be purchased. The Assistant Chief Officer (Regeneration) explained that if the road is permanently closed infrastructure would not be required. It was noted that the temporary equipment used now is visually unattractive and not in keeping with the area. Members suggested that visual enhancements and additional permanent seating be considered if a permanent closure is obtained.

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

- (i) The closure of North Quay between Ridgeway Street and Market Hill on 21st November 2024 for the Christmas City Lights event and 12th December 2024 for the Christmas Live Nativity be approved;
- (ii) Officers be instructed to approach the Department of Infrastructure seeking traffic regulation orders or similar:
 - a) permanently prohibiting traffic from the section of North Quay between the junction with Ridgeway Street and the junction with Market Hill, with the exception of loading between 0700hrs and 1000hrs daily;
 - b) creating at least two disabled parking spaces on Ridgeway Street at its junction with North Quay; and
 - c) removing the resident's permit exemption from the disc zone parking on the eastern (left-hand) side of Ridgeway Street between its junctions with James Street and North Quay to create a more frequent turnover of spaces and improve customer parking in the area;
- (iii) In the view of likely objections to resolution (ii) an ongoing revenue growth item of £3,637.40 for City Centre Management SP160 be approved to lease two contract parking spaces owned by the Council on Queen Street to be used as designated customer parking for North Quay premises and to explore the potential to secure grant assistance from the Department for Enterprise for this purpose;

For: 0 Against: 4 Members unanimously voted against recommendation (iii).

- (iv) The narrative in relation to the Motion moved at Council on 9th October 2024 be noted, and the Council support the full pedestrianisation of North Quay between Ridgeway Street and Quine's Corner in the future to coincide with the redevelopment of the former Newson's Site, and as part of the discussions with the Department of Infrastructure regarding resolution (ii) officers discuss the feasibility of pedestrianisation from Banks Hill to Quine's Corner."

Resolution (iv) requires full Council approval in response to a Motion submitted on the matter.

The meeting ended at 11.45am.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 18th November, 2024.

Members Present: Mr Councillor F. Horning (Chair), the Mayor, Mr Councillor J.E. Skinner, 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 (Environment) (Mr I. Jackson), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Finance Manager (Mr E. Skinner) (Items A1 to A5), Community and Enforcement Manager (Mr A. Gordon) (Items A6 and A7), Dilapidation Enforcement Officer (Mr S. Salter) (Items A6 and A7), Assistant Democratic Services Officer (Mrs C. Maddocks).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

No apologies for absence were received.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 14th October, 2024

The minutes of the meeting held on Monday, 14th October 2024 were approved and signed.

A4. Matters Arising from the Minutes

No matters were raised as arising from the previous minutes.

A5. Quarter Two Performance Monitoring 2024/25

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

Appended to the officer's report were the measures as outlined in each Service Plan together with an update on the performance as at the end of quarter two 2024/25. A red, amber, green and black status had been applied to each measure.

Members noted that for quarter two:

- The technical data issues have now been resolved within the Building Control software. Quarter two data shows that all measures are being met. Unfortunately, it is not possible to retrospectively determine the performance for quarter four 2022-2024 or quarter one 2024-2026 without manual inputting of old data;
- Within Electrical Services, three measures out of 21 measures are complete, three are behind schedule due to recruitment issues or awaiting others, all other measures are on track;
- In Fleet Services, one out of nine measures are slightly behind target due to factors beyond the Council's control, one is slightly behind, and all remaining measures are on target;
- Within Community and Enforcement, five measures out of 23 measures are behind target due to changes in advice and workload pressures from a depleted team. All other measures are on target without issue. Two measures have been completed; and
- In Waste Services, two out of 17 measures are behind schedule – sickness and trade customers. All other measures are on target, two measures are complete.

Resolved, "That particulars of the report be noted on the minutes and that the progress made against performance indicators in Service Plans for quarter two 2024/25 be noted."

A6. **Changes to planning application considerations in respect of “Interested Party Status”**

The Community and Enforcement Manager and the Dilapidation Enforcement Officer joined the meeting for discussion of the item and item A7.

The Committee considered a report submitted by the Community and Enforcement Manager advising on the changes to planning application considerations in respect of “Interested Party Status” arising from the now implemented Town and Country Planning (Development Procedure) Order 2019 (DPO) and guidance notes, as issued by the Department of Environment, Food and Agriculture (DEFA) in August 2024.

Members were advised that the most significant change is the removal of the automatic “Interested Party Status” granted to Local Authorities for all planning applications. The Committee noted that this has been replaced with two new categories: The Right to Appeal and the Right to Give Evidence, meaning that the Council will need to adjust the way it responds to planning applications to be granted similar rights.

The report advised that DEFA had notified the Council of what they consider to be appropriate standard responses to planning applications, namely:

1. **No objection;** the Council neither support nor objects to the planning application and has no comments or conditions it wishes to submit.
2. **Conditional no objection;** the Council neither Supports nor Objects to the planning application but has relevant comments or conditions it wishes to submit. These comments or conditions may not be significant enough to make a formal Objection and must be based upon planning policy, insufficient information, the ability of the Council to perform its functions or it is deemed to have a detrimental impact on the quality of life of that authority’s residents.
3. **Support;** the Council formally lends its support to the planning application. The Council can add comments for consideration alongside its support.
4. **Object;** the Council formally Objects to the planning application. The Council must state the reason(s) for the objection which must be relevant based upon planning policy, the ability of the Council to perform its functions or it is deemed to have a detrimental impact on the quality of life of that authority’s residents.

Set out within the report were tables demonstrating how each standard response will define the Council’s position on its Right to Appeal and its Right to Give Evidence for planning applications both within and outside of Douglas. The Community and Enforcement Manager advised of two clerical errors in the tables of the report.

Members were advised that for any future planning applications, although the Committee should be mindful of the standard planning responses and where possible frame their decisions in line with these responses, it does not preclude the Committee from having other views on how they frame any decision or resolution. For example, the Committee may wish to support an application but is prohibited from doing so because of a relevant issue it has identified, this may not be deemed significant enough for the Committee to outright object to the application. In such circumstances, the Committee could resolve to object with a clear condition highlighting the contentious issue and a qualifier stating that if the applicant addresses / removes or complies with the condition, the Council will remove its objection and support the application.

It is proposed to amend the Planning Scheme of Delegation to include a list of standard planning responses to ensure clarity and uniformity on all future planning applications. Appended to the officer’s report was a copy of the current approved Planning Scheme of Delegation and the proposed Planning Scheme of Delegation with the changes clearly highlighted.

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

- (i) The Committee adopts the proposed standard responses to planning applications of “No Objection”, “Conditional No Objection”, “Support”, “Support but with conditions”, “Object” or “Object” but with a statement to amend the position to support if the matter causing the objection is resolved prior to consideration of the application by the Planning Committee; and
- (ii) The amended Planning Scheme of Delegation as attached at appendix two, to include the wording which will define the standard responses to planning applications as per recommendation (i) and delegate authority to officers to withdraw objections or otherwise amend the Council’s response to either “No Objection” or “Support” should amendments be made to the application addressing any matters about which the Committee is concerned in advance of consideration by the Planning Committee be approved.”

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 four properties had been added to the schedule since the last meeting; eight properties had been removed because work had been completed; and a total of forty-eight properties remained on the list. This equates to 0.32% of the total number of properties in Douglas.

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, and report back to Committee if service of Notice and/or legal action is required.”

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.

The Worshipful the Mayor asked that the schedule be reviewed ahead of April 2025 to include a rationale for any items that are marked as to be confirmed.

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, 16th December, 2024.

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

The meeting ended at 11.06am.