



Borough of Douglas

**MR COUNCILLOR JONATHAN JOUGHIN, JP
MAYOR**

Town Hall,

Douglas,

6th December, 2019

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 11th day of DECEMBER, 2019, 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 black ink, appearing to read 'Katherine'.

For Town Clerk & Chief Executive

Order of Agenda

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

II - Any statutory business.

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

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

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

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

- (i) The Executive Committee;
- (ii) The Pensions Committee;
- (iii) The Standards Committee;
- (iv) The Eastern District Civic Amenity Site Joint Committee;
- (v) Any other Joint Committee;
- (vi) The Housing Committee;
- (vii) The Regeneration and Community Committee;
- (viii) The Environmental Services Committee;

VIII - Consideration of such communications or petitions and memorials as the Mayor or Chief Executive may desire to lay before Council.

IX - Notices of Motion submitted by Members of the Council in order of their receipt by the Chief Executive.

X - Any Miscellaneous Business of which Notice has been given pursuant to Standing Orders.

The above Order of Agenda is in accordance with Standing Order No. 16(1); under Standing Order No. 16(2) it may be varied by the Council to give precedence to any business of a special urgency, but such variation shall not displace business under I and II.

AGENDA

III – Chief Executive to read minutes of the Council Meeting held on Wednesday, 13th November, 2019.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 29th November, 2019.

Members Present: Mr Councillor D W Christian (Chair), the Mayor, Mr Councillor S R Pitts, Mr Councillor I J G Clague, Councillor Mrs C L Wells, Mr Councillor R H McNicholl.

In Attendance: Chief Executive (Miss K J Rice), Director of Finance (Mr A J T Boyd), Director of Environment and Regeneration (Mrs D Eynon), Assistant Chief Officer (Digital and Information) (Mr D Looney), Mr P E Cowin (Assistant Town Clerk) (for Clause C19), Mrs J M Keig (Executive Officer) (taking minutes).

REPORT

PART A –

Matters within the scope of the Executive Committee's delegated authority (Public)

A1. Apologies for Absence

Apologies for absence were submitted on behalf of Mr G Atkin, the Assistant Chief Officer (Housing and Property).

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes

The minutes of the meeting held on Friday 25th October 2019 were approved and signed.

A4. Matters Arising From Previous Minutes

Clause A8 – Planning Application for the Creation of a Cycling and Walking Active Travel Path at Douglas Golf Course / Pulrose Playing Fields: the Department of Infrastructure had agreed to review the application; amended plans would be forwarded to the Council, and the relocation of the perimeter fence would also be investigated.

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 18th November 2019.

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

A6. Referrals from the Regeneration & Community Committee

There were no referrals from the public minutes of the Regeneration and Community Committee meeting held on Tuesday 19th November 2019.

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

A7. Chief Executive's Department Service Plan Performance Report

The Committee considered a written report by the Chief Executive providing an update on performance compared against measures set out in the Chief Executive's Department's Service Plans for 2017 - 2019.

The Council had adopted a new Corporate Plan for 2017 - 2021 in January 2017 and, following on from this, each Service had its own Service Plan to run for the two financial years 2017 - 2019.

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 as at November 2019.

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

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

- (iii) That the planned end date in respect of the provision of relevant training within the Reception Service be amended to ‘on-going’.”

A8. Attendance at the Recycling and Waste Management Exhibition (September 2019)

The Committee considered a written report by the Chief Executive setting out details of the content of the Recycling and Waste Management Exhibition attended by three officers of the Council in September 2019.

The Recycling and Waste Management Exhibition was the largest of its kind in the UK, with 90% of senior management in UK waste and recycling organisations regularly attending. It was noted that, whilst the Chair of the Environmental Services Committee and an appointed officer had attended the exhibition in previous years, in 2018 it had been agreed that the Chair and appointed officer would not attend in 2019.

Members were advised that it was important for the Council, as the largest waste management authority on the Isle of Man, to keep abreast of the latest innovations and products in the industry. Officers were only sent to conferences and exhibitions on need, and, having looked at the organisations and exhibitors due to be present at this year’s Exhibition, it had been felt that this would be an opportunity for them to gain some required new knowledge and information.

For two of the officers present, it had been an opportunity for them to gain familiarisation with key suppliers in waste management and, whilst attendance of three officers was unusual, on this occasion, circumstances had warranted it for operational reasons. Additionally, the officers in attendance had gained Continuous Professional Development recognition and point accrual for their relevant professions.

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

- (ii) That the attendance of officers at conferences to improve operational knowledge and skills for the benefit of the Council as an improving organisation be supported, but that, in future, any attendance at off-Island conferences or exhibitions by officers, funded out of Committee budgets, was to have prior approval from the relevant Committee.”

A9. Monthly Financial Review – October 2019

The Committee considered a written report by the Director of Finance setting out details of progress made compared to key performance indicators in relation to strategic governance objectives; the percentage of rates collected; the increase in the number of non-cash and non-cheque payments; and the percentage of sundry debtors collected within three months.

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

A10. Treasury Management Practices

The Committee considered a written report by the Assistant Chief Officer (Income) seeking approval of updated Treasury Management Practices for the Council.

In December 2017, CIPFA (the Chartered Institute of Public Finance and Accountancy) had produced an updated publication in respect of Treasury Management, which had been used as a guide in preparing the Council’s updated Treasury Management Practices.

It was good practice to update and review Treasury Management Practices on a regular basis, in order to ensure that risks were kept at a minimum and, by adopting the proposed updated Treasury Management Practices, it highlighted the Council’s commitment to be competent and open in its financial management.

The proposed key changes were noted accordingly; as was the fact that all of the Treasury Management Practices were supported by detailed Treasury Management Procedures, which the appropriate delegated officers adhered to, in the administration of all Treasury Management functions.

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

- (ii) That the updated Treasury Management Practices be approved accordingly.”

A11. Internal Audit Contract Extension

The Committee considered a written report by the Assistant Chief Officer (Income) seeking approval to extend the Internal Audit contract.

The current Internal Audit contract had begun on 1st April 2015. It had been awarded for a period of five years with an option to extend for a further five years (exercisable one year at a time at the Council’s discretion). The current firm providing this had provided a satisfactory service over the contract life; had become familiar with the Council’s current processes; and were in a good position to provide audit assurance on the impact of any new systems and their integration with current systems.

The current service provider had indicated that they were content to provide the Internal Audit function at a reduced level (with reduced cost) for the period from April 2020. This reduced level would still provide sufficient audit assurance at a more appropriate and proportionate level to the size and the risks faced by the Council, although the Internal Audit areas which had been identified as having a higher risk or higher impact would continue to be an integral part of the Internal Audit.

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

- (ii) That approval be given for the Internal Audit contract to be extended for two years, up until 31st March 2022;
- (iii) That approval be given for the Internal Audit requirement to be on a reduced contract basis as from April 2020, securing an annual cost saving; and
- (iv) That approval be given for a review in two years’ time, to consider a potential further extension of up to three years.”

A12. Active Travel Strategy

The Committee considered a written report by the Assistant Chief Officer (Regeneration) seeking comments on and the endorsement of a Draft Active Travel Strategy.

Within the Corporate Plan for 2017 – 2021, the Council’s priorities, objectives, responsibilities, and aspirations up to 2021 were set out, including objectives which aimed to encourage, support, and facilitate active travel.

The proposed Draft Strategy set out the ways in which the Council could lead, not only as a provider of public services but as an important influence in looking after the Island’s capital; and, being able to offer increased choices in travel options (supported by appropriate infrastructure and facilities) was likely to assist in Douglas being a high-quality place to live, work, and visit.

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

- (ii) That the Draft Active Travel Strategy, as appended to the written report, be endorsed for dissemination and publication on the Council’s website.”

A13. Urgent Business Procedure – Christmas Parking on Sundays

The Committee considered a written report by the Assistant Chief Officer (Regeneration) in relation to the use of the Urgent Business Procedure.

The Leader and Chair of the Environmental Services Committee had considered an urgent request seeking approval for parking in the Shaw’s Brow Car Park and the Bottleneck Car Park to be free on Sundays in the run up to Christmas, in line with the similar Saturday and Thursday evening initiatives.

The lack of a minute authorising free parking on Sundays in the run up to Christmas had only just been identified, as a result of the introduction of Sunday tariffs in April this year.

It was noted that the free parking initiative was aimed at supporting the town centre economy by encouraging customers into the town centre at Christmas; and that the extension of the free periods to include Sundays would assist this.

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

- (ii) That the Urgent Business Procedure, giving approval for parking in the Shaw’s Brow Car Park and the Bottleneck Car Park to be free on Sundays in the run up to Christmas every year, in line with the existing resolution applying to Saturdays and Thursday evenings, be noted and endorsed.”

A14. Urgent Business Procedures – (i) Erection of Elderly Persons Care Home, 88 Woodbourne Road, Douglas; and (ii) Construction of Concrete Sea Wall, Harris Promenade, Douglas

The Committee considered a written report by the Dilapidation Enforcement Officer in relation to the use of the Urgent Business Procedure on two occasions as follows:-

- (i) The Leader and Chair of the Environmental Services Committee had considered the Dilapidation Enforcement Officer’s appraisal and recommendations in relation to planning application 19/00959/B – the demolition of existing buildings, and erection of a 73-bedroom elderly persons care home at “Homefield”, 88 Woodbourne Road, Douglas. It was noted that the Council’s request to the Planning Committee for an extension of time to consider amended plans submitted for this development had been declined.

Following consideration of the application, it had been agreed that the Council should support the officer’s proposals and recommendations accordingly.

- (ii) The Leader and Chair of the Environmental Services Committee had considered a Planning Refusal Notice for planning application 19/00755/b – the construction of a 500-metre long reinforced concrete wall, 1.2 metres in height and anchored to the existing sea wall to reduce wave overtopping at the sea wall, Harris Promenade, Douglas. It was noted that the Council’s request to the Planning Committee for an extension of time to consider whether to appeal against the decision to refuse the planning application had been declined. The reason for the need to use the Urgent Business Procedure was because the Planning Department would not grant a time extension to the Council to respond, in order that the matter could go to the Environmental Services Committee on 18th November 2019.

Following consideration of the Refusal Notice, it had been agreed that the Council should not appeal against the issuing of the Refusal Notice.

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

- (ii) That the Urgent Business Procedure - the outcome of which was to support the planning application relating to “Homefield”, 88 Woodbourne Road, Douglas - be noted and endorsed; and
- (iii) That the Urgent Business Procedure - the outcome of which was not to appeal against the Planning Refusal Notice relating to the construction of a 500-metre long sea wall on Harris Promenade, Douglas - be noted and endorsed.”

A15. Petition in Respect of Parking in Upper Duke’s Road and St Ninian’s Road, Douglas

The Committee considered a written report by the Chief Executive in relation to a petition received from residents in the Upper Duke’s Road and St Ninian’s area of Douglas.

The petition had been signed by sixty-five residents, all stating their concern at the perceived unacceptable level of parking in and around that area of Noble’s Park.

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

- (ii) That the petition received from residents be acknowledged, and that the concerns of the residents be recognised; and
- (iii) That due to the level of concern expressed by residents, officers write to the Department of Infrastructure seeking a meeting at Ministerial level with a view to a traffic management review being undertaken, not only in the Upper Duke’s Road and St Ninian’s Road area of Douglas, but within the whole of the Borough.”

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.”

A18. Date and Time of Next Meeting

Members noted that the next scheduled meeting was due to take place at 2.30pm on Wednesday 18th December 2019.

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

PART C –

Matters subject to Council approval

C19. Council Decision-making Structure

The Assistant Town Clerk joined the meeting at 4.35pm.

The Committee considered a written report by the Chief Executive seeking approval of a revised Committee structure and membership.

This was required following approval by Tynwald for the number of Members on the Council to be reduced, and for the Wards within the Borough to be altered. Members recalled the background, as follows:

- Following the submission of a Motion to the Council Meeting on 11th May 2016 by Mr Councillor Christian, approval had been given at the Council Meeting on 10th August 2016 to reduce the number of Councillors to twelve, with each of the six Wards returning two Members. This was to be effective from the 2020 local authority general election.
- Subsequent to that, however, the Council, at a meeting on 14th December 2016, approved that the number of Wards be reduced to four, matching the House of Keys Constituencies – namely, Central, East, North, and South; with three Members for each of the new Wards.
- Approval for these changes had accordingly been sought from the Department of Infrastructure and, following a Public Enquiry in December 2018, the Douglas (Alteration of Wards and Number of Members) Order 2019 had been approved by Tynwald on 9th April 2019. The number of Members of the Council would therefore reduce from eighteen to twelve from the local authority general election in April 2020; with the existing six Wards of the Borough being abolished and replaced by the four new Wards.

Members accordingly considered a proposed revised Committee structure to accommodate the reduction in the number of Members.

With the reduction in Council Members, there was cognisance that there would be an increased workload and time commitment for Members, particularly with their own outside commitments, and employment, etc, and a proposed revised allocation of Committee responsibilities amongst Members was therefore also considered.

It was suggested that the present quorum of three (as set out in Standing Order 84) should remain, with any issues arising being monitored closely and reviewed in order to ensure the smooth running of the democratic process.

It was noted that a further report would be brought before the Committee's meeting in December 2019, outlining the necessary changes to the Constitution, which would also be effective from 1st May 2020.

Discussion took place on the following:-

- It had been proposed that the Housing Committee should revert to its previous reporting structure – that was, through the Executive Committee on both policy and budgetary matters. It was therefore agreed, because there would be an additional level of scrutiny in the future, that there was no longer a need for the membership of the Housing Committee to include an Independent Member.
- It had been proposed that the number of Members on the Executive Committee should remain the same, but to include the Chair of the Pensions Committee as opposed to a Member taken “from the floor”. This proposal was not supported, and it was agreed that the membership should remain unchanged.

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

- (ii) That the membership of the Housing Committee no longer include an Independent Member;
- (iii) That the membership of the Executive Committee remain unchanged, being made up of the Leader of the Council as Chair, three other Members (these being the Chairs of the Standing Committees – Environmental Services, Regeneration and Community, and Housing) and one Member taken “from the floor” (with the Chair of Pensions Committee not being automatically excluded from membership);
- (iv) That the revised Committee structure and membership, as set out in the written report and appendix, but as amended in (ii) and (iii) above, effective from 1st May 2020, be approved and recommended to Council accordingly; and
- (v) That a further report be brought to Committee in December 2019 outlining the necessary changes to the Constitution, which would also be effective from 1st May 2020.”

The Assistant Town Clerk was thanked for his attendance and left the meeting at 4.50pm.

The Committee rose at 6.50pm.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 27th November, 2019.

Members Present: Councillor Ms K. Angela (Chair), the Mayor, Councillor Mrs C.E. Malarkey, Mr Councillor F. Horning, Mr Councillor J.E. Skinner, Councillor Ms J. Thommeny, Mr A. Thomas (Independent Member).

In Attendance: Mr M. Freeman – Hymans Robertson. Mr G. Muir and Ms L. Lau – Barnett Waddingham (Items A1 to A4). Director of Finance (Mr A. Boyd), Assistant Chief Officer (Finance) (Mr E.P. Pierce), (Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A

Matters within the scope of the Committee's delegated authority

A1. Apologies

There were no apologies submitted for the meeting.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 23rd October 2019

The minutes of the meeting held Wednesday, 23rd October, 2019 were approved and signed.

A4. Matters Arising

There were no matters arising.

A5. Review of Investment Manager's Performance

The Committee considered a report submitted by Hymans Robertson to review the Investment Managers' performance for the third quarter of 2019.

Mr Freeman presented the historic returns for world markets during the quarter. Positive returns were achieved in all markets except Asia Pacific and Emerging Markets Equities.

The fund performed in line with the benchmark during the period increasing the value by £3.4m (including contributions of £0.7m) to a total of £86.1m.

Members were presented with the performance breakdown for each individual portfolio. Mr Freeman drew the Committee's attention to the Canaccord corporate bond portfolio which has underperformed since inception. It was agreed to continue the discussion as part of the annual review of the investment managers.

Members were advised of the UK Government consultation to swap RPI to CPI as the basis of inflation for index-linked gilts within the next 6-11 years and the impact this could have on markets and the Scheme. It was agreed that there be no action from the Committee at this time but that the issue be noted and monitored over time.

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

A6. Adjournment and Resumption

The meeting adjourned at 1.05pm and resumed at 2.00pm.

A7. Plan of Activities for 2020

The Committee considered a report submitted by the Assistant Chief Officer (Finance) to plan the matters to be considered by the Committee during the coming year.

Members had in front of them two activity schedules submitted by Hymans Robertson and Capita and two additional appendices demonstrating the Committee's training log and individual training needs analyses. The latter two documents were submitted for approval as a result of the Governance Review undertaken in 2017 which identified that the Council had shortcomings in relation to training plans, individual needs analyses and training logs.

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

- (i) The 2-year training plan be approved;
- (ii) That the 2020 investment and administration plans of activities be approved."

A8. Items For Future Report

The Committee considered a report submitted by the Democratic Services Officer setting out items that are to be considered at future meetings and to review any future training requirements. It was noted that the schedule will be updated to include the plan of investment and administration activities approved by Committee.

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

A9 Date and Time of Next Meeting

Members noted that the next scheduled meeting was due to take place at 10.30am on Wednesday, 26th February, 2020.

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

PART B –

Matters Requiring Executive Committee Approval

There were no items requiring Executive Committee approval.

PART C

Matters Requiring Council Approval

There were no public items requiring Council approval.

The Committee rose at 2.52pm

VI(iv) – 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 Thursday, 28th October, 2019.

Members Present: For Douglas Borough Council – Mr. Councillor R.H. McNicholl (Member), Mrs. D. Eynon (Director of Environment & Regeneration) and Mr. A.J. Donnelly (Assistant Chief Officer (Environment)). For Onchan District Commissioners – Mr. D. Crellin (Member) and Mrs. L. Radcliffe (Clerk/Chief Executive). For Braddan Parish Commissioners – Mr. D. Dentith (Member) and Mr. J.C. Whiteway (Clerk). For Garff Commissioners (Lonan) – Mr. N. Dobson (Member) (Chair of Joint Committee). For Garf Commissioners (Laxey) – Mr. T. Kenyon (Member).

Apologies: Mr. N. Young (Member, Santon Parish Commissioners).

In Attendance: Mr. P.E. Cowin (Secretary), Mrs. D. Atkinson (Democratic Services Officer), Mr. E.P. Pierce, (Assistant Chief Officer (Finance). Department of Infrastructure Representative – Mr. J. Quayle. Operational Contractor's Representative – Mr. S.A. Crook (Items 1 and 2 only).

REPORT

PART A –

Matters within the scope of the Joint Committee's Delegated Authority

A1. Contractor's Report

Copies had been circulated of the Contractor's report on operation of the Site for the period April to October, 2019. There was discussion of a number of issues within the report, with Mr. Crook providing further information where required.

In response to a question on whether removal of items from skips by users of the Site was permitted, Mr. Crook confirmed that it was very strongly discouraged. Staff would occasionally remove items seen to be in the wrong skip, such as fridges placed in the general waste, but the standard policy was that once placed in the skip, waste should remain there. Every effort is made to ensure that waste is placed in the correct skip or in the re-use shed so as to reduce the likelihood of accidental cross disposal.

Anonymised notes of incidents breaching the Site Rules since the last meeting were noted; these included a vehicle speeding on Site, a user entering a restricted area, misuse of a disabled space, and aggressive behaviour when challenged.

Decision: Report noted; upgrading of CCTV on Site to be added to agenda for next meeting of the Joint Committee.

A2. Operational Statistics

Copies were circulated of the schedule showing the tonnages of the various waste types per quarter year from 2015 to 2019, together with statistics for the first two quarters of 2019/20.

Mr. Crook explained the statistics and that they were largely consistent over the five-year period. The only matter of note was the gradual trend downwards of the tonnage of construction waste.

Decision: noted.

A3. Minutes – 15th October, 2019

Noted and approved.

A4. Next Meeting

It was agreed that the next meeting of the Joint Committee take place at 2.00 p.m. on Wednesday 22nd January, 2020.

The meeting ended at 5.05 p.m.

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

HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 20th November, 2019.

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

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

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies for Absence

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

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 16th October, 2019

The minutes of the meeting held on Wednesday, 16th October, 2019, were approved and signed.

A4. Matters arising

Clause C10 – The Assistant Chief Officer (Income) advised of a change to the way that the draft capital programme 2020/21 would be presented for the remaining budget process.

A5. Vacant Properties Update

The Committee considered the monthly report submitted by the Assistant Housing Manager (Maintenance) to update on the number of vacant social housing properties, noting that as at the end of October 2019 there were nine void properties awaiting attention.

The Housing Manager advised that as of the date of the meeting there were thirteen vacant properties awaiting attention.

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

A6. Quarter Two Performance Monitoring 2019/2020

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) to update on the performance made against measures as outlined in the Housing and Property Services Plans as relevant to the Housing Committee.

There was discussion on routine, urgent and emergency repair targets, noting an improvement on the performance figures in comparison to the first quarter. Members recalled that this had been due to the introduction of a text messaging system to ensure that reporting data was up to date.

Resolved, “That particulars of the report and discussion be noted on the minutes and that the progress made against the performance indicators in the Service Plans for quarter two 2019/20 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 10.30am on Wednesday, 18th December, 2019.

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

PART B –

Matters requiring Executive Committee Approval

There were no matters requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no items requiring Council approval.

The meeting ended at 11.50am

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, 2019.

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

In Attendance: Director of Environment and Regeneration (Mrs. D. Eynon), Assistant Town Clerk (Mr P. Cowin), Assistant Chief Officer (Income) (Mrs C. Pulman), Assistant Chief Officer (Regeneration) (Mr C Pycroft), Head of Parks (Mr D. Hewes), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Councillor Miss D.A.M. Pitts and Councillor Ms K. Angela submitted apologies for absence.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 15th October 2019

The minutes of the meeting held on Tuesday, 15th October, 2019 were approved and signed.

A4. Minutes – 24th October 2019

The minutes of the joint meeting of the Environmental Services and Regeneration and Community Committee held on Thursday, 24th October 2019, were approved and signed.

A5. Matters Arising – Minutes 15th October 2019

The Director of Environment and Regeneration relayed the comments raised by Council Members at the October Council Meeting in relation to the pollinator plan landscape prescriptions.

The Head of Parks provided an explanation on the proposed prescription of specific areas, and advised that all areas will be frequently monitored and reviewed. Members noted that, if necessary, areas can be reverted back to their original maintenance program.

In answer to question, the Head of Parks confirmed that signage will be displayed in areas and residents informed prior to the implementation of the new prescriptions. It is hoped that the communication with residents will commence in early 2020 with the development of the areas in early Spring.

In relation to comments raised regarding Hampton Grove grass verge, Members suggested that Braddan Commissioners be approached to consider implementing a similar prescription to the section of the area under their ownership.

Resolved, “That particulars of the matters arising be noted on the minutes and Braddan Commissioners be approached to consider implementing an alternative maintenance prescription for Hampton Grove grass verge to encourage pollinators, flora and fauna.”

A6. Matters Arising – Minutes 24th October 2019

The Director of Environment and Regeneration advised that the Environmental Services Committee has recorded their support to the residents with regard to their approach to the Department of Infrastructure about the poor parking situation in the area.

Members concurred that the Department of Infrastructure need to address the current parking issues surrounding Noble’s Park.

A special meeting of the Environmental Services and Regeneration and Community Committees will be convened to reconsider the proposed Noble’s Park Off Street Car Parking Order report. It was noted that the joint Committee’s previous decision had been taken back at the November Council Meeting for further consideration.

Resolved, “That the matters arising be noted on the minutes.”

A7. Quarter Two Service Plan Performance Monitoring – 2019/2020

Members considered a report submitted by the Director of Environment and Regeneration to update on the performance 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 Town Centre Management. A red, amber, green status had been applied to each measure.

Resolved, "That particulars of the report and the progress against performance indicators in the Department and Regeneration Department Service Plans as relevant to the Regeneration and Community Committee be noted on the minutes."

A8. Douglas Residents Tree Champion Planting Scheme

The Committee considered a report submitted by the Head of Parks to seek approval for the introduction of a tree champion campaign to make available 2,000 free tree whips for Douglas residents.

The Head of Parks explained that the scheme, which was initially proposed by an elected member, will be managed by Parks Services with tree whips (Native Mountain Ash) available to Douglas residents and local community groups. Applications will be made to Parks Services and the number of trees issued will be dependent on the garden size of the proposed planting location. It was noted that advice will be provided on planting of the whips.

The estimated cost of the 2,000 tree whips is £1,800 and will be purchased using existing Parks Services revenue budgets.

It is hoped that the scheme will be launched by His Worship the Mayor during National Tree Week 2019 which begins on Monday, 25th November, 2019.

Members concurred that the initiative will demonstrate the Council's commitment to the Islands climate change emergency and the pledge principles of the Isle of Man UNESCO Biosphere aims.

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

- (i) The implementation of a tree champion campaign be approved to make available 2,000 free tree whips to local residents and community groups for planting in Douglas;
- (ii) The cost of the scheme be met through existing Parks Revenue Budgets;
- (iii) The Worshipful the Mayor launches the Douglas Tree Champion Planting Scheme to coincide with National tree week which is 25th November to 1st December 2019."

A9. Items for Future Report

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

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

A10. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.30 a.m. on Tuesday, 17th December, 2019.

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

PART B –

Matters requiring Executive Committee approval

There were no matters requiring Executive Committee approval.

PART C –

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 12.33p.m.

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, 2019.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Environment) (Mr A. Donnelly), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Accountancy Manager (Mr M Quayle) (Items A1 to A14), Dilapidation Enforcement Officer (Mr S. Salter) (Items A13 and A14), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

No apologies for absence were received.

A2. Declarations of Interest

Councillor Ms J. Thommeny declared an interest in Item A6.

A3. Minutes – 14th October, 2019

The minutes of the meeting held on Monday, 14th October, 2019 were approved and signed.

A4. Matters Arising from the Minutes

Clause A6 – Agreement to Install Highway Signage on Douglas Borough Council Street Lighting Columns – There was discussion on the item arising from comments made at the November 2019 Council meeting, the Chair presented Members with a number of photographs showing examples of redundant and duplicated signage. As a related issue Members discussed the tender for the painting of public lighting columns. The Assistant Chief Officer (Environment) advised that the Department of Infrastructure had verbally advised that any signage affixed to columns that were due to be painted as part of the programme would be removed by the Department and put back on to comply with the new agreed criteria.

The Director of Environment and Regeneration advised that she would write to the Department of Infrastructure to again request that the audit of the signage be carried out, to seek formal clarification in respect of the tender for painting of public lighting columns and to also provide them with the photographs taken by the Chair, it was agreed that the Committee be copied into this communication.

A5. Minutes – 24th October, 2019

The minutes of the special joint meeting of the Regeneration and Community Committee and Environmental Services Committee held on Thursday, 24th October, 2019 were approved and signed.

A6. Matters Arising from the Minutes

Following concerns expressed at the November 2019 Council meeting it was noted that it is intended to take the petition from the residents in the area of Noble's Park to the next meeting of the Executive Committee. Members recalled that the main concerns expressed at the Council meeting related to police parking in Nobles Park and that the minutes of the joint meeting had not reflected consideration of the petition.

During discussion of the item, Councillor Ms J. Thommeny declared an interest in the item and retired for the remainder of the discussion.

Members expressed the view that the parking situation in the area surrounding Noble's Park is already very poor and that the decision to introduce parking management in the park could not displace vehicles to the surrounding streets because there are no spaces available. It was noted that the Committee gave their support to the residents with regard to their approach to the Department of Infrastructure about the poor parking situation in the area.

A7. Lheannag Park Public Lighting

The Committee considered a written report submitted by the Electrical Services Manager to provide options to address a complaint received in regard to the aesthetics of the Lheannag Park lanterns. It was noted that installation of the new LED Lanterns in Lheannag Park had been completed on 11th June, 2019 and to date, only one complaint had been received in regard to the aesthetics of the Lanterns.

The report advised that there are currently seventy-six columns in Lheannag Park with the majority being 5 metres in height, although seven of these columns had been cut down to between 3.8 and 4 metres in height due to their location and proximity to properties.

Set out within the officer's report were five options for the Committee to consider to address the complaint. Members reviewed each option, noting particularly that the complaint seemed to relate to the shortened columns, there was discussion on how the aesthetics of the current columns could be improved. In response to question, the Assistant Chief Officer (Environment) confirmed that all of the columns in Lheannag Park will be painted black and that the embellishments on the shortened columns could be removed using in-house resource.

As a related issue, Members discussed the planned column replacement programme, noting that it would be costly to replace the columns immediately. The Director of Environment and Regeneration advised that the columns are due for replacement as part of the programme in the next five to ten years.

Resolved unanimously, "That particulars of the report and discussion be noted on the minutes and that the embellishments on the seven shortened columns be removed and that the columns be painted black as soon as is practicable."

A8. LED Programme Lighting Levels

The Committee considered a written report submitted by the Electrical Services Manager in response to concerns expressed about lighting levels in residential areas following the installation of LED lanterns.

Members were reminded that concerns had been expressed at the March 2019 Council meeting in regard to the LED lantern performance in some locations across the Borough. Subsequently during consideration of the item under matters arising at the Committee meeting held in July 2019 it was agreed that officers should try and establish whether an independent lighting survey within the Borough could be undertaken.

The report advised that during the course of the LED installation programme each completed area is inspected during the hours of darkness by the Electrical Services Manager or the Assistant Electrical Services Manager to assess the performance and identify any potential issues. If issues are found or a location has had a negative report, these areas will once again be surveyed by one of the two officers using a hand held light (lux) meter to make sure the area is compliant. The assessment can be verified using the lantern details and the specialist lighting software, "Lighting Reality", which is widely used and industry standard software. Appended to the report were examples of reports from the software.

The Director of Environment and Regeneration advised that options had been explored to try and engage a third party to verify the results or findings, this had however proved problematic as there is no one on-Island with the expertise to undertake the task. Those who would have the competence to undertake this are off-Island and would have a vested interest in selling their product, therefore not being independent; any assessor is very likely to use the same specialist lighting software used by the Council.

Appended to the officer's report was a list of current locations that had been identified for improvements to lighting levels. Members reported concerns on Sartfell Road and Hillside and it was agreed that these be added to the list for inspection.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the continuation of the LED lantern programme based on the road lighting calculation method with locations assessed for future lighting schemes or improvements be approved."

A9. Quarter Two Service Plan Performance Monitoring 2019/2020

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 Services Plans as relevant to the Environmental Services Committee.

Appended to the report were the measures as outlined in each Service Plan together with an update on the performance as at the end of quarter two 2019/20. A red, amber and green status had been applied to each measure. Members discussed the colour coding of each measure and agreed that the current format for reporting be maintained.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the progress made against performance indicators in Service Plans for Quarter Two 2019/20 be noted."

A10. Urgent Business Procedure – Christmas Parking on Sundays

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to advise on the use of the Urgent Business Procedure giving approval for Shaw's Brow and Bottleneck Car parks to be free on Sundays in the run up to Christmas every year in line with the existing resolution applying to Saturdays and Thursday evenings.

Members were advised that in October 2008 the Policy and Resources Committee had resolved to provide free car parking annually on Saturdays and Thursday evenings between the Christmas Light Switch On event and Christmas. In April 2019 the Council introduced a Sunday tariff in Shaw's Brow, the Bottleneck and Chester Street Car Parks. It was noted that officers had been preparing publicity material for Christmas 2019 which, as in previous years refers to free parking on Sundays. Due to the introduction of the Sunday tariff this year there is no Committee resolution in relation to the free parking on Sundays in the run up to Christmas.

Resolved, "That particulars of the report be noted on the minutes and that the use of the Urgent Business Procedure giving approval for Shaw's Brow Car Park and the Bottleneck Car Park to be free on Sunday in the run up to Christmas every year be noted."

A11. Urgent Business Procedure – Planning Application 19/00959/B

The Committee considered a report submitted by the Dilapidation Enforcement Officer to advise on the use of the Urgent Business Procedure in relation to Planning Application 19/00959/B for the demolition of the existing buildings and erection of a seventy-three bedroom elderly persons care home with associated parking, retaining walls and landscaping (in association with planning application 19/00960/CON) at Homefield, 88 Woodbourne Road, Douglas.

Members were presented with the report that had been considered by the Chair of the Environmental Services Committee and the Leader of the Council at the Urgent Business Procedure meeting held on 6th November, 2019 together with the Planning appraisal report.

Resolved, "That particulars of the report be noted and the minutes and the outcome of the Urgent Business Procedure and the decision to support planning application 19/00959/B be noted."

A12. Urgent Business Procedure – Planning Application 19/00755/B

The Committee considered a report submitted by the Dilapidation Enforcement Officer to determine whether an appeal should be lodged against the refusal of planning application 19/00755/B for the construction of a 500m long reinforced concrete wall 1.2m in height anchored to the existing sea wall to reduce wave overtopping at the Sea Wall, Harris Promenade, Douglas.

The Committee considered the planning application at a meeting held on the 16th September 2019 where it was resolved that no objection be raised to the application. The application was subsequently considered by the Planning Authority and a Refusal Notice was issued on 11th October, 2019. Due to the time constraints imposed by planning legislation the Council's Urgent Business Procedure was initiated to consider whether an appeal should be lodged against the planning authority's decision.

Resolved, "That particulars of the report be noted on the minutes and the outcome of the Urgent Business Procedure and the decision to not appeal the refusal by the Planning Committee of planning application 19/00755/B be noted."

A13. Planning Applications – Various

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

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

Planning application – 19/001130/B for the erection of an extension to the existing warehouse and re-modelling of the service yard and overflow car park at Tesco Superstore, Lake road, Douglas.

The report recommended that no objection be raised to the application. The proposal aims to deal with the issues arising from the limited back-of-house storage. It was noted that, if approved, the proposal would facilitate a reduction in the number of deliveries having a positive impact on traffic management in the area and that the extension would not be used for retail purposes.

Planning Application – 19/01131/B for the creation of off-road parking and vehicular access at 17 Champion Way, Douglas. The Dilapidation Enforcement Officer advised that the Highway Services Division of the Department of Infrastructure had not yet commented on the application and on this basis the Council had no grounds to object to the proposal.

Planning Application – 19/01059/B for the conversion of a residential property to create five apartments at 3 Mona Terrace, Douglas. The Dilapidation Enforcement Officer advised Members that amended plans had been submitted by the applicant following on-going communication between the Council and the Planning Officer, as these had only been received earlier in the morning preceding the Committee meeting he requested that consideration of the item be deferred until the next meeting of

the Committee to allow sufficient time for further scrutiny of the amended plans by Council officers. In response to question, the Dilapidation Enforcement Officer advised that there is sufficient time to report the item to the next monthly meeting of the Committee.

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

- (i) That no objection be raised on planning application 19/01130/B for the erection of an extension to the existing warehouse and re-modelling of the service yards and overflow car park at Tesco Superstore, Lake Road, Douglas;
- (ii) That the Council supports planning application 19/01131/B for the creation of off-road parking and vehicular access at 17 Campion Way, Douglas on the condition that no objection is received from the Highway Services Division of the Department of Infrastructure in relation to the proposals having an adverse effect on pedestrian or traffic safety; and
- (iii) That consideration of planning application 19/01059/B be deferred until the monthly meeting of the Committee to be held on Monday, 16th December 2019."

A14. Schedule of Neglected, Dilapidated, Ruinous and Dangerous Properties

The Committee noted the schedule of neglected, dilapidated, ruinous and dangerous properties being dealt with on behalf of the Council.

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

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

A15. Items for Future Consideration

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

The Director of Environment and Regeneration advised that the following reports would be presented to the December Committee meeting; Public Toilet Strategy 2020+, options for the Strathallan Public Toilets and Beach Groyne. It was noted that the author of the Groyne report, a Technical Consultant would be in attendance at the meeting.

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

A16. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Monday, 16th December, 2019.

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

The meeting ended at 1.24pm