



Borough of Douglas

**MR COUNCILLOR JONATHAN JOUGHIN, JP
MAYOR**

Town Hall,

Douglas,

6th March, 2020

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 11th day of MARCH, 2020, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the TOWN HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

Town Clerk & Chief Executive

Order of Agenda

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

II - Any statutory business.

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

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

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

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

- (i) The Executive Committee;
- (ii) The Pensions Committee;
- (iii) The Standards Committee;
- (iv) The Eastern 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, 12th February, 2020.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 28th February, 2020.

Members Present: Mr Councillor D.W. Christian (Chair), the Mayor, Mr Councillor I.J.G. Clague, Councillor Mrs C.L. Wells (from 2.30pm), 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), Director of Housing and Property (Mr D. Looney), Council Advocate (Miss L. Rothwell), Assistant Town Clerk (Mr P.E. Cowin) (for Clause A7), Executive Officer (Mrs J.M. Keig) (taking minutes).

REPORT

PART A –

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

A1. Apologies for Absence

Apologies for absence were submitted on behalf of Mr Councillor S.R. Pitts.

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes

The minutes of the meeting held on Friday 31st January 2020 were approved and signed.

A4. Matters Arising From Previous Minutes

Clause A4, sub-Clause 7.2(c) - Finch Hill Tennis Pavilion: in response to a Member's query, it was noted that the terms of the lease had been agreed, although final signature by the Club was awaited.

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

Clause A8 – Town and Country Planning (Permitted Development) (Temporary Use or Development) Order 2015: in response to a Member's query, it was noted discussions had not yet taken place between the Council and the Department of Environment, Food and Agriculture.

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

A5. Referrals from the Environmental Services Committee - February 2020

There were no referrals from the public minutes of the Environmental Services Committee meeting held on Monday 17th February 2020.

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

A6. Referrals from the Regeneration & Community Committee – February 2020

The Committee considered the following referrals from the minutes of the (rescheduled) Regeneration and Community Committee meeting held on Friday 14th February 2020:

Clause B1 – Henry Bloom Noble Library Fine Amnesty: the Committee had considered a report by the Assistant Chief Officer (Income) seeking authority to remove all accrued late return fines as from 1st April 2020.

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

(ii) That the resolution of the Regeneration and Community Committee be endorsed as follows -

- That all accrued late return fines be removed as from 1st April 2020; and
- That there be an amnesty on all items borrowed and not yet returned to the Henry Bloom Noble Library."

Clause B2 - Douglas Golf Course Drainage: the Committee had considered a report by the Head of Parks in relation to the purchase of materials and equipment to enable Parks Department staff to undertake drainage works in-house. A previous tender exercise had resulted in the receipt of two submissions, both of which were significantly over budget, and it had therefore been recommended not to proceed with tendering, but instead to consider permitting Parks Services staff to undertake the drainage works over a number of years. As specialist items of plant and machinery would be required, authority was sought for Standing Order 146(a) to be invoked accordingly.

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

- (ii) That the resolution of the Regeneration and Community Committee be endorsed, and that authority be given for Standing Order 146(a) to be invoked, in order that specialist equipment could be purchased to carry out the drainage works at Douglas Golf Course.”

A7. Targeted Engagement on the Isle of Man Climate Change Bill 2020

The Committee considered a written report by the Assistant Town Clerk in relation to correspondence received from the Department of Environment, Food and Agriculture (DEFA) seeking input from the Council, as a key stakeholder with an interest in climate change, in relation to the proposed Isle of Man Climate Change Bill 2020.

This was a limited exercise, which would be followed by wider public consultation on the draft Bill in the future. At this stage, the consultation had been undertaken as an intermediate step in the Government’s consultation process, in order to gather initial views from organisations that may be significantly affected by any legislative proposals aimed at climate change.

The deadline for submission of responses was 2nd March 2020; and it was noted that the Council’s Working Group on Consultations had reviewed the document and the specific questions contained within the questionnaire.

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

- (ii) That the following suggestions be made to the Department of Environment, Food and Agriculture:-

- That the initial costs of meeting any future climate change legislation requirements by local authorities be met by the Government, after which maintenance and running costs be absorbed by the local authorities;
- That in relation to local authorities, the Government should co-ordinate action in order to achieve uniformity of approach, and to set minimum standards;
- That the resale of renewable energy to parties other than the Manx Utilities Authority be permitted, in order to allow, for example, car park operators generating energy to sell to electric vehicle owners, and landlords of apartments to be able to sell to tenants;
- That future climate / environmental legislation should include targets for recycling, through central collection and through kerbside collection;
- That future legislation should include a form of reward for local authorities reducing the waste stream by removing recyclable materials; and
- That education on waste disposal, particularly on recycling, should be brought forward in the Government’s Action Plan and given some priority.”

A8. Monthly Financial Review – January 2020

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. Details in respect of approved virements were also set out.

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

A9. Conference Attendance – Institute of Revenues, Rating and Valuation (IRRV)

The Committee considered a written report by the Director of Finance seeking approval for attendance at this year’s IRRV Conference and Exhibition, which was being held in the Telford International Centre, from 6th to 8th October 2020.

Whilst the Conference programme was not yet available, it was noted that the event did bring together world-class speakers and commentators and leading figures from the industry to discuss key issues. The Chair of the Committee and the previous Director of Finance had attended in the past, and had found it of great benefit in following current trends in public sector finance and accountancy.

Although early booking was recommended in order to obtain best value on flights and accommodation, it was agreed that a final decision on attendance should be made once the programme became available, in order to establish if it would instead be more beneficial to attend this year's Chartered Institute of Public Finance and Accountancy Conference (CIPFA) (which was normally attended on a two-year cycle with the IRRV Conference).

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

- (ii) That approval in principle be given for the Chair of the Executive Committee and the Director of Finance to attend either this year's IRRV Annual Conference or the CIPFA Annual Conference;
- (iii) That a final decision on which Conference it would be most beneficial to attend be made once the programmes for the Conferences became available; and
- (iv) That the cost of attendance at the Conference (be it the IRRV or CIPFA) be met from the General Revenue Reserve."

A10. Insurance Renewal

The Committee considered a written report by the Assistant Chief Officer (Finance) seeking approval for a new five-year insurance deal.

Members were advised that a market test had been conducted in respect of the Council's insurance. Quotations had been invited from seven major providers of public sector insurance, with five submitting bids. These had been received both on the basis of providing individual types of cover (e.g., motor, employer's liability, etc); and on the basis of providing all insurance collectively.

The best offer for most categories had been from the current provider, Zurich Municipal; with British Engineering Services providing the best offer for engineering inspections (which were a statutory requirement in respect of certain plant – for example, lifts).

It was noted that, while official Mayoral functions were covered by the Public Liability of the Council's policy, any entertainers hired for such events would not be covered, and should, instead, have their own Public Liability insurance. As it was unlikely that such performers would have public liability insurance, it was agreed that this should be discussed further with the Council's insurers.

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

- (ii) That the five-year agreement offered by Zurich Municipal for all cover, apart from engineering inspections, be approved;
- (iii) That the five-year agreement offered by British Engineering Services for engineering inspections be approved;
- (iv) That the list of risks not insured also be approved, with any costs arising being met from Revenue Reserves; and
- (v) That discussion take place with the Council's insurers in respect of public liability insurance cover for any entertainers hired for official Mayoral functions."

A11. Planning Application – Erection of Replacement Pedestrian Footbridge, Glencrutchery Road, Douglas

The Committee considered a written report by the Dilapidation Enforcement Officer seeking approval of a response to the Planning Committee in relation to Planning Application PA 20/00081/B (the erection of a replacement pedestrian footbridge at the T.T. Grandstand Footbridge, Glencrutchery Road, Douglas).

The application involved Council-owned land within the Crematorium and Noble's Park, running adjacent to both sides of Glencrutchery Road. On the Noble's Park side, there would be a requirement to remove two mature elm trees; and other trees on this side of the road could also be at risk of damage due to the excavation work that would be required. On the Crematorium side, the trees at risk included a mature sycamore tree, a mature elm tree, and a holly tree - all of which were visible from the road and contributed positively to the character of the local area.

Based on the information provided by the applicant, it was considered that the loss of the trees would far outweigh the perceived benefits of constructing a new bridge, especially as there was another bridge crossing point less than 300 metres away at the top of Bray Hill.

The plans showed new gates leading into the Cemetery, and it was noted that the new bridge was intended to be open twenty-four hours a day, 365 days a year. Members expressed disappointment that no discussion had taken place with the Council with regard to the Cemetery remaining open to match the proposed opening times of the new bridge, and it was recommended that the Cemetery gates should not be unlocked twenty-four hours-a-day, as this could lead to the area being used for anti-social behaviour.

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

- (ii) That an objection be submitted to the Planning Committee in respect of Planning Application PA 20/00081/B - the erection of a replacement pedestrian footbridge at the T.T. Grandstand Footbridge, Glencrutchery Road, Douglas - on the grounds set out in the appraisal and, additionally, that disappointment be expressed that no prior consultation had taken place with the Council in advance of the application being submitted.”

A12. Urgent Business Procedure – Planning Application 18/01342/B (Demolition of Industrial Units at 31-39 South Quay, Douglas; and Erection of 38 Flats at 31-39 South Quay, Douglas)

The Committee considered a written report by the Dilapidation Enforcement Officer on the use of the Council’s Urgent Business Procedure under Standing Order 125.

Planning application 18/01343/B had first been considered by the Environmental Services Committee in February 2019, when it had been resolved to raise an objection to it. An amended application had then been considered by that Committee in September 2019, when it had been resolved to support the application subject to a number of conditions.

The application had now been approved by the Planning Authority, however, this approval had not taken into account all of the requests made by the Council. Given the time constraints imposed within the planning appeals process, the Urgent Business Procedure had been invoked, with the Leader of the Council and the Chair of the Environmental Services Committee accordingly considering a further recommendation, which was not to appeal against the Planning Authority’s decision to approve the application.

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

- (ii) That the resolution made by the Leader of the Council and the Chair of the Environmental Services Committee under the Urgent Business Procedure - not to appeal against the approval granted by the Planning Authority in respect of Planning Application 18/01342/B - be noted and endorsed accordingly.”

A13. Urgent Business Procedure – Attendance at the Institute of Lighting Professionals Smart City Event, London (19th February 2020)

The Committee considered a written report by the Electrical Services Manager on the use of the Council’s Urgent Business Procedure under Standing Order 125.

An invitation to attend the event had been received on 31st January 2020, however, as the date of the event had preceded the next scheduled meeting of the Executive Committee (from which approval was required), the Leader of the Council and the Chair of the Housing Committee had considered attendance at the event by the Chair of the Environmental Services Committee and an officer.

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

- (ii) That the resolution made by the Leader of the Council and the Chair of the Housing Committee under the Urgent Business Procedure - to approve the request for the Chair of the Environmental Services Committee and an officer to attend the Institute of Lighting Professionals event - be noted and endorsed accordingly.”

A14. Single Use Plastics at Douglas Borough Council Events

The Committee considered a written report by the Director of Environment and Regeneration seeking agreement on how single use plastics could be phased out, both at Council events and at events held on Council-owned land.

The Council’s environmental policy provided a commitment to use reasonably practicable means to reduce the Council’s carbon footprint, improve recycling, minimise waste, improve efficiencies, and to work with others to reduce the environmental impact of all its operations. Since the introduction of the policy in 2017, several initiatives had been introduced, aimed at reducing the environmental impact of the Council’s activities and, in recognition of its endeavours, the Council had been accepted as a UNESCO Biosphere Partner in 2018.

The Isle of Man Government had produced two plans relating specifically to single use plastics. While some of the actions contained in those plans could only be undertaken by the Government, others could be undertaken by the Council and other community groups. Accordingly, officers had considered the Council’s environmental impact in staging events and how single use plastics were used at various events – not only those organised by the Council itself, but those for which permission was given to take place on Council-owned land.

As a trial, it was recommended that a ban on single use plastics be included within the terms and conditions for vendors participating at the Noble’s Park Fun Day 2020 event. There were currently at least three providers of non-single use plastics products on the Island, the cost of which were, generally,

on a par with the single use versions. If the proposed trial was approved, it was recommended that early discussions take place with potential vendors for the event.

The Council had already introduced recycling stations at its events and insisted on recycling stations being available at other events held on Council-owned land. Signage at recycling stations was paramount to encouraging recycling - the Department of Environment, Food and Agriculture had already used specific posters at its 'Food and Drink Festival' (derived following conversations with Waste Services), and it was therefore suggested that these posters should be used globally.

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

- (ii) That it be agreed, as a trial, that vendors be prohibited from using single use plastics at the Noble's Park Fun Day 2020 event; and
- (iii) That approval be given for officers to undertake a more detailed survey at the Noble's Park Fun Day 2020 event in relation to the scale of single use plastics, and to bring forward further recommendations accordingly."

A15. Recent Auction of Redundant Vehicles

The Committee considered a written report by the Head of Fleet Services in relation to the disposal at auction of redundant vehicles.

In compliance with Standing Order 161 (Disposal of Surplus Property, Materials, Equipment, or Vehicles), the vehicles identified as being redundant had been prepared and thereafter disposed of via auction on 30th November 2019. Members accordingly noted the details of the vehicles and the prices achieved.

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

- (ii) That the schedule of vehicles and the value they achieved at the auction be noted also."

A16. Seminar Attendance – Association of Public Service Excellence (APSE)

The Committee considered a written report by the Town Centre Manager seeking approval for attendance at an APSE Seminar taking place in Birmingham on Thursday 2nd April 2020.

The focus of the event was to be the role of Councils in high streets and town centres; and attendance would provide an opportunity to gain information on current thinking on the role of retail in town centres and how they could remain vibrant. All the topics included in the programme for the event were considered by the Town Centre Manager to be relevant to Douglas.

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

- (ii) That approval be given for the Town Centre Manager to attend the one-day APSE seminar accordingly."

A17. Enforcement Policy – Abandoned Vehicles on a Highway

The Committee considered a written report by the Community and Enforcement Manager seeking to establish a new policy for dealing with abandoned vehicles within Douglas.

Since consideration of this matter at the last meeting of the Committee, the proposed policy for the way the Council dealt with abandoned vehicles had been developed. It was proposed that the standard practice, in all cases of abandoned vehicles, should be for details to be passed on to the Department of Infrastructure for that Department's officers to process under the Road Traffic Regulations Act 1985.

While the Council had delegated powers to remove abandoned vehicles from highways and open spaces under the Local Government (Miscellaneous Provisions) Act 1984, it did not have any powers to store, dispose, or sell any vehicles that it removed. Furthermore, the Council had no powers to recover any incurred costs directly from the vehicle's owner - if the vehicle was removed from the highway or from an open space, the Council could only recover costs from the Department of Infrastructure once the Department had disposed of, or had sold, the vehicle.

The Borough of Douglas Off-street Parking Places Order 2018 allowed for the Council to remove vehicles from its car parks and to recover the removal costs direct from the owner (if known). However, there was no legal provision for the Council to store and dispose of any vehicle – this could only be undertaken by the Department of Infrastructure and, in such instances, the Council's ability to remove a vehicle would therefore be dictated by the Department's ability to receive it and store it in its own compound.

Therefore, requesting the Department to remove abandoned vehicles in all instances, protected the Council from incurred removal costs.

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

- (ii) That the new policy be approved and implemented with immediate effect."

A18. 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.”

A19. 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.”

A20. Vacancy in Membership – Regeneration and Community Committee, and Housing Committee

The Committee considered the appointment to the Membership of both the Regeneration and Community Committee and the Housing Committee.

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

(ii) That it be agreed, because there was only one scheduled meeting remaining for both the Regeneration and Community Committee and the Housing Committee in the current Municipal Year, that there be no appointment to the Membership of either Committee.”

PART C –

Matters subject to Council approval

No matters subject to Council approval were considered.

The Committee rose at 3.35pm.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 26th February, 2020.

Members Present: Councillor Ms K. Angela (Chair), the Mayor, Councillor Mrs C.E. Crawley, Mr Councillor F. Horning, Mr Councillor J.E. Skinner, Councillor Ms J. Thommeny.

In Attendance: Mr M. Freeman – Hymans Robertson (Items A1 to A11), 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

Independent Member, Mr A. Thomas submitted apologies for the meeting.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 27th November, 2019

The minutes of the meeting held Wednesday, 27th November, 2019 were approved and signed.

A4. Matters Arising

There were no matters arising.

A5. Training – Capital Markets, Economic Cycles and Climate Change

The Committee received a training presentation by Mr M. Freeman, Hymans Robertson, on the topics of capital markets, economic cycles and climate changes.

Capital Markets

Mr Freeman began by explaining that capital markets are used for buying and selling equity and bond investments. Members were advised that the purpose of capital markets is to bring together suppliers of capital with users of capital. They are intrinsic to an economy and generating economic output and facilitate the issuing of new equities and bonds. Members noted the main types of buyers and sellers within the market, which usually include pension schemes.

Economic Cycles

Mr Freeman explained how inflation and interest rates impact the value of pension scheme liabilities. The Bank of England moderates the availability and affordability of borrowing money by banks and hence the economy, by raising or lowering the base rate. When the base rate changes, it is attempting to stimulate or slow down the economy. This is known as monetary policy. There are two types of monetary policies, loosening monetary policy which generally leads to higher inflation, and tightening monetary policy which generally leads to lower inflation.

Mr Freeman moved on to explain the two types of inflationary measures, CPI and RPI. Both high and negative inflation can be detrimental to the economy.

Mr Freeman presented the economic cycle. There are four stages to the cycle: boom, slow down, recession and recovery. Inflation and interest rates have a significant impact on the cycle. Members were presented with the impact of each stage in the cycle.

Climate Change

Mr Freeman explained that the term 'Cleantech' refers to firms which seek to increase performance, productivity and efficiency by minimising negative effects on the environment. Members were advised that the impact of climate change is unknown and pension fund liabilities are long-term spanning decades meaning that climate risks fall within the time horizon of scheme decision making.

Mr Freeman explained stranded assets. Fossil fuel companies have a large potential listed reserve but only a small percentage of the fuel available to be used if the Paris agreement long-term temperature goal is maintained. Over 80% of fossil fuel reserves cannot therefore be used and are referred to as stranded assets.

Mr Freeman presented the three common approaches to addressing climate risk: divest, tilt and engage.

Mr Freeman finished by explaining that one possible approach is to tilt portfolios, based on climate factors, for passive investment. The options are fossil fuel exposure, carbon emissions, green revenues and preparedness.

In response to question, Mr Freeman advised that larger fund managers will have the ability to liaise and persuade fossil fuel and other companies to consider climate change. Index-tracking funds do not have the option to divest. Members noted that simply selling fossil fuel shares would not solve the issue, it is more effective to encourage the companies to make changes.

Mr Freeman finished by explaining that it would not be cost effective for the IOMLGSS to sign up to the climate change investment rules, recently adopted by the IOM Government, but instead the Scheme should encourage managers to sign up to the principals.

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

A6. Review of Investment Managers' Performance

The Committee considered a report by Hymans Robertson to review the Investment Managers' Performance for the fourth quarter of 2019.

Mr Freeman presented the historic returns for world markets during the quarter. It was noted that UK Gross Domestic Product (GDP) growth achieved a modest recovery, Eurozone growth beat expectations and US growth continued to outperform the developing markets.

The fund remained at the same level of £86.1m during the quarter. Absolute return, property, corporate bonds and UK equities outperformed their respective benchmarks. Gains were partly offset by marginal underperformances in global equities and gilts, but overall the Scheme outperformed the benchmark by 0.4% over the quarter.

Mr Freeman advised that the returns for growth assets in quarter 1 of 2020 are likely to be adversely impacted by the COVID-19 virus. Whilst no short-term action was recommended, the Committee may wish to consider the impact if investing surplus cash over the next few months.

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

A7. Adjournment and Resumption

The meeting adjourned at 1.05 and resumed at 2.05pm.

A8. Canaccord Presentation – Active Funds

Mr R Stanley and Mr S Wilson joined the meeting to present the quarter four performance of the Canaccord active management portfolio – bonds and property.

Mr Stanley began by providing a market background for the period focussing particularly on global inflation rates and US interest rates. He provided a summary view on gilt yields which have reached an all-time low.

Mr Stanley presented the bond performance during the period which outperformed the benchmark by 1.1%. Mr Stanley advised that the portfolio has sold some shorter duration and purchased some longer dated bonds extending duration to approximately 5.75 years. The portfolio volatility has also been much less than the market. Mr Stanley advised that no changes had been made to the fund due to the COVID-19 virus concerns, and he continues to support the decision not to consider a knee-jerk reaction. Members were presented with the portfolio allocation during the period, the summary transactions, the portfolio positioning and their outlook.

In response to question, Mr Stanley confirmed that Canaccord have an increasing focus on ESG when considering investments. He advised that Canaccord investments are not driven entirely by these factors, but there is a ranking score on ESG criteria and any investments that fall below the ranking are flagged for investigation. Members noted that ESG is a set agenda item at all meetings with Canaccord fund managers.

Mr Wilson moved on to the Property Fund which outperformed the benchmark by 0.4% during the quarter. Members were presented with the portfolio valuation and performance. Mr Wilson advised that the BlackRock UK Property Fund continues to be favourable compared to its peer group and is positioned underweight to retail assets which have performed poorly in the current market. It was noted that the fund is considerably less volatile compared to its peers and it continues to outperform over a longer period of time.

Mr Wilson advised of the new tax laws for property owners to be introduced in the UK and whether this may impact the Property Fund. BlackRock has confirmed the fund is based in Jersey and will therefore not be liable to the tax, however as an investor, the IOMLGSS should clarify if the exemption is applicable to the Scheme on the sale of units in the Fund.

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

Mr Stanley and Mr Wilson were thanked for their attendance and left the meeting.

A9. High-Level Review of Investment Strategy in Relation to Actuarial Valuation

The Committee considered a report submitted by Hymans Robertson to consider the Scheme's current investment strategy and to compare with the Scheme's funding targets and objectives. The report was requested following the triennial actuarial valuation.

Members were reminded that as of 31st March 2019 the Scheme's assets had a market value of £80million and the Scheme's liabilities were valued at £90million, which resulted in a deficit of £10million and a funding level of 89% with a recovery plan of 20 years.

Mr Freeman explained that Barnett Waddingham, as part of the valuation process, compared the value of the Scheme's assets against the value of all future benefits. In order to do this, assumptions had been made about future investment returns that will be generated from the Scheme's assets. Hymans Robertson undertook a similar exercise using their own stochastic modelling, and Members were presented with a table comparing the outcomes.

Mr Freeman also presented the Economic Scenario Service which demonstrated the distribution of the annual return over the period. From the chart the Committee noted a range of possible outcomes including a 50% likelihood of the Scheme's investments achieving at least an annual return of 4.1% per annum, and a 70% likelihood of achieving returns of at least 2.8% per annum. The table was provided to Members to demonstrate that the range of expected returns is quite wide and is a reflection of the level of risk being taken in the current strategy.

Overall the total expected annual returns were similar (4.3% Barnett Waddingham and 4.1% Hymans Robertson). Hymans Robertson believe that Barnett Waddingham's total expected return assumption is reasonable in the context of the current investment strategy and therefore Hymans Robertson was able to support the investment assumptions used in the 2019 valuation. The 0.2% per annum prudence margin was considered low by Hymans Robertson which could have implications on the likelihood of the outcome materialising.

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

A10. Annual Re-balancing of the Fund

The Committee considered a report submitted by the Assistant Chief Officer (Finance) on the annual review undertaken to consider disinvesting some funds to re-balance the fund.

Members were reminded that a strategy has been agreed to annually review the strategic allocation of all assets in comparison with their agreed control ranges.

As expected, equity markets have provided a higher level of returns than bonds over the year. This has resulted in the Council's equity portfolios becoming above their target allocation and bonds have drifted below their target. Members noted that there are currently surplus contributions of £500,000 available to invest.

The report recommended investing the surplus in bonds. It was noted that the strategic allocation is 72% growth to 28% income and this growth-income balance could be restored just by investing the surplus contributions into the bond classes. Disinvesting from equities and absolute return was not recommended due to the transaction fees that would be incurred unnecessarily.

It was initially recommended within the report that £100,000 be allocated to corporate bonds with Canaccord, and £200,000 each in fixed-interest and index-linked gilts with Canaccord, however following discussion at the meeting surrounding the impact of the COVID-19 virus, it was subsequently recommended that £100,000 not be invested in corporate bonds, and £250,000 be invested in both fixed-interest and index-linked gilts.

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

- (i) That no sums be disinvested;
- (ii) That £500,000 of surplus contributions be invested split between £250,000 in fixed interest gilts with Canaccord and £250,000 in index-linked gilts with Canaccord."

A11. Funding Strategy Statement

The Committee considered a report submitted by the Director of Finance to present for final approval the Funding Strategy Statement (FSS) as required by the Local Government Superannuation Scheme Regulations.

Members were reminded that the initial draft version was considered by the Committee for consultation, during the valuation process in November 2019. The FSS was subsequently sent to all employer authorities for comment ahead of the final review. It was noted that there were no comments received from employers on the draft in respect of the consultation, although a number of authorities did express support for the Council's decision to freeze the employer's contribution rate at 27% from April 2020.

Resolved, "That particulars of the report and discussion be noted on the minutes the final Funding Strategy Statement be approved for publication to the Council's website."

Mr Freeman was thanked for his attendance and assistance during the past four years as he left the meeting.

A12. 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.

The Committee asked the Director of Finance to write to the government regarding progress of changes to the Scheme contained in the Local Government (Miscellaneous Provisions) Bill. It was also agreed to accept an offer from the Chair of the Public Sector Pensions Authority to attend a Pensions Committee Meeting to discuss the changes to the Scheme and that he be invited to the March meeting.

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

A13. Date and Time of Next Meeting

Members noted that the next scheduled meeting was due to take place at 11.00am on Wednesday, 25th March, 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 items requiring Council approval.

The Committee rose at 4.01pm.

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

STANDARDS COMMITTEE

STANDARDS COMMITTEE – Minutes of Meeting held on Monday, 2nd March, 2020.

Members Present: Councillor Mrs C.E. Crawley (Chair), Councillor Miss N.A. Byron, Councillor Mrs R. Chatel, Mr Councillor J.E. Skinner, Mr D. Booth (Independent Member).

In Attendance: Assistant Town Clerk (Mr P. Cowin), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters within the scope of the Committee’s delegated authority

A1. Apologies for Absence

There were no apologies submitted.

A2. Minutes – 27th January, 2020

The minutes of the meeting held Monday, 27th January, 2020, were approved and signed.

A3. Chair’s Closing Remarks

The Chair asked that her thanks to the Committee for their hard work during the term, and in particular during the past nine months, 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

C4. Procedure for Dealing with Complaints Against Members, their Investigation and Determination

The Committee considered a report submitted by the Assistant Town Clerk to seek approval of The Procedure for Dealing with Complaints Against Members, their Investigation and Determination (the procedure).

The Standards Committee had recently undertaken an in-depth review of the Standards Committee Handbook. The document was presented to the Council for approval in February 2020, and was subsequently withdrawn for further consideration.

The Chair and the Vice-Chair of the Committee considered the points raised at the Council Meeting and drafted a new procedure. The Council met informally to consider the procedure ahead of the Committee meeting.

Members were reminded that the Executive Committee, supported by the Council, agreed to remove the appointment of the Standards Committee Chair and Members with a view to appointing ad-hoc as and when a complaint arises. Following on from the informal Council Meeting, it was suggested that a Chair to Standards Committee be appointed permanently as a first point of contact should any complaints be received. It was noted that this change will require Executive Committee and full Council approval.

Whilst Members agreed that appointing ad-hoc is appropriate for the other Standards Committee Members, there was concerns raised that the Council may find it difficult to appoint impartial Members should an incident arise in a certain realm, i.e. during a Council Meeting. Members also agreed that the Committee should consist of at least one Independent Member. The Assistant Town Clerk agreed to review the comments and incorporate into a report for the Executive Committee in March 2020.

Members noted the discussions surrounding Members legal costs in receipt of a complaint. The procedure recommended that the Council cover legal costs to a maximum of two hours at investigation level. If the case develops to hearing stage and it is found that there is no case to answer, the Standards Committee may recommend to the Executive Committee that the Member concerned be reimbursed as appropriate for legal costs in excess of the two hours. A Member also requested that the Executive Committee be provided with the appropriate advice on whether Members can be included in the indemnity insurance.

Members undertook a review of the procedure and amended where appropriate.

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

- (i) The Standards Committee Handbook be rescinded and replaced with The Procedure for Dealing with Complaints Against Members, their Investigation and Determination;
- (ii) That the procedure be approved in principle subject to the Executive Committee and Council approving the permanent role of a Standards Committee Chair.”

On resolution (ii) there were For: 4 Against: 1.

The meeting ended at 12.20pm.

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 Wednesday, 26th February, 2020.

Members Present: For Douglas Borough Council – Mr Councillor R.H. McNicholl (Member), Mrs D. Eynon (Director of Environment & Regeneration), Mr A.J. Donnelly (Assistant Chief Officer (Environment)). For Onchan District Commissioners – No representation. For Braddan Parish Commissioners – Mr D. Dentith (Member). For Garff Commissioners (Lonan) – Mr N. Dobson (Member) (Chair of Joint Committee). For Garff Commissioners (Laxey) – Mr T. Kenyon (Member) (from 2.15pm). For Santon Parish Commissioners – Mr N. Young (Member) (2.17pm).

Apologies: Mrs L. Radcliffe, Chief Executive/Clerk, Onchan.

In Attendance: Mr P.E. Cowin (Secretary), Miss C. Cullen (Assistant Democratic Services Officer), Mr M. Quayle (Accountancy Manager), Mr J. Quayle (Department of Infrastructure Representative), Mr S.A. Crook (Operational Contractor's Representative) (2.10pm – 3.05pm) (Item A2 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 2019 to January 2020. There was discussion of a number of issues within the report, with Mr Crook providing further information where required.

In relation to redundant gas cylinders, Mr Crook advised that discussion had recommenced with Manx Gas.

Mr Crook had reviewed the barriers placed outside the Re-Use Shed with the Council's Health & Safety Officer. No better means could be found of providing a safe walking route from the parking area to the shed.

Lone-worker fobs were now available and would be issued to staff on the Site once training had taken place.

On the number of incidents on Site, there had been none reported since January.

The Joint Committee noted the statistics of waste being processed through the Site.

Decision: Report noted.

A2. Minutes – Wednesday, 22nd January, 2020

Noted and approved as a correct record.

A3. Next Meeting

Wednesday, 25th March, 2020, 2.00pm.

Mr Young submitted apologies for absence and stated that he would ask for a substitute representative.

PART C –

Matters requiring approval by the Participating Local Authorities

C4. Matters Arising from the Minutes

Mrs Eynon raised the question of replacement/upgrading of CCTV at the Site, which had been deferred at the last meeting.

The proposal was to replace the four existing cameras with more advanced units, and to install three extra cameras at strategic points. There was some discussion of the merits of installing new equipment when there was a possibility of the Site being moved or expanded. The conclusion was reached that the upgrade was needed, and that the equipment could be moved or relocated at a later date according to future needs.

It was noted that as a financial matter the matter would need concurrence from all the party Authorities, and in particular from Onchan District Commissioners who were not represented at this meeting.

Decision: That it be recommended to all the Authorities that the CCTV upgrade and additional camera installations be approved, subject to the equipment being removable and reusable elsewhere in future, and to the concurrence of all five Authorities to the expenditure.

C5. Vehicle Repair/Replacement

A further report had been circulated with the results of a tendering exercise for contract hire of a vehicle for the remainder of the term of the operational contract.

While the cheapest option would be to continue using the current vehicle, it was failing frequently and necessitating short-term hire of replacements which was an extra expense and there was a risk of total failure during the term.

Lease/hire of a replacement vehicle would require a vehicle to be imported to the Island and put through the local test.

Contract hire for provision of vehicle, driver and fuel was recommended as the best solution. The least expensive tender for that option was from Middle River Recycling Ltd. and the difference in costs between the tender figure and the lowest estimate for keeping the current vehicle running was £19,000 over the remaining thirteen months of the operational contract.

Decision: that subject to the concurrence of all Authorities to the additional expenditure, the tender from Middle River Recycling Ltd. for the contract hire of a vehicle and driver, with fuel, for the emptying of skips, be accepted.

C6. Relocation of Site

A report on the proposed relocation of the Site had been circulated to all the Authorities. Garff, Douglas, Santon and Braddan all indicated their support for the proposals but Onchan District Commissioners had yet to consider it.

The four Authorities had also approved their respective contributions to design fees for the new Site.

The Secretary advised that there would need to be some changes to the Joint Committee Agreement to set up a mechanism for purchase, ownership and administration of the new Site, as the current agreement was specific to the current Site.

Decision: subject to concurrence by Onchan District Commissioners to the relocation and design fees contribution, the Secretary be authorised to proceed with revision of the Joint Committee Agreement, and that discussions continue with the Developer for the new Site with a view to producing more detailed plans.

The meeting ended at 4.00pm.

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

HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 19th February, 2020.

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

In Attendance: Assistant Chief Officer (Housing and Property) (Mr G. Atkin), Assistant Chief Officer (Income) (Mrs C. Pulman), Council Advocate (Miss L. Rothwell), 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 Mrs E.C. Quirk.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 15th January, 2020

The minutes of the meeting held on Wednesday, 15th January, 2020, were approved and signed.

A4. Matters arising

No issues were raised as arising from the minutes.

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. Members noted that as at the end of January 2020 there were eight void properties awaiting attention.

Members were presented with a summary chart showing the number of properties returned in each month together with details of the category repair type for each property. It was noted that during January 2020 six properties had been returned by tenants, of these six properties four require standard repairs, one requires major repairs and one requires refurbishment works.

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

A6. Quarter Three Performance Monitoring 2019/2020

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

Appended to the officer’s report were the performance figures for quarter three, of particular note for this quarter;

- An average of 91.4% of emergency, urgent and routine repairs had been achieved on target;
- An average of 96.2% of void properties, requiring both standard and major works were completed within the specified programme;
- 99.98% of expected rental income, as per the Council’s profiled budget had been received.

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 three 2019/20 be noted.”

A7. Proposal to Install New Nurse Call System into Waverley Court

The Committee considered a report submitted by the Housing Manager seeking approval to install a New Nurse Call System at Waverley Court.

Members were advised that the Waverley Court complex had been built 25 years ago and as the current nurse call system had been in situ since that time it has reached the end of its useful life. The Nurse Call system is used by tenants in emergency situations to communicate with the Sheltered Housing Officer

on duty or out of hours monitoring service provider. It is also used to operate the door entry system to enable the out of hour's service provider to remotely unlock the entrances for emergency services.

The Committee noted that both Hazel and Ballanard Court have the Chubb 'Concept CS' System installed which have been functioning well since its installation, the report therefore recommended the use of a similar system at Waverly Court.

Members were advised that there had been an increasing number of faults experienced over the past eighteen months. Subsequently, local service engineers were reluctant to work on the system in case these were to result in a total system failure. In response to question, the Assistant Chief Officer (Housing and Property) undertook to find out the number of faults experienced and advise Members accordingly.

Appended to the officer's report was the proposed capital project business case, it was noted that the estimated capital cost of £185,000 would be funded via a fifteen year loan subsidised by the Housing Deficiency Grant.

There was discussion on whether other technologies could be installed in place of the Chubb 'Concept CS' System, Members queried whether there were any wireless alternatives, The Assistant Chief Officer (Housing and Property) advised that whilst other alternatives may be available this particular system had been proposed to ensure uniformity and familiarity across the complexes. The Housing Manager advised that the proposed system had an expected lifespan of twenty years minimum.

Resolved, "That particulars of the report and discussion be noted on the minutes and that approval be given to the Business Case as shown at appendix one of the report for the installation of a New Nurse Call System at Waverly Court."

A8. Willaston External Refurbishments – Second Framework Procurement

The Committee considered a report submitted by the Assistant Housing Manager (Capital) seeking approval for the combined Capital Design Stage D1 and I1 report to progress the second framework procurement for the Willaston External Refurbishments project.

The report advised that the ten year external refurbishment strategy will reach completion of the first five year framework once phase ten is fully complete in March 2021, at this time 354 dwellings will have been refurbished leaving 312 properties remaining to be included in the second five year framework.

Appended to the officer's report was the Capital Design Stage D1/I1 report detailing the refurbishment strategy which had been revised to reflect the current status of the project. Members were advised that the second framework will consist of nine phases of work, with each phase having a six month overlap to ensure that two phases are on site at any one time. The following additional design scope changes are included;

- Replacement windows;
- New paths and fences;
- Turfing to front gardens;
- Removal of first floor fireplaces and associated new flooring;
- Provision for full room redecoration where existing finishes cannot be matched;
- Future proofing for gas central heating;
- Installation of 'Positive Input Ventilation Units'; and
- Additional roof space insulation where required.

The Assistant Chief Officer (Housing and Property) drew Members attention to the significant difference between the cost of refurbishment as opposed to the cost of rebuild, notably £133,692.93 per dwelling. As such the design team had recommended continuation of the external refurbishment scheme. Members noted the other factors affecting the decision to continue the refurbishment scheme;

- Refurbishment will prolong the lifespan of the dwellings for an estimated 30 years or more. New dwellings would have a life expectancy of at least 60 years. The estimated cost difference between refurbishment and rebuilding is approximately £42 million based on 312 direct replacement properties. Any redevelopment should ideally consider introducing additional housing units, parking facilities and new infrastructure so this would further increase the redevelopment cost significantly.
- Redevelopment would take longer whereas refurbishment is able to be completed quicker reducing the impact on tenants.

- Redevelopment had previously been considered during the initial framework establishment but it was not supported by the Department of Infrastructure at that time due to the significant extra costs involved.
- Redevelopment is out of scope with the refurbishment strategy and would therefore incur a complete redesign and feasibility study at considerable cost and time.
- There is currently a shortage of suitable labour on the Island which would likely impact upon timescales to redevelop.
- Both refurbishment and redevelopment have benefits but continuation of the refurbishment strategy is considered the most practical, quickest and best value for money procurement route to continue with.

The Chair queried why the cost of refurbishment for the Willaston properties was significantly lower than that for the Spring Valley estate, in response, the Housing Manager advised that this was primarily due to the different scope of works.

As a related issue, there was discussion on the Willaston Kitchen refurbishment scheme. The Housing Manager undertook to check and advise the Chair on the number of kitchens completed and the number of which were outstanding. The Assistant Chief Officer (Income) advised that there was provision of approximately £800,000 left in the budget for the forthcoming financial year.

Resolved, “That particulars of the report and discussion be noted on the minutes and approval be given to the combined Capital Design Stage D1 and I1 report as appended to the officer’s report.”

A9. 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.”

A10. 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 March, 2020.

Resolved, “That particulars 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 11.41am.

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 Friday, 14th February, 2020.

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

In Attendance: Director of Finance (Mr A. Boyd), Director of Housing & Property (Mr D. Looney) (Items A1 to A4), Assistant Town Clerk (Mr P.E. Cowin), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Income) (Mrs C. Pulman) (Items A5 onwards), Council Advocate (Miss L. Rothwell) (Items A5 onwards), Head of Parks (Mr D. Hewes), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

There were no apologies for absence submitted.

A2. Declarations of Interest

There were no declarations of interest.

A3. Appointment of Vice-Chair

Councillor Mrs H. Callow was unanimously elected Vice-Chair of the Committee for the remainder of the municipal year.

A4. Minutes – 14th January, 2020

The minutes of the meeting held Tuesday, 14th January, 2020 were approved and signed.

A5. Matters arising from the Minutes

There were no public matters arising.

A6. Department for Enterprise – Proposed Changes to TT and FoM Arrangements

The Committee considered a report submitted by the Head of Parks, following communication received from the Department for Enterprise (the Department), seeking changes to arrangements for TT and Festival of Motorcycling (FoM).

Members were reminded that over a number of years there have been additions or amendments made to the main TT/FoM agreement. The report listed the details of the current licence and variations in place.

The Department is seeking further alterations to the main agreement as follows;

- (a) The Department has requested that the ‘Licensed Area’, detailed in the main agreement, is amended to accurately reflect the current usage of part of ‘the Fields’. The Fields (located in the playing fields) has been used for several years to accommodate entertainment, stands, displays and concessions in addition to campsite, caravan parking and temporary motor vehicle parking. The Department intends to develop this area through the implementation of a ‘Fan Park’. The Fan Park would see the extension of the Trackside Bar, subject to IOM Courts Licensing approval, to increase the area from 1050m² to circa 3000m². The extended area would house an additional mobile bar. The Department did not specify in the proposal if additional concessions would be situated in the area. The current condition to cease trading of the bar and outdoor entertainment no later than 11.00pm would be applied to the extended area. Members expressed concerns that the extended area could negatively impact on surrounding residents and the existing restaurant/bar tenants within the Park. It was agreed to defer the request whilst the Department confirms their intentions for entertainment and concessions within the extended area.
- (b) Members were reminded that permission was granted to relocate the bar from the rear of the grandstand to an area within the field. A condition was imposed as part of the agreement no to permit a public bar facility in the area vacated by the relocation. The Department has requested

clarity as to whether the clause relates only to the perimeter of the previously licensed area identified in the plan, or to the entire area at the rear of the TT Grandstand. The Department has indicated that whilst there are no plans to currently introduce a bar, there may be in the future.

- (c) The Department has requested to align all the expiry dates of the various agreements, including an extension to the main agreement, with a five-year agreement term. It was noted that the main agreement can already be extended as per the lease agreement.
- (d) The Department has informed that the term Festival of Motorcycling will no longer be in use for the August events and is replaced by Classic TT/Manx Grand Prix. This change will require updating in the agreements.
- (e) A request to extend the dates from which the Department take control of the sites has been submitted. The increased period is to ensure there is sufficient time for site build and dismantle following handover of the site. The increased period will result in loss of large areas of the park for an extra 20 days per year.

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

- (i) The request to extend the fan zone currently situated in 'The Fields' be deferred pending more information from the Department on the intended concessions and entertainment plans for the area;
- (ii) An additional bar in the area identified as 'the permitted' area in the agreement not be permitted due to the proposed extension of the Fan Zone in 'The Field' area;
- (iii) The Main Agreement Variation – Trackside Bar and Main Agreement Variation – Hospitality Suite – be extended until 31st December 2022;
- (iv) The main agreement be redrafted during 2020 to incorporate all variations and extensions, with the costs for this applied to the Department in accordance with the main agreement. The redrafted agreement will be reported to the Committee prior to final agreement with the Department;
- (v) The main agreement definition of Festival of Motorcycling be changed to Classic TT/Manx Grand Prix;
- (vi) The 'Specified Periods' definition in the main agreement be changed, subject to an increased ground hire charge, to read:
 - 'The period commencing on Saturday fourteen (14) days prior to the Saturday which is on, or immediately prior to, the day of the first scheduled practice session of the TT and ending on the Friday, fourteen (14) days following the last race of that event, subject to a maximum of six (6) weeks in every year of the Term and'
 - 'The period commencing on the Monday twelve (12) days prior to the Saturday which is on, or immediately prior to, the day of the first scheduled practice session for the Classic TT/Manx Grand Prix and ending on Friday, fourteen (14) days following the last race of that event, subject to a maximum of six (6) weeks in every year of the Term.'
- (vii) If the increased ground hire charge is not agreed by the Department, approval be granted to revert back to the original conditions of the TT/CTT/MGP main agreement as defined in article 1.16 "Specified Periods."

A7. Douglas Carnival

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek agreement not to hold the Douglas Carnival in 2020 due to the impracticalities arising from the Promenade Improvement Scheme.

Members noted that as a result of the impact of the Promenade Improvement Scheme it would be impractical to hold the event during the summer of 2020. Alternative routes had been considered in 2019 but were deemed unfeasible. Officers advised that the Promenade works will be reviewed in 2021 and a report submitted accordingly to the Committee.

Resolved, That particulars of the report and discussion be noted on the minutes and the Douglas Carnival not be organised in 2020 due to the impracticalities arising from the Promenade Improvement Scheme, and the programme for the works be reviewed in 2021 and a report be submitted to the Committee accordingly."

A8. Quarter Three Service Plan Performance Monitoring – 2019/20

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

Members noted within the plans that the Parks Services sickness was unusually high due to some long term sickness, the Ballaughton Adventure Playground had been completed and handed over to Isle of Play and the vacancy rate in the town centre had slightly increased to 12.33% due to a number of large scale refurbishments.

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."

A9. Items for Future Report

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

A briefing note to update on the aquaphonics initiative was requested.

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 March, 2020.

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

PART B –

Matters requiring Executive Committee approval

B11. Fine Amnesty – HBN Library

The Committee considered a report submitted by the Assistant Chief Officer (Income) to consider removing outstanding fines for HBN Library as from 1st April 2020 and to consider an amnesty for overdue unreturned borrowed items.

The report proposed that in addition to not charging fines from 1st April 2020, which had already been approved by the Committee, that any accrued late fines be removed. Members were advised that the current outstanding debt is £940.70 which is made up of individual fines to a maximum of £10 per member. It was noted that the write off can be accommodated within this year's budget.

Members considered the suggestion of a book amnesty. It was agreed that overdue books and other items are more likely to be returned to the Library if there is an amnesty in place.

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

- (i) HBN Library to remove all accrued late return fines as from 1st April 2020;
- (ii) HBN Library to have an amnesty on all items borrowed and not yet returned."

B12. Douglas Golf Course Drainage

The Committee considered a report submitted by the Head of Parks, following the golf course drainage tender return, to consider purchasing materials and equipment to enable Parks staff to undertake the drainage works in-house.

Members were reminded that during May 2018, Executive Committee resolved to provide funding for the Council to engage a turf specialist to undertake an assessment of waterlogged fairways at Douglas Golf Course, produce a detailed appraisal and plans, and provide an estimate for rectification works. Following the findings of the report and recommended budget estimate, Executive Committee approved £60,000 for the project.

The consultant subsequently produced a final tender specification and detailed drawings which were circulated for tender. Two submissions were received which were significantly over budget. The report therefore recommended not proceeding with the tender submissions but to consider permitting Parks Services staff to undertake the works over a number of years.

The Head of Parks assured that the staff have the knowledge and skills to enable the work to be undertaken. Members were presented with a breakdown of the estimated costs for the drainage work including all materials, contingency and equipment. The total was estimated at £98,250. An approved budget of £60,000 was already available, leaving a shortfall of £38,250. The report recommended approving a virement for the amount of £38,250 from favourable Parks services revenue budgets to cover the remainder of the costs, made up of the following:

- SL150 Golf Course income - £8,250

- SL080 Noble's Park income - £10,000
- SL060 Marine Gardens rental costs - £8,000
- SH070 Bereavement Services (Crematorium) income £12,000

In order to undertake the works in-house, the Council will have to purchase specialist items of plant and machinery. Two pieces of reconditioned equipment have been identified from a UK reputable fine turf equipment supplier, which the Council has purchased equipment from in the past. Members were advised that sourcing reconditioned equipment significantly reduces costs. To enable the purchase of specialist equipment, Executive Committee approval will be required to invoke Standing Order 146. In response to question, the Head of Parks advised that the equipment is not available to hire on-island, and the Council could potentially externally hire the plant out to recoup some costs. The equipment can also be used internally by Parks at other locations.

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

- (i) The drainage tender returns not be accepted due to the cost of the works;
- (ii) The materials and equipment be purchased to enable Parks staff to undertake the drainage work in-house over the period 2020 to 2023;
- (iii) The virement of favourable variances on Parks revenue budgets of £38,250 to fund the remainder of the anticipated project costs be approved in accordance with Financial Regulations F.19.;
- (iv) The Committee seek Executive Committee approval to invoke Standing Order 146(a) to enable the purchase of specialist equipment rather than tendering, under article 146(a)."

PART C –

Matters requiring Council approval

There were no matters requiring Council approval.

The meeting ended at 11.34am.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 17th February, 2020.

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: Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Environment) (Mr A. Donnelly), Council Advocate (Miss L. Rothwell), Accountancy Manager (Mr M. Quayle) (Items A1 to A5), Dilapidation Enforcement Officer (Mr S. Salter) (Items A6 to A9), 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 submitted.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 13th January, 2020

The minutes of the meeting held on Monday, 13th January, 2020 were approved and signed.

A4. Matters arising from the Minutes

Clause A5, Matters arising - Douglas Beach Groyne Appraisal – Members noted that a presentation to Council by Dr Sutherland, in relation to his findings on the beach groyne had been arranged for Thursday, 27th February, 2020 at a time to be determined.

A5. Quarter Three 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 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 three 2019/20. A red, amber and green status had been applied to each measure. Members requested that a commencement date be added to each action and that the black coding be added to the key.

The Committee noted that for Quarter Three;

- 98% of Building Regulations applications had been validated, registered and acknowledged within 5 working days;
- Some of the actions within the Car Parks Service Plan were awaiting action from others;
- The Market Hill Scheme is 16 weeks behind programme;
- Several annual programmes within Electrical Services had been completed;
- The quantitative measures within the Community and Enforcement team are all being met;
- Two measures within Waste Services have not progressed due to previous Committee decision;
- The Beach Management measure is behind schedule awaiting a Council decision on the future of the beach;
- Sickness in Waste Services is unusually high due to long term sickness;
- The annual target of increasing recycling by 0.5% per annum was in danger of not being achieved;
- The annual target of increasing the number of trade waste customers was in danger of not being achieved;

- The educational measures within Waste Services are on target.

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 Three 2019/20 be noted.”

A6. Proposal to Register a Building on the Protected Buildings Register

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) following a request from a Member to put forward a building in the Borough for possible inclusion on the Protected Buildings Register. The building is a former nurses’ home situated on Westmoreland Road, Douglas.

Appended to the officer’s report was a completed proposed pro-forma for submission to the Department of Environment, Food and Agriculture. It was noted that when assessing a building thought to be of significant architectural and/or historic interest, the building must possess one or more of the following criteria;

- 1) Architectural interest and/or Aesthetic Quality
- 2) Historic Interest
- 3) Close Historical Association
- 4) Landmark Qualities
- 5) Group Value
- 6) Age and Rarity

The Assistant Chief Officer (Regeneration) advised that the proposed supporting rationale for inclusion of the building on the register was based primarily on the property’s architectural interest. A Member opined that as the building was the first of its kind, purpose built as a home for nurses around the time in which the NHS was formed it did hold significant historical interest; Members agreed that this information be added to the pro-forma.

The Dilapidation Enforcement Officer felt it prudent for Members to note that if the property were to be accepted for inclusion on the register then there would be a legal requirement to keep the property in a state of good repair.

Resolved, “That particulars of the report and discussion be noted on the minutes and that authorisation be given to officers to submit a proposal to the Department of Environment, Food and Agriculture for the inclusion of the former nurses’ home on Westmoreland Road, Douglas on the Protected Buildings Register.”

A7. Planning Application 19/01408/B – Annacur House

The Committee considered planning application 19/01408/B for the erection of sixteen dwellings with associated infrastructure and landscaping works, a revised scheme to approved planning application 18/00862/B, at Annacur House, Annacur Lane, Douglas.

Appended to the officer’s report was an appraisal of the proposal recommending support of the application. Revised plans for the site were circulated and reviewed by the Committee.

As concerns had previously been expressed by the Committee in relation to areas of land not being developed, the Dilapidation Enforcement Officer advised that an agreement had been reached between the applicant and the Council in relation to the adoption of land. Plans showing which parcels of land the Council would and would not be adopting were circulated.

A Member requested that the applicant be asked to resubmit amended plans including the land adoption, in response the Assistant Chief Officer (Regeneration) advised that this request would not be appropriate as it is not a matter for planning legislation. It was noted that the matter had been dealt with by the Head of Parks under the remit of the Regeneration and Community Committee.

The Committee expressed concern over the proposed siting of the pedestrian crossing, noting particularly that concerns had previously been raised by Council Members in relation to highway safety in the area. It was suggested that the applicant consider the introduction of some type of pedestrian crossing with traffic control measures.

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

- (i) That support be given to planning application 19/01408/B for the erection of sixteen dwellings with associated infrastructure and landscaping work at Annacur House, Annacur Lane, Douglas; and
- (ii) That the Council requests through the Planning Authority that the Department of Infrastructure consider any risks that a pedestrian crossing would have on highway safety.”

A8. Urgent Business Procedure – Standing Order 125 – Planning Application 18/01342/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 18/01342/B for the demolition of industrial units and the erection of thirty-eight flats at 31-39 South Quay, Douglas.

Members were reminded that the planning application had been considered by the Committee at its meeting held on 16th September, 2019 where it had been resolved to support the application subject to certain conditions. The application had subsequently been approved by the Planning Authority on 22nd January, 2020, however not all of the requests made by the Council had been made conditions of the approval. Due to the twenty-one day time constraints imposed within the planning appeals process use of the Council's Urgent Business Procedure had been invoked under Standing Order 125 to consider whether the Council should appeal against the application's approval.

Appended to the officer's report was the Urgent Business Procedure report as considered at a meeting held on 29th January, 2020 with the recommendation not to appeal against the Planning Authority's decision, in reaching this recommendation Council officers took into consideration whether the Conditions within the Approval Notice were sufficient to satisfy those requested by the Council. Officers believed that the outstanding matters raised by the Council would not provide sufficient grounds to lodge a successful appeal.

Resolved, "That particulars of the report be noted on the minutes and the decision made by the Council Leader and the Chair of the Environmental Services Committee under the Urgent Business Procedure, not to appeal against the approval granted by the Planning Authority for planning application 18/01324/B be noted."

A9. 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

A10. Urgent Business Procedure – Standing Order 125 – Attendance at ILP Event

The Committee considered a report submitted by the Electrical Services Manager to advise on the use of the Urgent Business Procedure to obtain permission for attendance by the Chair of the Environmental Services Committee and an officer at the Institution of Lighting Professionals (ILP) Smart City Continuous Professional Development (CPD) Event in London on 19th February, 2020.

The report advised that the ILP is the professional body for the Lighting Industry in the United Kingdom and Ireland, its main functions are to provide expert guidance and implementation of the British Standard achieved via education, exams and recognised qualifications, technical publication, seminar, conferences and CPD events.

An invitation to attend the aforementioned event was received on 31st January, 2020 and approval was required from the Chief Executive in accordance with Part 5, Section K of the Council's Constitution, as the event preceded the meeting of the Executive Committee in February 2020, permission had therefore been sought under Standing Order 125.

Members noted that it is considered that attendance at the event will be beneficial to Douglas Borough Council moving forward with future project and investment in public lighting, decorative and Christmas lighting.

Resolved, "That particulars of the report be noted on the minutes and that the decision made under the Urgent Business Procedure to approve attendance at the event be noted."

A11. Items for Future Report

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

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

A12. 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 March, 2020.

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 1.04pm.