



Borough of Douglas

**COUNCILLOR MS JANET THOMMENY, JP
MAYOR**

Town Hall,

Douglas,

3rd March, 2023

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL of the BOROUGH OF DOUGLAS to be held on WEDNESDAY, the 8th day of MARCH, 2023, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the TOWN HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

A handwritten signature in black ink, appearing to read 'Kathleen'.

Town Clerk & Chief Executive

Order of Agenda

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

II - Any statutory business.

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

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

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

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

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

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

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

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

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

AGENDA

III – Chief Executive to read minutes of the monthly Council Meeting held on Wednesday, 8th February, 2023.

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

EXECUTIVE COMMITTEE

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

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

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr A.J.T. Boyd), Director of Environment and Regeneration (Mrs D. Eynon), Director of Housing and Property (Mr D. Looney), Executive Officer (Mrs J.M. Keig) (taking minutes).

REPORT

PART C –

Matters subject to Council approval

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

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

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

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

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

The Committee rose at 3.55pm.

EXECUTIVE COMMITTEE

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

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

In Attendance: Chief Executive (Miss K.J. Rice), Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Income) (Mrs C. Pulman), Assistant Chief Officer (Housing and Property) (Mr V. Zivave), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe) (for Clause C12), Executive Officer (Mrs J.M. Keig) (taking minutes).

REPORT

PART A –

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

A1. Apologies for Absence

Apologies for absence were submitted on behalf of the Director of Finance (Mr A.J.T. Boyd); and the Director of Housing and Property (Mr D. Looney).

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes

The minutes of the meeting held on Thursday 26th January 2023 were approved and signed.

A4. Matters Arising From Previous Minutes

Clause A10 – Remote Attendance at Committee Meetings: the Committee was advised that further research was required to ensure that any changes to the Council's Constitution would be fully compliant with legislative provisions. The report would therefore be submitted to the March 2023 meeting of the Committee for consideration.

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 13th February 2023.

A6. Referrals from the Regeneration and Community Committee

The Committee considered the following referral from the minutes of the Regeneration and Community Committee meeting held on Tuesday 14th February 2023:

Clause B1 – Proposal for North Quay Pedestrianisation (2023 onwards): the Committee had considered a report by the Assistant Chief Officer (Regeneration) in relation to the potential for a weekend-only pedestrianisation of North Quay. Previously, in December 2022, the Committee had deferred a decision on options to implement a permanent arrangement for pedestrianisation, in order to await feedback from the Department of Infrastructure's Highways Services on the potential for the introduction of a Traffic Regulation Order to prohibit vehicles from using the section of North Quay between its junction with Ridgeway Street and Market Hill on Fridays, Saturdays, and Sundays.

Highways Services had now indicated that the proposed Friday to Sunday restriction was possible, but suggested that it would be beneficial to use a physical barrier during the closure periods to prevent traffic from entering during those times. It had been recommended to the Committee that a high-quality permanent barrier be installed (to tie in with the existing pedestrian barriers around the harbour), and that grant funding for up to 50% of the cost should be applied for from the Town and Village Regeneration Scheme.

Approval was therefore sought for funding of up to £5,500 for the balance of the cost for the barrier, to be utilised from residual funds remaining from the closure of the Douglas Development Partnership.

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

(ii) That the resolution of the Regeneration and Community Committee be endorsed, and that approval be given for funding of up to £5,500 from General Revenue Reserve (using remaining residual funds from the closure of the Douglas Development Partnership), this being 50% of the cost for a suitable physical barrier for North Quay to facilitate weekend pedestrianisation."

A7. Referrals from the Housing and Property Committee

The Committee considered the following referrals from the public minutes of the Housing and Property Committee meeting held on Wednesday 15th February 2023:

Clause B11 – Douglas Borough Cemetery Cottage (Demolition): the Committee had considered a report by the Assistant Property Manager (Assets) seeking approval to progress with demolition of the building. In December 2021, the Executive Committee had agreed to the demolition of the property and the incorporation of the cleared site into the Cemetery for burials. A subsequent planning application had been approved, subject to a bat survey being undertaken. The Manx Bat Group had accordingly been commissioned and had submitted a report to the Department of Environment, Food and Agriculture; and confirmation was awaited from the Department that the conditions of the planning approval had been discharged.

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

- (ii) That the resolution of the Housing and Property Committee be endorsed and that approval be given for funding from the General Revenue Reserve to cover the cost of a Demolition and Refurbishment Asbestos Survey, the demolition of the Douglas Borough Cemetery Cottage, and the professional fees for the bat survey.”

Clause B12 – Pulrose Changing Rooms and Clubhouse (Demolition): the Committee had considered a report by the Assistant Property Manager (Assets) seeking approval to progress with the demolition of the building. The building had been condemned in March 2022 and planning permission had subsequently been received in January 2023 for the demolition work to be undertaken.

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

- (ii) That the resolution of the Housing and Property Committee be endorsed and that approval be given for funding from the Derelict Buildings Fund to cover the cost of a Demolition and Refurbishment Asbestos Survey and to allow the demolition of the Pulrose Changing Rooms and Clubhouse to commence.”

A8. Monthly Financial Review – January 2023

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

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

- (i) The rates collection figure of 98% compared against a target figure of 97% for the April to January period of 2022 / 2023;
- (ii) The overall charge to the Council for 2023 arising from the Burials Act 1986 levies (due from the Braddan and the Onchan Burial Authorities) amounting to £93,476.40 and representing a 0.9% increase on 2022;
- (iii) The mid-point of the Council’s rate increase of 8.76% when compared with all other of the Island’s local authorities’ rate increases, which had ranged from standstill to 19.2% (excluding any separate waste charge increases);
- (iv) The adverse impact the Isle of Man Government’s Budget for 2023 / 2024 would have on the local authorities’ housing deficiency arrangements and their plans for new capital programme investment; and
- (v) The Third Quarter revenue budget monitoring position, with just over £300,000 favourable variance on the General Rate Fund.”

A9. 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.”

A10. 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.”

PART C –

Matters subject to Council approval

C11. Appointment of Assistant Chief Officers

The Committee considered a written report by the Chief Executive following a request from the Committee to review the procedure for the appointment of Assistant Chief Officers.

Members were reminded that the procedure for appointment to Assistant Chief Officer posts had been amended by the Executive Committee in January 2022 and confirmed by full Council in February 2022. Accordingly, Parts 4(1) and 4(5) of the Constitution had been revised, so that Council Members did not have to be involved in the process of filling vacancies in posts of Assistant Chief Officer and, instead, such appointments were made by a panel of relevant senior officers, as Members perceived that the Chief Executive and Chief Officer to whom the post reported would be more appropriate, together with the Assistant Chief Officer (Human Resources).

The importance of Member involvement during the recruitment, selection, and interview process was acknowledged for posts at the most senior level (for example, Chief Executive and Directors); however, while it was suggested that this involvement was not so vital for posts at a lower level, Members disagreed on the basis that Assistant Chief Officers worked closely with Members in the absence of their respective Chief Officer.

Having discussed that matter at length, Members agreed that the recommendation to continue with the current procedure be not supported, offering instead an amended proposal. However, it was noted that Members who may be involved in the appointment of these posts would require relevant training prior to taking part in such appointments.

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

(ii) That it be recommended to Council:-

- (a) That the current procedure for recruiting to Assistant Chief Officer posts, as agreed by Committee in January 2022 and as set out in Parts 4(1) and 4(5) of the Constitution, be amended to state that such appointments to Assistant Chief Officer posts would be made by a group of relevant senior officers, including the Chief Executive, the Chief Officer under whose jurisdiction the post fell, and the Assistant Chief Officer (Human Resources) or their respective nominees, together with the Chair of the relevant Committee or their appropriate nominee; and
- (b) That Parts 4(1) and 4(5) of the Constitution be revised accordingly to reflect the decision set out in (a) above.”

C12. Review of Committee Structure

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) on proposed changes to the Committee Structure and the consequent amendments to the Council’s Constitution.

In February 2022, Members had considered a proposal to merge the Environmental Services Committee and the Regeneration and Community Committee, but had agreed at that time to review the complementary responsibilities of the two Committees in a further six months. The purpose of the proposed merge had been because it was generally felt that Members were stretched too thinly across the Committees, placing a strain on some Members’ ability to attend all meetings, and causing a risk to some meetings being inquorate.

In respect of the Environmental Services Committee and the Regeneration and Community Committee, there were also clear linkages – they fell under the same Directorship; a number of Services lay within the remit of both Committees; and the merging of the Committees could be managed appropriately with appropriate delegations to officers, careful chairing, and agenda monitoring. However, after discussing the recommendation to merge the two Committees, Members agreed not to proceed at this time, and instead requested that the proposals be brought forward for further review in twelve months.

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

(ii) That it be recommended to Council that the proposal to merge the Environmental Services Committee and the Regeneration and Community Committee be not proceeded with at the current time, and instead the proposals be brought forward in twelve months for further review.”

The Committee rose at 4.50pm.

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

HOUSING AND PROPERTY COMMITTEE

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

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

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

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 18th January, 2023

The minutes of the meeting held on Wednesday, 18th January, 2023, were approved and signed.

A4. Matters Arising

No issues were raised as arising from the previous meeting.

A5. Vacant Properties Update

The Committee considered the monthly report submitted by the Assistant Housing Manager (Maintenance) to update on the number of vacant social housing properties.

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

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

The Assistant Chief Officer (Housing and Property) advised that officers had identified six properties requiring significant works that were deemed to be outside of scope of the maintenance budget. As such, it is recommended that officers be authorised to submit a change request to the Department of Infrastructure seeking funding to carry out these works. Members noted the approximate cost of these works to be £69,000.

Resolved, "(i) That particulars of the discussion and the number of void properties be noted on the minutes; and

(ii) Officers be authorised to submit a change request to the Department of Infrastructure to carry out works to six vacant properties that have been identified as requiring the most significant repair works."

A6. Housing Rent Arrears

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

Members were presented with a table setting out the rent arrears statistics for December, 2022 and January, 2023. It was noted that as at the 29th January, 2023 the level of rent arrears was £51,113.48.

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

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

A7. 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.

The Assistant Chief Officer (Housing and Property) advised that item two of the schedule, policy on heating in Council properties, would be deferred whilst officers explored alternative heat sources in line with the Council’s housing development strategy and ten year roadmap.

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

A8. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Wednesday, 15th March, 2023.

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

PART B –

Matters requiring Executive Committee approval

B9. Douglas Borough Cemetery Cottage – Demolition

The Committee considered a report submitted by the Assistant Property Manager (Assets) seeking approval to progress with demolition of the Douglas Borough Cemetery Cottage.

Members were reminded that in December 2021, the Housing and Property Committee had agreed to the demolition of the Borough Cemetery cottage and to incorporate the site of the cottage in to the cemetery for burials, this was subsequently approved by the Executive Committee.

Members were advised that a planning application was submitted and approved on the 8th July, 2022, subject to conditions that a bat survey must be undertaken.

The Manx Bat group were commissioned to undertake the bat survey and their report was submitted to Planning and to the Ecosystem Policy Officer, Department of Environment, Food and Agriculture on 19th October, 2022. Confirmation that conditions of the planning approval have been discharged is awaited from the Department.

Following the procurement process, it is recommended that the lowest tender received, from CCJ Group Limited, be accepted. Members were advised that a tender analysis has been undertaken to ensure all elements of the works have been included and priced as intended.

As the building was constructed prior to 2000 an Asbestos Demolition and Refurbishment Survey must be carried out in accordance with the Control of Asbestos (Application) Order 2022 (IOM) and the Modification of the Control of Asbestos Regulations 2012. It is recommended that Ferncroft Environmental Limited be appointed to undertake this survey and report.

Members were advised that the programme of works is to be agreed with the contractor, with a target to commence on site before the end of March 2023, subject to receiving approval in writing from the Department of the resolve of the Planning Conditions.

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

- (ii) That the tender received from CCJ Group Limited, for the demolition of the Douglas Borough Cemetery Cottage project be accepted;
- (iii) That the professional fees for the Bat survey and report and for Ferncroft Environmental Limited to undertake the demolition and Refurbishment Asbestos Survey be approved; and
- (iv) The matter be referred to the Executive Committee seeking approval of funding from the General Revenue Reserve for the total project cost, inclusive of the above, to enable the project to commence on site.”

B10. Pulrose Changing Rooms and Clubhouse – Demolition

The Committee considered a report submitted by the Assistant Property Manager (Assets) seeking approval to progress with the demolition of the Pulrose Changing Rooms and Clubhouse.

Members were reminded that the Pulrose Changing Rooms and Clubhouse was condemned on the 18th March, 2022. Planning Permission was subsequently sought for demolition of the existing building and was received on the 18th January, 2023.

Following the procurement process, it is recommended that the lowest tender received from CCJ Group Limited, be accepted. Members were advised that a tender analysis has been undertaken to ensure all elements of the works have been included and priced as intended.

As the building was constructed prior to 2000 an Asbestos Demolition and Refurbishment Survey must be carried out in accordance with the Control of Asbestos (Application) Order 2022 (IOM) and the Modification of the Control of Asbestos Regulations 2012. It is recommended that Ferncroft Environmental Limited be appointed to undertake this survey and report.

Members were advised that the programme of works is to be agreed with the contractor with a target to commence on site before the end of March 2023.

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

- (ii) The tender received from CCJ Group Limited for the demolition Pulrose Changing Rooms and Clubhouse, be accepted;
- (iii) That the professional fees for the appointment of Ferncroft Environmental Limited to carry out a Demolition and Refurbishment Asbestos Survey be approved; and
- (iv) The matter be referred to the Executive Committee seeking approval of funding from the Derelict Building Fund for the total project cost, inclusive of the above, to enable the project to commence on site.”

The meeting ended at 11.22pm.

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

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE – Minutes of Meeting held on Tuesday, 14th February, 2023.

Members Present: Councillor Miss N.A. Byron (Douglas) (Chair), Mr T. Kenyon (Garff), Mrs A. Davidson (Santon), Ms F. Logan (Onchan), Mr Scott (Braddan).

In Attendance: Mrs D. Eynon (Douglas), Mr I. Jackson (Douglas), Mr M. Quayle (Douglas), Mrs L. Radcliffe (Secretary), Mr R. Philips (Onchan), Mr J.C. Whiteway (Braddan), Mrs D Atkinson (Douglas, taking notes). Mr S.A. Crook (Contractor's Representative) (Item A2 and A3 only), Mr J. Quayle (Department of Infrastructure Representative).

REPORT

PART A –

Matters dealt with under delegated authority

A1. Minutes – 15th November, 2022

Approved unanimously.

A2. Operational Contractor's Report

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

1.4 – Disposing of fridges, freezers and other items. As resolved at the previous meeting, the fridges and freezers approved for disposal at an additional cost have been removed from the site. Mr Crook advised there remains a discrepancy between the site's view on determining commercial and domestic fridges/freezers in comparison to the contractor that collects them. Mr Quayle agreed to meet Mr Crook on site to advise how the white goods are differentiated.

1.5 – Recycling Bring Banks. As agreed at the previous meeting, the Council is recycling and processing plastic on behalf of the site.

1.6 – Skips. Mr Crook advised that the skips had been ordered.

1.7 – Creamery Cartons. Mrs Eynon advised that the Creameries have now publicised the recycling service at the site and suggested that each Local Authority share the social media posts on their own platforms to notify users.

1.9 – Letter from the Rotary Club. The Chair had received a request in November to set aside items such as wheelchairs, crutches, walking frames, collapsible buggies and child seats for collection by the Rotary Club. The Rotary Club intend to return any items for reuse to Manx Care and find alternative uses for any remaining equipment.

The Committee were supportive of the request in principle, but asked that further information be sought from the Rotary on the request. It was also agreed that legal advice be sought on the collection of car seats which is currently against the site rules for safety reasons. It was noted that the Rotary Club are proposing alternative uses for the seats, but the site needs to ensure it is indemnified against the arrangement.

It was noted that crutches are currently collected from the site by an individual for an overseas charity. The Committee asked that further information on the current agreement be sought, and noted their preference for equipment to remain on island and returned to Manx Care where possible.

1.10 – Alternative disposal routes for wood waste – Mr Crook advised that the four Civic Amenity sites are meeting with the Department of Infrastructure to discuss the matter. The Committee asked for the current percentage of wood waste disposed from the site.

It was agreed:

1. That the report and statistics be noted;
2. That Mr Quayle meet with the site contractor to differentiate between domestic and commercial fridges and freezers;

3. That advice be sought from the Douglas Council Advocate on the collection of car seats for the Rotary Club, and that details be sought on the current arrangements for the collection of crutches;
4. That the percentage of wood waste disposed from the site be provided to the Committee.

A3. **Site Rules**

The site rules had been circulated to the Committee to review rules 1 and 2 in relation to domestic waste arising from home improvement works. Mr Crook reminded that the site only permits waste arising from normal household activity, and disposing of materials such as timber or hard-core is limited to six bags per week and no more than twelve bags per month.

Some officers and Members had been approached by a small number of users to express their dissatisfaction at the current rules as it had resulted in them being turned away from the site after repeated use during home or garden improvement works. The Committee accepted the rules need to ensure it is fair to all users and is used as intended. The description of domestic works can be interpreted in several ways, and it is difficult to distinguish between a reasonable volume and abuse.

It was agreed that the authorities consider the site rules in relation to domestic waste and put forward suggestions to the next Committee meeting.

Mr Crook left the meeting.

A4. **Feedback on Site Visit**

The Committee had the opportunity to visit the new site ahead of the meeting. It was noted that the site is progressing on target for handover in May. The contractor is currently considering the logistics of the move and advised that the current site will likely need to close for a few days whilst the move takes place. More details on the transfer to the new site will follow at the next meeting.

In response to question, Mrs Eynon advised that an officer working group had been established to progress the contractor tender. The Committee asked that the next meeting of the Committee be brought forward in order to consider the tender specification.

A5. **Creameries Update**

As advised in the contractor's report, the carton recycling service at the site had now been advertised to the public. The Chair reported that the Creameries indicated their support to work with the Committee at a recent meeting, and intends to compare the recycling levels at both the Tesco and the amenity site to determine the most appropriate place to provide the service. The Creameries have agreed to keep the current arrangements in place at the new site.

Mrs Eynon agreed to share with the Committee a video explaining how the Creamery packing is recycled.

A6. **Take Back Scheme**

Mr Quayle advised that there remains no agreement in place for the Island to receive the service provided from the take back scheme, despite Island residents paying into the scheme at point of purchase. In order for the Isle of Man to receive the service, primary legislation in the UK is required, the same applies to Jersey and Guernsey. It was agreed that the Committee write to the Isle of Man Government to request an approach to the UK Government to resolve the issue. Mr Quayle agreed to notify the other sites of the Eastern sites' approach should they wish to take a similar stance.

A7. **Suggested Dates for 2023**

It was agreed that the Committee meet on 18th April in order to consider the contractor specification and the site transfer plan.

It was further agreed that the Committee meet again on 18th July and 17th October, and the May and November meeting be cancelled.

The meeting ended at 3.51pm.

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

REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Tuesday, 14th February, 2023.

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

In Attendance: Director of Environment and Regeneration (Ms D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Assistant Chief Officer (Income) (Mrs C. Pulman), Democratic Services Officer (Mrs D. Atkinson). Mr Glover, Independent Member (Allotments) (Item A1 only).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

There were no apologies submitted for the meeting.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 17th January, 2023

The minutes of the meeting held on Tuesday, 17th January, 2023 were approved and signed.

A4. Proposed Changes to the Allotment Rules

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek approval of the updated draft allotment tenancy and rules.

Members recalled at a meeting of the Allotments Committee in May 2022, thirteen proposed changes to the allotment rules were approved. The tenancy agreement had been updated to reflect the approved changes, and the document was appended to the report.

The Committee noted that the proposed changes to the agreement had been displayed in the notice board at the allotments site, although the Independent Member had not witnessed any users reading the document. The Assistant Chief Officer (Regeneration) explained that the contact details for allottees are a mix of postal and e-mail addresses and therefore circulating an advanced draft copy to all plot holders would be a timely and costly exercise. Instead, the allotments Independent Members are invited to represent all plot holders and are provided with an advanced copy of the report to share with allottees.

The Independent Member supported the changes subject to an amendment in the lost key fee which differed between the agreement and the previous resolution.

It was noted that the referendum on the provision of a portaloos toilet will be put to plot holders as part of the communication. Members asked that plot holders be asked to provide e-mail addresses for future communication and that the Independent Members' contact details be included as part of the pack.

Resolved, "That particulars of the report and discussion be noted on the minutes and the updated draft allotment tenancy and rules be approved."

Mr Glover was thanked for his attendance and left the meeting.

A5. 2023 Community and Civic Events

The Committee considered a report submitted by the Democratic Services Officer to seek the agreement to the provisional dates for community and civic events that will be promoted by the Council in 2023 in order to facilitate planning.

The report provided a background into each event and the reasoning for each proposed date.

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

(ii) The Council commemorates the D Day Landing on Tuesday, 6th June, 2023 with a short service and wreath-laying ceremony at the Normandy Veterans Memorial;

- (iii) The Fun Day take place in Noble's Park on Saturday, 5th August, 2023;
- (iv) The Fireworks Display take place on Friday, 3rd November, 2023;
- (v) The date of the Remembrance Sunday service, Sunday, 12th November, be noted;
- (vi) The Christmas Lights Event take place on Thursday, 23rd November, 2023;
- (vii) Officers actively seek sponsorship and a media partner for appropriate events;
- (viii) A separate report on the Civic Sunday date and format be submitted to the Executive Committee for consideration;
- (ix) The Committee consider the format of the events and provide any feedback ahead of the planning stage for the forthcoming year."

A6. **Christmas City Lights Debrief**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to provide a summary of the Christmas City Lights event on 24th November, 2022, including matters raised as part of the debrief exercise.

The Christmas City Lights event was held on the evening of Thursday, 24th November. The reported listed the main debrief points and proposed minor logistical changes to improve the organisation of the event for 2023.

In response to a Member comment regarding the cost of the ice-sculpture, the report explained that this element is very well received by people of all ages, and provides the ideal opportunity to continue an annual tradition in a form that is new and fresh each year. The Events Team continue to support this element of the event.

Resolved, "That particulars of the report and discussion be noted on the minutes and the debrief points be noted and approval be given to repeat the event in a similar format with similar content for the 2023 event."

For: 3 Against: 1

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

A7. **Beach Festival**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration), in response to the Committee's request in October 2022, to bring forward a report on a Beach Festival in 2023.

The Assistant Chief Officer (Regeneration) advised that two meetings had taken place with a Member and representatives of Event Management Solutions (the Council's current Event Management contractor) to discuss the proposed event. Following this meeting, the 1st July had been identified as a suitable date. The report listed an extensive list of activities that could take place at the event starting early morning running throughout the day.

Members had a lengthy debate about the event, and whilst it was appreciated the event would promote Douglas Beach, some Members had concerns at the level of funding required and the logistics of hosting the event in such a widespread area.

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

- (ii) A budget of up to £20,000 be allocated towards the holding of a Beach Festival during the summer of 2023 funded entirely from any unbudgeted income received from events held in Noble's Park;
- (iii) A virement of up to £20,000 from Noble's Park SL080 to Open Spaces SL110 be approved in respect of recommendation 1;
- (iv) Officers seek sponsorship or other external funding for any additional costs above £20,000;
- (v) Event Management Solutions be engaged to provide consultancy services in relation to some of the organisation, planning and delivery of the beach festival event at rates tendered to the Council in January 2022 following a competitive procurement exercise and that, should the quotation for work on this specific event exceed £21,000, it be referred to the Executive Committee for approval in accordance with Standing Order 149."

For: 2 Against: 2

The Chair and Mr Councillor S.R. Pitts voted against the resolution. The Chair exercised his casting vote against the resolution and the motion fell.

A8. Collective Community Wellbeing Workshops – Use of Noble’s Park Community Room

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek approval to use some of the Council’s allowance for use of Noble’s Park Community Room to provide free well-being sessions for the public.

A Member had been approached by the proprietors of Way To Go Well Being with a proposal to offer free monthly well-being workshops in the Community Room in Noble’s Park.

It was noted that when the new community room was created from the former changing rooms in Noble’s Park Pavilion, the management of the room was transferred to the tenants of the restaurant. As part of this agreement the Council retained an allowance of 96 hours use per year, only three hours of that allowance had been used to date this year.

Resolved, “That particulars of the report be noted on the minutes and 12 free hours from the Council’s retained 96 hours free use of the Noble’s Park Community Room be offered for the provision of free monthly well-being sessions offered by Way To Go Well Being during 2023.”

A9. Quarter Three Service Plan Performance Monitoring – 2022/23

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 and black status had been applied to each measure.

It was noted that within Parks Services, several projects had been deferred due to the economic climate. Five actions had been completed. Several actions are behind schedule due to staff resource and management capacity issues within the service or caused by outside agencies. The report advised that sickness levels had improved. In response to question, the Director of Environment and Regeneration explained that the tender exercise to install a toilet at Pulrose Golf Course had returned no tenders on two occasions, which has inevitably delayed the works.

Town Centre Management had completed seven actions, and two had been delayed due to an outside agency.

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

A10. Items for Future Report

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

An additional report was added to the schedule in relation to seating on North Quay.

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

A11. Date and Time of Next Meeting

Members were advised that the next scheduled meeting was due to take place on Tuesday, 14th March, 2023.

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

PART B –

Matters requiring Executive Committee approval

B12. Proposal for North Quay Pedestrianisation 2023 Onwards

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to provide feedback to the Committee on the potential for a weekend only pedestrianisation of North Quay.

At the December meeting, the Committee considered options to implement a permanent arrangement for the pedestrianisation of North Quay. The decision was deferred pending feedback from Highway Services regarding the potential for a Traffic Regulation Order to prohibit vehicles from using the section of North Quay between its junction with Ridgeway Street and Market Hill on Fridays, Saturdays and Sundays.

Highways Services response was that the Friday to Sunday restriction is possible if that is preferred but that it is a less common approach than a permanent restriction and so it would be beneficial to use a physical barrier during the closure periods to prevent traffic from entering at those times.

The report explained that the current arrangement of placing physical barriers across the road requires somebody to close and reopen the road. The main disadvantage of this arrangement is the temporary appearance of the standard signage and plastic orange barriers used. The requirement for a person to physically close and reopen the road is also not ideal.

The proposal is to install a permanent high quality barrier to tie in with the existing pedestrian barriers around the harbour. Planning consent is likely to be required for the installation as the North Quay is a conservation area. The Assistant Chief Officer (Regeneration) advised that the barrier is considered an ideal project for funding from the Town and Village Regeneration Scheme. Local Authorities are eligible to apply for grants of 50% up to a ceiling of £10,000. The report proposed funding the remaining of the budget from the residual funds remaining from the close of the Douglas Development Partnership.

Some Members of the Committee were concerned about the level of funding required for the barrier in the current economic climate.

The Assistant Chief Officer (Regeneration) advised that clarity is being sought from Highways on the implementation of closures outside of the proposed weekend arrangements, such as bank holidays and TT week.

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

- (ii) The comments of Highway Services in relation to the weekend pedestrianisation of the section of North Quay between its junctions with Ridgeway Street and Market Hill be noted;
- (iii) Officers be instructed to develop proposals for a physical barrier suitable for closing the road at weekend, submit a planning application and pursue the necessary Traffic Regulation Order with the Department of Infrastructure;
- (iv) An application to the Town and Village Scheme for funding of up to 50% up to £5,500 be submitted;
- (v) The matter be referred to the Executive Committee to seek approval for funding of a suitable physical barrier of up to £5,500 for General Revenue Reserve using the remaining residual funds from the closure of Douglas Development Partnership.”

For: 2 Against: 2

The Chairman exercised his casting vote in favour of the Motion.

Mr Councillor S.R. Pitts and Councillor Miss N.A. Byron voted against the resolutions.

The meeting ended at 11.42am.

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

ENVIRONMENTAL SERVICES COMMITTEE

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

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Environment) (Mr I. Jackson), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Finance Manager (Mr M. Quayle) (Items A1 to A4), Community and Enforcement Manager (Mr A. Gordon) (Item A5), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Apologies for absence were submitted by Mr Councillor P.J. Washington.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes –16th January, 2023

The minutes of the meeting held on Monday, 16th January, 2023 were approved and signed.

A4. Quarter Three Service Plan Performance Monitoring 2022/23

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

Appended to the officer's report were the measures as outlined in each Service Plan together with an update on the performance as at the end of quarter three 2022/23. A red, amber, green and black status had been applied to each measure.

Members noted that for quarter three:

- One measure in Building Control was not achieved due to a temporary reduction in resources. All other measures were achieved;
- In Electrical Services, seven measures are fully complete, one action is slightly behind schedule (column painting), one action is behind schedule (column replacement), and all other actions are on target;
- One action within Fleet Services is complete. Eight actions are either behind or slightly behind schedule mostly due to a delay in installing the Fleet Management System. All other actions are on target;
- Within Community & Enforcement, two actions have been fully completed, two actions are delayed awaiting action by others, three are behind schedule due to competing work demands and all other actions are on target;
- Sickness in Waste Services was higher than the industry benchmark in quarter three – in cleansing, very close to the industry benchmark and sickness in refuse and recycling has reduced throughout the year. Some actions have been delayed due to resourcing issues as staff have been focussing on the change in Waste Strategy, and all other actions are on target. The target for reducing carbon footprint at events is not achievable. The target on trade customers is slightly behind.

Resolved, "That particulars of the report be noted on the minutes and that the progress made against performance indicators in Service Plans for Quarter three 2022/23 be noted."

A5. Schedule of Dilapidated, Ruinous or Dangerous Properties

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

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

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

A6. Items for Future Report

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

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

A7. 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, 13th March, 2023.

The meeting ended at 10.45am.