



City of Douglas

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

City Hall,
Douglas,
6th October, 2023

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL of the CITY OF DOUGLAS to be held on WEDNESDAY, 11th OCTOBER, 2023, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the CITY HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

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

Town Clerk & Chief Executive

Order of Agenda

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

II - Any statutory business.

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

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

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

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

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

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

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

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

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

AGENDA

III – Chief Executive to read minutes of the Council Meeting held on Wednesday, 9th August, 2023.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Thursday, 28th September, 2023.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, Mr Councillor A.J. Bentley, 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), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe) (Clauses A9 and C15), Assistant Chief Officer (Income) (Mrs C. Pulman) (Clause C18), Assistant Chief Officer (Regeneration) (Mr C. Pycroft) (Clause A11), Executive Officer (Mrs J.M. Keig) (taking minutes).

REPORT

PART A –

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

A1. Apologies for Absence

Apologies for absence were submitted on behalf of Mr Councillor I.J.G. Clague.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes

The minutes of the meeting held on Thursday 27th July 2023 were approved and signed.

A4. Matters Arising From Previous Minutes

There were no matters arising from the minutes of the previous meeting.

A5. Referrals from the Environmental Services Committee

There were no referrals from the minutes of the Environmental Services Committee meeting held on Monday 18th September 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 19th September 2023:

Clause B10 – Proposed Changes to the Sale of Memorial Plaques for the Garden of Remembrance at Douglas Borough Cemetery: the Committee had considered a report by the Assistant Chief Officer (Regeneration) proposing a revised approach to the sale of memorial plaques at the Borough Cemetery, whereby the purchase of a plaque would entitle the purchaser to its installation on the wall in the Garden of Remembrance for a period of ten years, with the option to purchase further periods (subsequently agreed to be in multiples of ten years). This would be instead of the current approach, whereby the plaque was left in situ in perpetuity.

The proposed recommendation had been approved and authority was accordingly sought from the Executive Committee to amend the fee structure to facilitate this change.

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

- (ii) That the resolution of the Regeneration and Community Committee in relation to the future sale of memorial plaques be noted; and
- (iii) That the proposed amended fee structure – to facilitate the purchase of further ten year periods of installation – be approved accordingly.”

A7. **Referrals from the Housing and Property Committee**

The Committee considered the following referrals from the minutes of the Housing and Property Committee meeting held on Wednesday 20th September 2023:

Clause B13 – Loch Promenade Kiosk Roof Replacement: the Committee had considered a written report by the Assistant Property Manager (Assets) seeking approval to delay the roof replacement scheme. It had been noted that the project had been issued for tender on seven occasions with no successful tenders being received. As the replacement of the children’s playground (located in the Marine Gardens) was moving forward, it had been requested instead that the opportunity be taken to incorporate the kiosk / café area into the design of that project.

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

- (ii) That the resolution of the Housing and Property Committee – to defer the Loch Promenade Kiosk roof replacement scheme until after the children’s playground works had been completed – be endorsed accordingly.”

Clause B14 – Department of Infrastructure Social Housing Rent Setting Consultation 2024 / 2025: the Committee had considered a joint report by the Director of Finance and the Director of Housing and Property in response to the Department’s consultation on rent-setting and associated matters for social housing for the 2024 / 2025 financial year.

The Committee had been advised that housing maintenance levels remained insufficient to effectively manage and maintain the Council’s aging housing stock. Because of the potential impact on the Council’s budgets, the matter had been referred to the Executive Committee for consideration.

The Housing and Property Committee had also supported a proposed response to the Department of Infrastructure consultation, presented in the form of a questionnaire, in relation to future periodic rent setting. In the response, the Council had been supportive of taking control of the rent-setting process, enabling a full strategic approach to the setting of rents in line with the Council’s planned maintenance and Capital schemes. The Council had, however, made it clear that the Department would need to clarify how the future deficiency requirements would be managed going forward.

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

- (ii) That the resolutions of the Housing and Property Committee be endorsed as follows:

- That the Council formally responds to the Department of Infrastructure recommending a rent increase for 2024 / 2025 in line with the Manx Consumer Prices Index plus 2%;
- That a request be made for a 4% increase for the housing maintenance allowance (3% being dedicated to maintaining the Council’s void standard, and 1% to assist in the increase in staffing costs);
- That a request be made for a further 1% increase to the housing management allowance to assist with staffing costs;
- That a request be made for a 2% increase for fund contribution to the sheltered housing allocation;
- That a request be made for the annual Project Management Grant to be uplifted by inflation yearly, rather than remaining fixed (as had been the case for the previous six years);
- That the proposed responses to the Department of Infrastructure’s consultation on future rent-setting policies (as appended to the written report) be noted and endorsed accordingly; and
- That the Council formally informs the Department of Infrastructure that the Council’s Housing Repair Fund was at risk of being depleted.”

A8. **Monthly Financial Review**

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

- The rates collection figure of 81%, which was in line with the target figure for the period April to August 2023.”

A9. Weekend and Overnight Parking in Residential Areas

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) seeking approval of feedback for submission to the Department of Infrastructure in respect of the development of regulations to restrict weekend and overnight parking in residential areas.

A letter, dated 3rd July 2023 and addressed to the Clerks of all Local Authorities on the Island, had been received from the Department of Infrastructure requesting feedback on the proposed regulations, with each authority also being asked to identify areas, within their specific area, which should not be covered by the regulations.

The proposal was that vehicles of more than 1.87 metres in height or 5.5 metres in length should be excluded from parking at weekends and overnight in residential areas. The restrictions would apply to all speed-regulated roads unless, through the regulations, they had been specifically excluded by the local authority.

Although it was intended to introduce the legislation to Tynwald for approval in autumn 2023, Members noted that there were no proposed draft regulations currently available for consideration and therefore it was difficult for the Council to know exactly what was being proposed and to comment on the subject properly.

In considering the proposed response, Members requested that it be made very clear that the Council would not be willing to undertake enforcement of any proposed restrictions on publicly adopted highways. It was also agreed that the suggested recommendation options be removed from the proposed response, given the lack of detail on what was being proposed.

It was apparent that there would be strongly held views on such proposed restrictions, and the Council was of the belief that a full public consultation should take place, and the proposed response therefore sought a fresh approach to the problem, with discussion, to agree a way forward to achieve a meaningful solution to when issues arose.

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

(ii) That the proposed response in relation to the development of regulations to restrict weekend and overnight parking in residential areas (as appended to the written report and as amended) be approved as the Council’s response for submission to the Department of Infrastructure.”

A10. Carbon Footprint 2022 / 2023

The Committee considered a written report by the Director of Environment and Regeneration, on behalf of the Net Zero Officer Working Group, setting out the Council’s progress toward reducing its carbon footprint in line with its Net Zero Strategy and Action Plan One.

The Isle of Man Government had pledged that the Isle of Man would be carbon net zero by 2050 and, as the largest local government authority on the Island and one of the largest employers in Douglas, the Council would be expected to contribute toward this goal.

In July 2019, the Council had embarked upon a journey to formally record, monitor, and reduce its carbon footprint and to align itself with the Government’s ‘Net Zero by 2050’ agenda; and, in March 2022, this had been formalised in the adoption of a Net Zero Strategy and Action Plan One.

Also in July 2019, the Council had agreed to engage the services of the Carbon Trust to calculate its carbon footprint for the 2018 / 2019 financial year, which was to be the baseline year from which all carbon emissions would be measured.

Updates on the Council’s progress toward reducing its carbon footprint had been received since then, and this latest report for the 2022 / 2023 financial year showed an approximate 12% decrease on the recalculated baseline year. While this result represented a 2% increase on that reported for 2021 / 2022, the categories where the increases had occurred - including leased buildings, contracts, and fleet – were noted accordingly. As exact consumption data was not known for leased buildings, assumptions had been applied by the Carbon Trust for the likely energy usage for these buildings, based on size, type of energy, and typical use based on average retail prices for gas and electricity.

It was acknowledged that the use of assumptions and estimates was not ideal, and it was the view of the Net Zero Officer Working Group that, over time, the Council should work to make its calculations in the area of Scope 3 emissions more scientific. Currently Scope 3 emissions were calculated based on expenditure, and a risk had previously been identified of the impact high inflation rises would have on the Council’s carbon emission calculations. For example, higher prices would automatically lead to greater ‘spend’ – so, while the Council was not necessarily procuring any more services than it had been previously, the rise in cost of those services resulted in a higher carbon emission calculation even though the Council was not producing more carbon.

An inflation adjustment had therefore been applied to the procurement figures to normalise this spend, and it was suggested that it would be prudent for this adjustment to be validated by a climate change specialist in due course. These inflation adjustments should also help ensure that future year calculations were not significantly distorted.

Accurate reporting of Scope 3 emissions was an issue for all sectors and, unless all individual suppliers were calculating their emissions, the Council could only base its assumed emissions on spend, rather than on actual emissions by suppliers.

The Council (as a Category 'A' Public Body) had a legal duty to submit an annual report to Government using an online reporting portal. The portal would calculate emissions using consumption data, but only for Scope 1 and Scope 2 emissions. Presently, as mentioned above, Scope 3 emissions were not legally required to be reported, however, the Council, on embarking on its Net Zero journey, had committed to calculate and reduce its Scope 3 emissions independently of its legal duty, as it was anticipated that the Isle of Man Government would seek Scope 3 data in time, as the Island matured in its Net Zero journey.

In the previous report to Committee, Members had been advised of a climate change impact assessment tool being derived by the Isle of Man Government Climate Change Transformation Team for use by public bodies when determining the climate impact of major policy or project decisions. The Net Zero Officer Working Group believed the tool would benefit Committee decision-making, and had suggested the following criteria be approved for adoption:

- Projects of over £500,000;
- Commissioning of a new service, or ceasing a current service;
- New builds;
- Any projects aimed at reducing emissions; and
- Any projects or policy decisions that may lead to a significant carbon emissions impact (either upward or downward).

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

- (ii) That the approximate 12% decrease in the Council's carbon footprint from the baseline year of 2018 / 2019 (as detailed in Appendix 1 to the written report) be noted;
- (iii) That the criteria for use of the Climate Impact Assessment Tool for decision-making (as contained in Appendix 2 to the written report) be approved;
- (iv) That the updates to Action Plan One (as detailed in Appendix 3 to the written report) be noted; and
- (v) That the Governance and Behaviour extract from the Government's reporting tool (as detailed in Appendix 4 to the written report) also be noted."

A11. Promenade Infrastructure Improvements – Marine Gardens No.3 and No.4; and Queen's Promenade Gardens

The Committee considered a written report by the Assistant Chief Officer (Regeneration) seeking approval of a proposed project approach (together with budgets) for Promenade Infrastructure Improvements at Marine Garden No.3, Marine Garden No.4 (play area), and the Queen's Promenade Gardens.

It was recalled that, in June 2021, the Committee had considered a report setting out initial concept proposals for improvements to the Council's assets on Douglas Promenade to complement the works undertaken by the Isle of Man Government. However, following damage caused by 'Storm Barra' in December 2021, the Committee had agreed (in May 2022) to re-prioritise projects in the Promenade Infrastructure Improvements Programme, in order to bring forward the schemes for flood protection and the replacement of the children's play area.

Members accordingly noted a proposed project information pack, setting out the suggested approach to the project. This was to invite expressions of interest from designers for the three phases of the programme, as follows:-

- Marine Garden No.4 – replacement of the play equipment and associated landscaping required;
- Marine Garden No.3 – re-design of the northern section of the garden to provide hard landscaping features that would facilitate opportunities for younger people to make use of the space for street sports (such as skateboarding); and

- Queen’s Promenade Gardens – improvements that incorporated the stepped-back wall sea defences proposed by the Department of Infrastructure; and to also provide facilities for leisure and recreation, and opportunities for informal play.

It was considered that the project would benefit from being designed by a single designer to ensure a cohesive design approach. Expressions of interest from designers would therefore be invited, with each having to demonstrate their experience of designing public realm schemes in a coastal environment and their expertise in designing play facilities.

During consideration of the project, some concern was expressed at the proposals for Marine Garden No.3, which was currently planted out in a formal style, displaying to full advantage the work and skill of the Council’s Parks Department. Following discussion, it was agreed that Marine Garden No.3 should be retained as at present and, instead, that Marine Garden No.5 be re-designed to provide the proposed landscaping features that would facilitate the use of the space for street sports.

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

- (ii) That the project information pack, setting out the proposed approach to the projects in respect of the Promenade Infrastructure Improvements Programme for Marine Garden No.4 (play area), Marine Garden No.5, and the Queen’s Promenade Gardens, be approved;
- (iii) That the individual project budgets from the overall Promenade Infrastructure Improvements Capital Programme budget (LS00117) be approved as follows -
 - Garden No.4 (play area) - £700,000;
 - Garden No.5 - £350,000;
 - Queen’s Promenade Gardens - £350,000; and
- (iv) That it be confirmed that the current formal planting be retained in Marine Garden No.3.”

A12. **Urgent Business Procedure – Change of Date for Council’s Civic Service**

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

Members were reminded that the Civic Service had originally been scheduled to take place on Sunday 17th September 2023, however, advice had been received that this date coincided with the Annual Battle of Britain Service taking place at St George’s Church.

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

- (ii) That the resolution under the Urgent Business Procedure – to approve the change of date of the Council’s Civic Service - be noted and endorsed accordingly.”

A13. **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.”

A14. **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

C15. **Requisition Meetings Process**

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) seeking approval to adopt a process for the calling of Requisition Meetings for incorporation into the Council’s Constitution.

During the organisation of a requisition meeting in December 2022 and the subsequent debrief, it had been suggested that a formal process be put in place to assist officers in the event of any such future requests for public meetings. Members accordingly noted the proposed process.

It was agreed to amend the step of the process which required each questioner to confirm they were a Douglas resident at the beginning of their question; and for this to be replaced by the host of the

meeting (the Mayor, or a Captain of the Parish in the Mayor's absence) reiterating to the meeting that questions could only be taken from Douglas residents.

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

- (ii) That the proposed Requisition Meeting process, as amended, be approved and recommended to Council for adoption and inclusion as '*Part 5(N) – Requisition Meeting Process*' in the Council's Constitution."

C16. Environmental Policy

The Committee considered a written report by the Director of Environment and Regeneration seeking agreement to an Environmental Policy, and to recommend the same for approval by the Council.

The Council recognised that the work it carried out could have an impact on the environment in terms of waste generation, use of raw materials, emissions to air and water, and disturbance and disruption to the general public. The Council was, however, committed to achieving improvements in environmental performance and the prevention of pollution wherever possible, and the purpose of the policy was to set out the Council's intention and commitment to ensure its operations had an overall positive environmental impact.

At its meeting in July 2023, the Committee had requested a number of additions for inclusion in the policy, and this updated document was now submitted for review and approval accordingly.

It was noted that reference was made to the policy in the Council's Net Zero Strategy and Action Plan and in its Biosphere Partnership Narrative; and it was integral to the Council's Corporate Plan 2022 – 2026. In working towards this policy, the Council would ensure its operations were conducted in accordance with the relevant legislation, regulations, and where practicable, industry best practice.

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

- (ii) That the Environmental Policy be agreed and recommended to Council for approval accordingly."

C17. Ethical and Sustainable Procurement Policy

The Committee considered a written report by the Director of Environment and Regeneration seeking agreement to an Ethical and Sustainable Procurement Policy, and to recommend the same for approval by the Council.

In March 2022, the Council had adopted a Net Zero Strategy and Action Plan One, and one of the actions within the Plan had been the compilation of an ethical and sustainable procurement policy. The Council's procurement process had undergone a complete review in 2018, however, because of issues being experienced with the system, a further review had been prompted, with the results having been presented to Committee in March 2023.

Since then, the Officer Procurement Group and the Net Zero Officer Working Group, working together, had compiled an Ethical and Sustainable Procurement Policy, setting out an ethical and sustainable approach to procurement by the Council and which should have longer-term environmental benefits.

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

- (ii) That the Ethical and Sustainable Procurement Policy be agreed and recommended to Council for approval accordingly."

C18. Rates Allowances Policy

The Committee considered a written report by the Assistant Chief Officer (Income) seeking approval of a Rates Allowances Policy, and to recommend the same for approval by the Council.

When the Isle of Man Treasury offered a rates reduction to either a percentage of the total rates payable or a full allowance, this was subject to approval by the relevant local authority. In most cases, these were routinely approved by the Council, however, there were a number of properties in Douglas which had had rates allowances for many years, whilst no work seemed to have been completed on them.

The measures were designed to incentivise more properties across Douglas to be renovated on a more-timely basis, leading to an improvement in the overall appearance of the City.

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

- (ii) That the proposed Rates Allowances Policy be approved and recommended to Council as follows -
 - (a) that a rates allowance of a maximum of twelve months be applicable to properties needing internal works only;

- (b) that a rates allowance of a maximum of eighteen months be applicable to properties needing external and internal works;
- (c) that properties applying for a full allowance for refurbishment, requiring planning and building control, only be allowed this after planning had been approved and the work had commenced - and that the above time limits be then applied; and
- (d) that the Income Services Team undertake a review of the properties which currently had a rates allowance, and contact all owners stating the date on which rates would become payable.”

C19. Douglas General Byelaws 2013 – Update to Create New Douglas General Byelaws 2023

The Committee considered a written report by the Community and Enforcement Manager seeking approval of new draft Byelaws to create new Douglas General Byelaws 2023.

The proposed Byelaws would maintain certain Douglas General Byelaws that were still considered fit-for-purpose; but add or amend certain other Byelaws to create a stronger, more up-to-date, and relevant set of Byelaws, which reflected changes in society or the evolution of problems encountered in the previous ten years.

If agreed by Committee, the draft would be recommended to Council and, if approved, would be submitted to the Cabinet Office for drafting into the correct format before being laid before Tynwald. Any further changes that may be suggested by the Cabinet Office would be brought back to the Executive Committee and the Council for agreement and approval prior to submission to Tynwald. Public consultation would then take place by means of advertising the proposals.

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

- (ii) That the updated Douglas General Byelaws be agreed and recommended to Council for approval accordingly.”

The Committee rose at 4.35pm.

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, 20th September, 2023.

Members Present: Mr Councillor D.R. Watson (Chair), the Mayor, Mr Councillor S.R. Crellin, Councillor Ms J. Thommeny, Mr Councillor P.J. Washington.

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

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies for Absence

No apologies for absence were received.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 19th July, 2023

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

A4. Matters Arising

There were no matters arising from the previous meeting.

A5. Vacant Property Update

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

Appended to the officer's report was the void properties schedule, which showed that as at the end of August 2023, there were thirty-eight vacant properties receiving attention.

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 Housing and Property Operations Manager advised that during August 2023 an unprecedented number of properties had been returned, noting that twenty-one properties had been received.

The Housing and Property Operations Manager further advised that a significant number of the properties returned required either major or refurbishment works. It was noted that the housing team were currently focusing on those properties that require standard void repair works in order to return more properties to the social Housing stock in the short term. The properties that required a higher level of voids work would take some time, however officers are looking at options to reduce the backlog within current budgets.

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

A6. Quarter One Performance Monitoring

The Committee considered a report submitted by the Housing and Property Operations Manager to update on the progress made against the performance indicators for quarter one 2023/24.

Appended to the officers report were the quarterly performance figures for quarter one 2023/24, the quarterly performance figures for the 2022/23 financial year for comparison purposes and statistical trend analysis data for rent arrears.

It was noted that the continued process improvements within the housing section were now showing in the performance reports. Customer satisfaction is increasing and the introduction of the appointments

system, where all tenants are issued with appointments at their first point of contact, had been well received by tenants.

Of particular note for this quarter;

- 97.8% of emergency repairs had been completed within the target time of twenty-four hours, compared to the same period last year where it stood at 65.3%;
- 72.3% of urgent repairs were completed within the target period of 7 working days, compared to the same period last year where it stood at 31.9%; and
- 75.8% of routine repairs were completed within the target period of 28 days, compared to the same period last year where it stood at 43.1%.

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 one 2023/24 be noted.”

A7. General Housing Central Heating Contract

The Committee considered a report submitted by the Assistant Housing Manager (Maintenance) to consider the tenders received for statutory annual maintenance and repairs to the general housing central heating and hot water systems.

Members were advised that the current servicing contract has ended. Currently the contract includes the maintenance, repair and servicing of all Council owned central heating systems. Members were particularly pleased to note that the new contract will include additional scope items for the contractor including the installation of alternative heating sources where required.

Members were advised that following an invitation to tender, two tenders were received by the closing date of 14th July, 2023 which were opened by the Chair of the Housing and Property Committee in the presence of the Assistant Chief Officer (Housing and Property) on 17th July 2023.

It is recommended that the lowest tender received from Stewart Clague Services Limited (SCS Ltd) be accepted. A contingency figure will be included in the final contact sum for unforeseen items.

Appended to the officer’s report was the project cover letter and priced schedule of rates as received from SCS Ltd, together with a value for money assessment as carried out by March Consultants Ltd concluding that the tender is considered value for money.

Members were advised that Stewart Clague Services have carried out several similar servicing contracts for the Council, including the two previous general housing heating maintenance contracts which have been in place since 2015.

Resolved, “That particulars of the report and discussion be noted on the minutes and the tender submitted by Stewart Clague Services Limited (SCS Limited) for up to 36 months, for the statutory annual maintenance and repairs to the general housing central heating and hot water systems contract and emergency call outs for the Council’s general housing stock be accepted.”

A8. Sheltered Heating Contract – Tender Alterations

The Committee considered a report submitted by the Assistant Housing Manager (Maintenance) seeking agreement to amend a tender after acceptance.

Members were reminded that the contract for the annual maintenance and repairs to sheltered housing complex heating and hot water systems had been awarded to Stewart Clague Services Limited (SCS Ltd) when the tenders had previously been considered by Members at the Housing and Property Committee meeting held on 15th March 2023.

Consequently, a pre-contract meeting with SCS had taken place where it was confirmed that the original documents provided by SCS Ltd contained an arithmetic error. Members were advised that SCS Ltd had not applied and taken into account a contingency sum when submitting their tender.

SCS Ltd had advised that they would not be able to carry out the contract for the current approved values.

Members were advised that the adjusted tender amount is still considered value for money.

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

- (i) The application by the contractor to amend an arithmetic error to the approved tender sum for the annual maintenance and repairs to the Sheltered Housing Complexes central heating and hot water systems and adjust the final tender price be accepted; and
- (ii) That standing order 141 be invoked to amend the tender for the Sheltered Housing Complexes central heating and hot water systems and amend the final tender sum.”

A9. Occupational Therapy Bathroom Installation – Framework Agreement

The Committee considered a report submitted by the Assistant Housing Manager (Maintenance) to progress an Occupational Therapy Framework Agreement.

It is proposed that an Occupational Therapy Framework Agreement scheme be agreed for bathroom installations within the Council's social housing stock in compliance with the Department of Infrastructure Public Sector Adaptation policy.

The Public Sector Adaptation Policy sets out how public sector stock should be managed in order to make reasonable provision for tenants and housing waiting list applications that need accessible housing. The Department has confirmed that the Occupational Therapy budget is for the sole purpose of adaptation of properties and cannot be transferred to any other projects.

Island public sector housing authorities currently set aside at least 3 to 5% of the annual housing maintenance budget to fund small reactive adaptation requests such as replacing baths with low level access showers. Requests would generally be made on the basis of clinical assessments by Occupational Therapists of the Department of Health and Social Care (DHSC).

Members were advised that in the last twelve months fourteen installations required through Occupational Therapy have been completed. Due to the frequency of adaptation requests, a Framework Agreement is financially and operationally beneficial to ensure value for money and improved completion times. Benefits of a Framework Agreement include; an improved relationship with the contractor, fixed rates for the duration of the contract and reduced turnaround times for adaptations, therefore increasing the tenant's wellbeing and quality of life.

In response to question, the Director of Housing and Property confirmed that the loan amount presented to the Committee for approval is the maximum budget available, but the overall expenditure will be dependent on the number of requests received.

Following the procurement process, a tender was received by the closing date of 14th July 2023 which was opened by the Chair of the Housing and Property Committee in the presence of the Assistant Chief Officer (Housing and Property) on 17th July 2023.

It is recommended that the tender received from Heattech Limited be accepted, a value for money assessment has been carried out by the Assistant Housing Manager (Maintenance) which concluded that the tender is value for money. It was noted that a contingency figure has been included in the contract sum for any unforeseen works.

Resolved, "That particulars of the report be noted on the minutes and that the tender received from Heattech Limited, for a period of up to three years, for an Occupational Therapy Framework Agreement be accepted."

A10. Positive Input Ventilation (PIV) Framework

The Committee considered a report submitted by the Assistant Housing Manager (Maintenance) to progress with a Positive Input Ventilation (PIV) Framework Agreement.

Members were advised that due to the age and condition of some of the Council's properties, works to the fabric of the building to improve ventilation and install insulation will need to be supplemented by alternative technologies. Due to the dated design of some of the properties, there is not enough air movement and as such, moisture can build up.

Following a successful pilot scheme, a number of PIV units have now been installed in the Council's social housing stock. These units have assisted with the reduction of moisture/humidity levels, and significantly improved living conditions.

A Framework Agreement allows the Council to fix the rates up to the end of the contract period and allows the installation of the units as and when required without delay.

Following the procurement process, a tender was received by the closing date of 14th July 2023 the tender was opened by the Chair of the Housing and Property Committee in the presence of the Director of Housing and Property on 19th July 2023.

It is recommended that the tender received from Live Electrical be accepted. The tender was arithmetically checked and a value for money assessment was carried out by the Assistant Housing Manager (Maintenance) which concluded that the tender is considered value for money.

It is anticipated that works will commence on site in October 2023.

Resolved, "That particulars of the report be noted on the minutes and the tender submitted by Live Electrical for the installation of up to three hundred PIV units for a period of up to two years be accepted."

A11. 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."

A12. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Wednesday, 18th October, 2023.

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

PART B –

Matters requiring Executive Committee approval

B13. Loch Promenade Kiosk – Roof Replacements

The Committee considered a report submitted by the Assistant Property Manager (Assets) seeking approval to delay the roof replacement scheme for the Loch Promenade Kiosk.

Members were reminded that provision for a scheme to replace the Loch Promenade Kiosk Roof had been included in the 2023/24 budget. It was noted that the project has been issued for tender seven times with no successful tenders being received.

Members were advised that replacement of the children's playground located in the sunken marine garden is moving forward, as such, the Council's project team has requested the opportunity to incorporate the kiosk/café area into the design of the new scheme so that the building and seating area compliments the play area. Works to the playground will be disruptive and it would be unlikely that the Council would find a tenant who would be willing to trade during such significant works, including possible periods where the kiosk/café would be inaccessible.

In recent years, the kiosk has struggled to keep consistent tenants, the potential of the playground area is seen as an opportunity to market the kiosk/café to potential businesses.

Members noted that re-roofing of the Loch Promenade public toilets will progress with tender submissions to be sought. It is intended that these works will be completed prior to commencement of the playground site works.

In response to question, the Director of Housing and Property advised that temporary remedial works have been undertaken to alleviate water ingress and protect the structure of the kiosk/café.

In response to a Member request, the Director of Housing and Property agreed in the interim for the kiosk to be tidied up and that the signage from the previous tenant be removed.

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

- (i) The roofing scheme to the Loch Promenade Kiosk be deferred until after the children's playground works have been completed;
- (ii) Officers be authorised to seek interest from potential tenants who wish to invest in the kiosk/café for developing and evolving business opportunities in the area; and
- (iii) The matter be referred to the Executive Committee seeking deferral of the roofing scheme to the Loch Promenade Kiosk."

B14. Department of Infrastructure Social Housing Rent Setting Consultation 2024/25

The Committee considered a joint report submitted by the Director of Finance and the Director of Housing and Property on the Department of Infrastructure's (the Department) Consultation on rent-setting and associated matters for social housing for the 2024/25 financial year.

A copy of the letter received from the Department, in relation to social housing rent setting for 2024/25 and seeking the Council's views on the allowances for expenditure on administration, maintenance and community was appended to the report together with a consultation document on the future rent setting policies. The proposed draft responses as prepared by officers was also appended to the report.

Members were reminded that in recent years a robust stance had been taken on a number of issues including the need for a rent increase at least in line with inflation, and lobbying for increases in Maintenance, Community and Administration Allowances.

It was noted that currently, 6% of rental income is allocated for administration / management, 30% for maintenance and 8.4% for sheltered accommodation.

Members were advised that Housing maintenance levels remain insufficient to effectively manage and maintain the Council's aging housing stock, which is also why the Housing Repair Fund has been reduced to the inadequately low level of £83,000 as at 31st March 2023, with a projected depletion during 2023/24. There is a risk that the Council will move into a negative housing reserve territory which has never happened before and this poses an unacceptable level of risk to the ongoing housing maintenance operations.

It is recommended that the maintenance allowance is increased by 4%, 3% of which to be dedicated to the continuous improvement in the Council void standard.

Members were advised that the void plus standard includes a level of general improvement over the previous basic void standard, consisting of an improvement in quality with the addition of a base level of decoration, offering a more complete home to the tenant when first moving into the property. There is tangible proof that investing in this improved void standard reduces the strain on the annual maintenance budget. This would bring the total maintenance allowance to 34%.

It is also recommended that a 1% increase for housing management is agreed to assist with staffing costs bringing the total allowance to 7%.

Members reviewed the consultation questionnaire and proposed responses, noting that the response to the Department is supportive of the Council taking control of the rent setting process allowing for a full strategic approach to the setting of rents in line with the Council's planned maintenance and projects/schemes, and also recommending a realistic period of time for the new policy to be active so it can receive critical review. It was noted that the response also references the need for the Council to understand how the Department will provide deficiency support if the Council were to set rents independent of Government.

The report proposed that the Council seeks a rent increase in line with Manx CPI, together with increases in allowances. Members noted that Manx CPI, as at August 2023 stood at 5.4%.

Members were cognisant that a rent increase of less than inflation would effectively mean a further reduction in the funding available for the Council's Housing Service, as the costs in workforce, contractors and materials continue to rise. As such, the Committee moved an amendment to the recommendation in front of them, that the Council seek a rent increase of Manx CPI plus 2%.

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

- (i) The Council formally responds to the Department of Infrastructure (the Department) recommending a rent increase for 2024/25 in line with the Manx Consumer Prices Index plus 2%;
- (ii) The Committee agrees that the amount of rental income being allocated to Housing Maintenance and Housing Management through the Housing Deficiency Grant system allowances is presently insufficient for standard maintenance works, there is increasing pressure due to market forces to meet increased staffing costs across the Council's employees. There is also a strong requirement and justification to increase the investment in voids. Therefore a request be made for a 4% increase for housing maintenance (with 3% being dedicated to maintaining the Council's void standard and 1% to assist in the increase in staffing costs). A further 1% increase to the housing management allowance to assist with staffing costs;
- (iii) The sheltered housing allocation has not changed for a long period of time and yet there has been in recent years, a significant increase in the cost base for sheltered, including cleaning, general maintenance and heating/energy costs. Therefore the Council requests a 2% increase for fund contribution to sheltered housing in 2024/25;
- (iv) The Committee at the same time, requests that the annual project management grant be uplifted by inflation yearly rather than remain fixed as has been the case for the past six years;
- (v) The response to the Department's consultation on the future rent setting policies, as set out at appendix two of the report, be approved;
- (vi) That the matter be referred to the Executive Committee for consideration because of the potential impact upon budgets; and
- (vii) That the Council formally instructs the Department of Infrastructure that the Council's Housing Repair Fund is at risk of being depleted."

The meeting ended at 12.45pm.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 13th September, 2023.

Members Present: Mr Councillor J.E. Skinner (Chair), Mr Councillor I.J.G. Clague, Mr Councillor F. Horning.

In Attendance: Director of Finance (Mr A.J.T Boyd), Assistant Chief Officer (Finance) (Mr M. Quayle), Democratic Services Officer (Mrs D. Atkinson), Mr J. Glasgow (Hymans Robertson), Mr J. Lee (Hymans Robertson, via video-link), Mr S. Wilson (Canaccord, Item A9 only), Mr A Lawrence, Ms L. Thompson (Canaccord Property Fund, Item A10 only).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Apologies

Mr Councillor S.R. Crellin and Mr A. Thomas (Independent Member) submitted apologies for the meeting.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 24th May, 2023

The minutes of the meeting held Wednesday, 24th May, 2023, were approved and signed.

A4. Matters Arising

There were no matters arising raised.

A5. Training – Reviewing Investments

The Committee received a training presentation by Hymans Robertson on the importance of reviewing investments.

The presentation covered why funds are regularly reviewed, how fund performance can be measured, the potential triggers for taking action regarding performance and how the Committee monitors the Scheme's investments.

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

A6. Quarterly Review of Investment Managers' Performance

The Committee considered a report submitted by Hymans Robertson to review the investment managers' performance during quarter two of 2023.

The Scheme achieved a return of -1.1% over the quarter, underperforming the benchmark by 0.7%. Returns over 5 years remain positive albeit behind the overall benchmark. The largest outperformer for the quarter was the Canaccord Global Equity ETFs while other assets performed in line with the benchmark or underperformed their respective benchmarks marginally over the quarter. The largest relative underperformer was the Capital Absolute Return Fund (-3.4%) and the Canaccord Property Fund also underperformed by 0.6%.

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

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

A7. Review of Investment Ideas and Current Themes

The Committee considered a report submitted by Hymans Robertson to outline their current views on the Scheme's existing asset classes and outline some thoughts on potential investment ideas for the Scheme.

Members were presented with a table listing the Scheme's major asset classes, and Hymans Robertson's views on each class. The report recommended no changes to the assets at this time, but provided the Committee with two investment ideas, ESG impact investing and private market asset investments for future consideration.

In relation to ESG impact investing, the Committee has already made significant progress in ESG related investments through the Scheme's equity holdings and ESG fixed income fund. If the Committee wanted to further boost their ESG credentials further through impact investing, a list of further steps for consideration were provided in the report, though no changes were recommended at this time.

Mr Glasgow explained in relation to private asset markets, this refers to private investments, either debt or equity instruments that are not traded on public exchanges. Private market funds are illiquid and difficult to sell, making them more suitable for investors with a longer-term horizon. Investors that can withstand the illiquidity have access to the potential for outperformance versus public markets along with diversification benefits. Entry fees into private markets also tend to be high. However, this had been included as a point to note for the Committee due to the reduced entry size that private assets now request which is much lower than had historically been requested by the private asset managers. This was again provided just for information and no further action or changes in this regard were recommended at this time.

Resolved, "That particulars of the report be noted on the minutes and no changes be recommended at this time."

A8. Review of Compliance with Scheme's Responsible Investment Policy

The Committee considered a report submitted by Hymans Robertson to review the Scheme's managers' mandates against the Committee's Responsible Investment (RI) Policy.

The report confirmed that Hymans Robertson has undertaken the annual review and are satisfied that the Scheme's underlying managers are complying where possible with the RI policies set out by the Committee. Hymans Robertson believe that over the longer term this will have a positive impact on the value of the Scheme's assets, as managers look to invest in more sustainable and responsible options where applicable for active mandates, and participate in active engagement with companies and the exercise of their voting rights across the equity holdings. Members noted that since August 2021 the Scheme has also introduced specific ESG tilted funds which now account for 50% of the Scheme's total assets as at 30th June 2023.

Resolved, "That particulars of the report and discussion be noted on the minutes and Hymans Robertson's review and findings that the Scheme's underlying managers are complying where possible with the RI policies set out by the Committee, be noted on the minutes."

A9. Manager Reporting: Canaccord Presentation

Mr S. Wilson joined the meeting to present the Canaccord index-tracking funds for gilts, global equities and UK equities.

Mr Wilson began by presenting the year to date performances. All markets have seen volatility this year, but the fixed-interest has been most negatively impacted. He advised that fixed-interest is now starting to bounce back with a positive performance for the latter part of 2023 to date, and the downturn in the UK inflation rate and predicted peak of interest rates should see better returns for the market. He reminded that gilts, as Government investments are a safe option whilst also providing a protection asset to offset liabilities.

Mr Wilson provided the performance of the UBS MSCI ACWI Universal Low Carbon Select Fund and the LGIM future world climate change fund. He advised that a comparison exercise had been undertaken with the current and previously invested funds, and it was found there was very little impact globally or with the UK fund as a result of the switch to the ESG tilted funds.

In relation to global equities, they returned better than expected this quarter, driven by an increase in technology outperformance and a small number of mega-cap technology stocks.

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

A10. Manager Reporting: Canaccord Property Fund

Representatives from Canaccord Property fund managers joined the meeting via video-link for discussion of the item.

The Committee considered a presentation by the Canaccord property fund managers on the performance of the UK Property Fund during the second quarter of 2023.

The representatives opened the presentation with an update on the Fund's deferred redemption stance. It was explained that as a result of the gilts market crisis in 2022, a large number of defined benefit pension schemes had to draw down and therefore requested redemption from the fund. Due to the level of requests, redemption was deferred until the fund was in a position to meet the demand and to protect the investors in the fund. The fund is permitted up to two years from the request to pay out redemptions and will be in a position to meet this deadline. The fund is currently seeking new UK and international

investors to fill the potential gap and using the opportunity to sell down assets in markets that are likely to change in the future, such as office space and high street retail.

The presentation on the fund was presented to the Committee. A snapshot was provided, listing the fund objectives, strategy, details and the sustainable performance.

Members were presented with the portfolio management breakdown and a detailed update on holdings.

The presentation moved on to the Fund's focus on sustainable development practices. The Fund is aligned with Article 8 of the Sustainable Finance Disclosure Regulations which promotes environmental and/or social characteristics and received an 82/100 rating in sustainable performance for 2022.

The Committee then received an update on the performance and positioning of the fund.

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

A11. 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.

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

A12. Date and Time of Next Meeting

The Committee noted that the date and time of the next meeting is Wednesday, 25th October, 2023.

The Committee rose at 1.15pm.

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, 19th September, 2023.

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

In Attendance: Mrs D. Eynon (Douglas), Mr M. Quayle (Douglas), Mr J.C. Whiteway (Braddan), Mr R. Phillips (Onchan), Mrs L. Radcliffe (Secretary), Mr A Crook (for item 3 only).

REPORT

PART A –

Matters dealt with under delegated authority

A1. Minutes – 18th July, 2023

Approved unanimously.

A2. Declarations of Interest

None noted.

A3. Operational Contractors Report

Mr Crook joined the meeting to present the operational contractor's report. The report was noted with the following pulse points:-

1.3 Batteries – A request was made to raise public awareness about the requirement to separate out the different types and sizes of batteries due to being a fire hazard and to advise the public not to throw batteries in the general waste for the same reason. The Committee Secretary was requested to prepare draft publicity for the website and to contact DEFA to request clearer guidance for the public.

1.11 Items raised by the Committee at the Meeting 18th July 2023:-

- a) Gate Shelter – the Contractor reported that vision is available from the office at the new site and the staff did not feel it necessary for a shelter to be provided.
- b) Traffic Management – the Committee Chair confirmed that the cone solution is acceptable and requested that the Contractor ensures the staff place the cones in the required position every day.
- c) Acquisition of Anemometer and Closure of the site – The Committee accepted the Contractors view and requested that better communications with the public is made when the site is closed and the reason for the closure stated.
- d) Covering of skips – The pros and cons were noted and the Committee accepted not to purchase coverings for the skips as the cons outweighed the positives.

2. Incidents new site (end June 2023 to date) – It was noted that there have been four incidents on the new site since the opening. Three of these incidents are related to the same trip hazard and the Contractor has confirmed that this has now been resolved and approved by the Council's Health & Safety Advisor.

3. Gap between the gantries and skips – A number of Committee Members reported that they have received positive feedback from members of the public following the implementation of deflectors.

4. Annual statistics by material with comparators – It was noted by Mrs Eynon that garden waste has decreased significantly at the site, however 80 tonnes is being collected from the kerbside due to the introduction of a garden waste service by Douglas. Domestic waste has increased in July and August along with an increase in the number of cars visiting the site. It is too early to say what the reason for this is and would suggest that it may be required for the Committee to survey customers to find out the purpose for visiting the site.

It was agreed:

1. That the report and statistics be noted;

2. That the Committee Secretary write to DEFA to request a publicity campaign island wide in relation to different types / sizes of batteries and disposal guidance.
3. That the Committee Secretary prepare draft publicity for the website in relation to different types / sizes of batteries, disposal guidance and reasons why.

A4. Creameries Update

The Chair raised the response received from the Creameries dated 22 August 2023 which was noted and it was acknowledged went against the earlier commitment for the creameries to provide tetrapak recycling from the new site. The Committee requested that the Committee Secretary write to the Creameries in December 2023 following which the Committee to reconsider their decision of the new site being a collection point at a cost to the Committee.

A5. DEFA Update

The Chair reported that it was confirmed by the DOI that the Plant suffered a part failure on the vapour control mechanism which is why the odour was more noticeable. The proximity of the newly constructed CA site to the existing AWPP means that, in the event of an odour release, the odour is likely to be detected at the CA site. The AWPP bio filter medium has only recently been replaced and the broken filtration system is now repaired.

In relation to any statutory nuisance complaints it has been confirmed by DEFA that this would currently fall to Braddan Commissioners to deal with.

A6. Draft Contractor Specification 2025

The Committee agreed that the draft specification covers all the areas they would like included. Mr Phillips requested the Committee consider the following points:-

4.17 The Contractor shall operate the Site by maintaining a staffing level of no fewer than 5 persons at all times. These persons are to be located at the following locations:

- Heavy goods vehicle operative;
- Entrance/exit gate to the Site;
- The reuse area of the Building;
- Skip supervision – gantries and skips;
- General worker.

It was agreed by Committee to add “on site at all times.”

4.19 The Contractor shall permit members of the public to deposit goods in, and remove items from the reuse area of the Building, with the exception of:

- Foam-filled furniture;
- Mattresses;
- Fabrics;
- Electrical goods;
- Child car seats;
- Protective helmets;
- Any item for which a charge is payable – see Schedule 8.

It was agreed by the Committee that the attached site rules be amended to include the specific items which cannot be deposited to the re-use area.

Mrs Eynon requested that the Committee consider clause 4.25 as the Contractor will be expected to price for it and it will elevate the cost to the Committee:-

4.25 The Contractor shall maintain and keep up to date a social media page via Facebook providing members of the public with details of the Site and its operation, including contact details. As a minimum, the Contractor shall provide a phone number and email address for the Site.

There was a detailed discussion around whether the site should take phone calls. The Committee agreed that a landline with a recorded message which then gave a further number for enquiries, which went to a

site mobile was sufficient. The Committee also requested that the Contractor ascertain the volume of calls.

The Committee agreed for the clause to remain in-situ and that the request to the potential Contractor for the webpage and communications with the site operators is priced separately.

A7. Date and Time of Next Meeting

The next meeting of the Committee to be held on Tuesday, 28th November, 2023 at 14:30 in the Committee Room, City Hall.

Apologies were noted from Mrs Eynon and the Committee Secretary.

The meeting ended at 4.05pm.

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

REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Tuesday, 19th September, 2023.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Finance) (Mr M. Quayle), Assistant Chief Officer (Democratic Services) (Mrs Linda Radcliffe), 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 F. Schuengel.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 18th July, 2023

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

A4. Matters arising

No issues were raised as arising from the previous meeting.

A5. Quarter One Performance Monitoring 2023/24

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

Appended to the report were the measures as outlined for the Parks Service, and Douglas City Centre Management. A red, amber, green and black status had been applied to each measure.

It was noted that within Parks Services, several measures are either slightly behind or behind schedule due to resource constraints at management level, awaiting external resources or because projects were deferred by the Committee. Eight measures were completed in 2022/23.

Within City Centre Management, those measures still to be achieved are on target.

Resolved, “That particulars of the report and the progress made against performance indicators in the Environment and Regeneration Department Service Plans as relevant to the Regeneration and Community Committee for Quarter One 2023/24 be noted on the minutes.”

A6. Douglas Beach Day Debrief

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to advise on the success of the Douglas Beach Day and seeking determination on whether the event should be repeated in 2024.

Members were reminded that the first Douglas Beach day had taken place on Saturday 1st July, 2023, comprising of early morning wellbeing activities followed by family activities on Queen’s Promenade Gardens and the beach during the afternoon.

Officers consider that the original objectives of the event were achieved and attendance at the various parts of the event had been good. The report advised that a number of enquiries have been received since the event from potential activity providers interested in operating commercial services in relation to the beach. Members noted that discussions are underway and will come forward for consideration by the Committee in due course.

Members were advised that for the 2023 event, a budget of £10,000 had been made available. A breakdown of the costs were provided within the report which also set out a note of the main debrief items noted by officers.

It was noted that officers consider that the event is worth repeating in 2024 in a similar format, with a date to be set once tide times are known and where possible, to avoid clashing with other summer events.

Members were reminded that the 2023 Beach Day event had been funded from unbudgeted income received from events held in Noble's Park. As this funding would not be available in 2024 it is proposed to put forward a growth bid for inclusion with the annual budgetary process.

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

- (i) That the main debrief items from the event be noted;
- (ii) That the event be held on a similar weekend in 2024, subject to tides and preferably avoiding clashes with other events; and
- (iii) The inclusion of a growth item of £8,000 in SW120 'Promenade and Beach' in 2024/25 to cover the cost of the event in summer 2024 and future years be approved and referred to the Executive Committee for consideration as part of the annual budgetary process."

2 For. 1 Against.

Mr Councillor J.E. Skinner requested that his name be recorded as voting against the resolution.

A7. Promenade Seating

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to determine an approach for the replacement of public seating on the Promenade.

Members were advised that in the 1990s the Council had purchased a bulk order of metal KC bench seats, approximately ninety of which were installed on the Promenade Walkway. It was noted that over the years, a number of these benches have been lost due to deterioration of the metalwork and storm damage, or they have been retired as being past their useful life.

It is proposed to concentrate all of the existing KC bench seats onto Harris Promenade, Central Promenade and Queen's Promenade for the remainder of their useful life as there are enough remaining benches to place them at an initial frequency of approximately 25 metres, this exceeds guidance on the ideal frequency of public seating for people with mobility issues in recognition that the seats are not just for this use. It is further proposed to replace the seating on Loch Promenade where there is normally a higher footfall, particularly at lunch times, with seating more conducive to activities such as socialising, eating and drinking as well as just sitting to rest or enjoy the view at approximately 25 metre intervals.

Officers have researched the type of seating being used in Promenades in the United Kingdom and it is clear that the preferred material is high performance concrete rather than wood or metal. This material is robust and long lasting and can be cast into a range of modules including side tables in a variety of finishes and colours with a modern aesthetic more in tune with the redesigned Promenade. The concrete can be combined with wood polymer composite seats and back rests for warmth and comfort.

Appended to the officer's report were examples of public seating options, examples of how promenade seating can be formatted and three examples of modern public seating on United Kingdom Promenades.

In response to question, the Assistant Chief Officer (Regeneration) advised that if approved, officers would explore further the suitability of the wood polymer composite and seek costs which would come back to the Committee for consideration as a proposed capital project.

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

- (i) The preparation of a capital programme submission for 2024/25 for the purchase of public seating on Loch Promenade to replace seats lost through deterioration, storms and damage be approved;
- (ii) The relocation of the existing metal KC bench seats on Loch Promenade to fill gaps in provision on Harris, Central and Queen's Promenade be approved; and
- (iii) The proposal to purchase modern high performance concrete modular seating for Loch Promenade be approved."

A8. Noble's Park – Department for Enterprise expanding winner enclosure proposal

The Committee considered a report submitted by the Assistant Head of Parks (Services) advising on a proposal received from the Department for Enterprise (DFE) seeking to expand the winners enclosure at Noble's Park for the TT and Manx Grand Prix events.

Members were advised that the DfE has approached the Council seeking to make improvements to the winners enclosure area of the Grandstand. It was noted that the area of grassland is too small to be used for any other purpose.

Appended to the officer's report was a plan of the area and proposed expansion; the specification of the carriageway construction; photographs of the area currently and an image of the proposed expansion.

As the area is not currently utilised for any other purpose and because the improvement works would assist in reducing damage to the grass area during the DfE events it was recommended that the proposal be approved.

Whilst the Committee were supportive of the proposal in principle, Members welcomed ideas on how the Department could utilise the space more effectively with a suggestion to landscape the area to make it more of a viewing gallery as opposed to the proposal to lay tarmac.

Resolved, "That the item be deferred pending an invitation to the Department for Enterprise to attend the next Regeneration and Community Committee meeting with a view to seeking enhanced proposals for the area."

A9. Items for Future Report

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

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

A10. Date and Time of Next Meeting

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

Mr Councillor J.E. Skinner, the Director of Environment and Regeneration and the Assistant Chief Officer (Democratic Services) tendered their apologies for the meeting.

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

PART B –

Matters requiring Executive Committee approval

B11. Proposed changes to the sale of memorial plaques for the Garden of Remembrance

The Committee considered an additional report submitted by the Assistant Chief Officer (Regeneration) in relation to proposed changes to the sale of memorial plaques for the Garden of Remembrance at the Borough Cemetery.

The proposed revised approach for the sale of memorial plaques had previously been considered by the Committee in July 2023, when it had been resolved to defer decision on the item pending a request for further information on legal advice about the removal of existing plaques; the age of the oldest plaque and how requests for amending a plaque to add a new name would be dealt with.

Members were advised that the Council's advocate had advised that the current application form for purchase of a plaque does not state that it will be displayed within the Garden for a limited period, it is therefore reasonable for purchasers to assume it will remain in situ forever. It was noted that the term 'perpetuity' is usually regarded as 80 years although there is no reference to perpetuity in the application form.

The report advised that the legislation which generally governs cemeteries is the Burials Act 1986. The act is silent on memorial plaques in Gardens of Remembrance. The closest reference in the Act is Section 9 which details the process to be adopted by churchwardens should works be required to remove memorials from graves in burial grounds where burials have been discontinued. Although burials do still take place in the Borough Cemetery, burials do not take place in the Garden of Remembrance.

It is not recommended to remove existing plaques. However, should this be required at some point in the future, such as during the rebuilding of the walls if they were to become structurally unsound it is suggested that it would be sensible for the Council to follow the process set out in Section 9 of the Burials Act 1986, a copy of which was appended to the officer's report.

The Assistant Chief Officer (Regeneration) advised that the oldest plaque in the Garden of Remembrance was ordered on 1st February, 1962.

The report set out the current process for an application to add a second name to a plaque, whereby the applicant must purchase a new plaque that can either be placed on the wall in addition to, or in place of

the existing plaque. If the revised approach is approved, it is recommended that the new plaque would replace the original plaque and would remain in place for ten years extendable for five year intervals in the same way as any other new plaque.

The report proposed that the Council adopt an approach whereby the purchase of a plaque includes for its installation for an initial ten year period but that future periods can be purchased, either at the time of the original purchase or during the initial term, in multiples of five years. The suggested fee per each extended five year period is £85.

Members discussed the proposal, noting that in the UK usual practice is to extend the period of time the plaque will remain in situ by a period of ten years. As such, it was proposed that the officer recommendation be amended to include the option to purchase further periods in multiples of ten years as opposed to five and that the proposed fee be kept the same as recommended.

In response to question, the Assistant Chief Officer (Regeneration) clarified that it is not intended to include the TT/MGP wall within the proposed changes and undertook to provide information about how that wall is managed and maintained and by whom.

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

- (i) the revised approach to the sale of memorial plaques at the Borough Cemetery whereby the purchase of a plaque will entitle the purchaser to its installation on the wall in the Garden of Remembrance for ten years with an option to purchase further periods in multiples of ten years rather than the current approach where the plaque is left in situ in perpetuity be approved;
- (ii) a fee of £85 per additional ten years beyond the initial ten year period be approved; and
- (iii) The matter be referred to the Executive Committee for consideration and agreement to the amended fee structure."

2 For. 1 Against.

Mr Councillor J.E. Skinner asked that his name be recorded as voting against the resolution.

The meeting ended at 11.04am.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 18th September, 2023.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Environment) (Mr I. Jackson), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Assistant Chief Officer (Finance) (Mr M. Quayle), Community and Enforcement Manager (Mr A. Gordon) (Item A7), Dilapidation Enforcement Officer (Mr S. Salter) (Item A7), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

No apologies for absence were received.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes –17th July, 2023

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

A4. Matters Arising from the Minutes

No issues were raised as arising from the previous minutes.

A5. Electric Vehicle Charging in the Bottleneck Car Park

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) in response to the Committee's request to explore the possibility of installing electric vehicle charging points in the Bottleneck Car Park.

Members were reminded that the Council had previously worked with Manx Utilities Authority (MU) for the installation of six charging points in Shaw's Brow Car Park, these were installed by MU at their expense and are operated by MU without further involvement by the Council other than monitoring use of the spaces.

As there is a single network of public charging points operated Island wide by MU, elective vehicle users only need to sign up to a single system. Consequently, officers commenced dialogue with MU with regard to the potential for EV charging points in the Bottleneck Car Park. Members were advised that one of the normal factors that limits the location of public charging points is the presence of suitable electrical supply and MU has advised that such a supply is available in the vicinity of the Bottleneck Car Park.

However, MU officers have advised that they would not install EV charging points in the Bottleneck Car Park due to the close proximity to the sea and exposure to the marine environment. Members noted that MU has previously installed charging points close to the sea in Castletown and they are showing signs of corrosion and damage from the salt-laden atmosphere. For this reason, MU consider that the Bottleneck Car Park is not a suitable location for EV charging points. MU officers did note that there would be nothing stopping the Council from installing its own charging points but that they would recommend against it for the reasons set out above.

It was noted that there are alternative public EV charging points in the vicinity of the Bottleneck Car Park albeit more protected from the effects of the sea at the Sea Terminal and the northbound, landward side of Loch Promenade.

As a consequence of advice from MU, officers do not recommend that the Council proceeds with installing its own EV charging points in the Bottleneck Car Park.

Resolved, “That particulars of the report and discussion be noted on the minutes and that electric vehicle charging points are not installed in the Bottleneck Car Park due to proximity to the sea, as advised by the Manx Utilities Authority.”

A6. Quarter One Performance Monitoring 2023/24

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 one 2023/24. A red, amber, green and black status had been applied to each measure.

Members noted that for quarter one:

- All measures in Building Control are being met;
- Within Electrical Services, six out of twenty-one measures are behind target due to resource and recruitment difficulties;
- In Fleet Services, three measures (scheduled service times, completion of vehicle repairs within allocated time, retention of staff) are slightly behind target and one measure is behind target awaiting leadership from the Isle of Man Government on a low carbon alternative fuel source for larger and specialist vehicles. Two measures are complete;
- Within Community & Enforcement, six measures are behind target and two are slightly behind target due to resource constraints. Main key performance indicators are being met and three measures have been completed; and
- In Waste Services, sickness remains higher than the industry benchmark and obtaining new trade customers is slightly behind target. All other measures are on target.

Resolved, “That particulars of the report be noted on the minutes and that the progress made against performance indicators in Service Plans for Quarter one 2023/24 be noted.”

A7. Schedule of Dilapidated, Ruinous or Dangerous Properties

The Committee considered a schedule of properties in a state of dilapidation or disrepair. Members noted that seven properties had been added to the schedule since the last meeting; nine properties had been removed because work had been completed; and a total of fifty-seven 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.”

A8. Items for Future Report

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

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

A9. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting of the Environmental Services Committee was due to take place at 10.00am on Monday, 16th October, 2023.

Mr Councillor J.E. Skinner and the Director of Environment and Regeneration submitted their apologies for the meeting.

The meeting ended at 11.01am.