



## Borough of Douglas

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**MR COUNCILLOR JONATHAN JOUGHIN, JP  
MAYOR**

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Town Hall,  
Douglas,  
4<sup>th</sup> July, 2019

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 10th day of JULY, 2019, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the TOWN HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,  
Yours faithfully

Town Clerk & Chief Executive

# Order of Agenda

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

II - Any statutory business.

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

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

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

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

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

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

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

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

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

# AGENDA

III – Chief Executive to read minutes of the Council Meeting held on Wednesday, 12<sup>th</sup> June, 2019 and the Special Private Council Meeting held on Monday, 24<sup>th</sup> June, 2019.

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

## EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 28<sup>th</sup> June, 2019.

Members Present: Mr Councillor D.W. Christian (Chair), Mr Councillor S.R. Pitts (from 2.30pm), Mr Councillor I.J.G. Clague, Councillor Mrs C.E. Malarkey (Vice Chair, Housing Committee), Mr Councillor R.H. McNicholl.

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr A.J.T. Boyd), Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Housing and Property) (Mr G. Atkin), Democratic Services Officer (Mrs D. Atkinson) (for Clauses A8 and A9), 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 Worshipful the Mayor and Councillor Mrs C.L. Wells; and Mr Councillor S.R. Pitts had submitted apologies for late arrival.

##### **A2. Declarations of Interest**

No declarations of interest were submitted.

##### **A3. Minutes**

The minutes of the Meeting held on Friday 24<sup>th</sup> May 2019 were approved and signed.

##### **A4. Matters Arising From Previous Minutes**

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

##### **A5. Referral from the Environmental Services Committee – Scheme of Delegation for Planning Applications**

The Committee considered the following referral from the minutes of the reconvened meeting of the Environmental Services Committee held on Wednesday 15<sup>th</sup> May 2019. This item had been deferred from the previous meeting of the Executive Committee:

Clause B10 – Scheme of Delegation for Planning Applications: the Committee had considered a report by the Director of Environment and Regeneration seeking comment on a proposed revised Scheme of Delegation for Planning. It had been noted that the Scheme of Delegation had previously been presented to and unanimously approved by the Executive Committee at its meeting on 1<sup>st</sup> March 2019, however, following a request by the Chair, the Director of Environment and Regeneration had undertaken a review of the proposed Scheme.

The Environmental Services Committee had further noted that, at the Council Meeting on 13<sup>th</sup> March 2019, the Chair of the Executive Committee had agreed to refer the matter back to the Environmental Services Committee in order to allow that Committee further time to comment on the suggested changes; and Members of that Committee had accordingly discussed the proposed revised Scheme of Delegation at length at the reconvened meeting, and expressed their comments in relation thereto.

In considering the referred minute, the Executive Committee noted that the proposed revised Scheme of Delegation did not contain significant differences to the Scheme that had been in operation for a number of years and, after some further discussion, it was agreed to approve the proposed revised Scheme accordingly.

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

(ii) That the proposed revised Scheme of Delegation, as agreed by the Environmental Services Committee at its reconvened meeting on 15<sup>th</sup> May 2019, be approved accordingly.”

*3 For. 1 Against. Mr Councillor R.H. McNicholl requested his vote against the resolution to be noted on the minutes.*

**A6. Referrals from the Environmental Services Committee**

There were no referrals from the minutes of the Environmental Services Committee meeting held on Monday 17<sup>th</sup> June 2019.

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

**A7. Referrals from the Regeneration & Community Committee**

The Committee considered the following referral from the minutes of the Regeneration and Community Committee meeting held on Tuesday 18<sup>th</sup> June 2019:

Clause B10 - Noble's Park Off-Street Parking Place Order: the Committee had previously approved a Preliminary Traffic Management and Vehicle Parking Strategy for Noble's Park, which had subsequently been submitted to the Department of Infrastructure for consideration. As a result, the Department had produced a draft Noble's Park Parking Places Order 2019. The Committee had approved in principle the details of the Order and, accordingly, referred the proposed fee structure to the Executive Committee for consideration.

Members of the Executive Committee were advised that a small number of users had been creating a consistent problem in Noble's Park (including all-day parking or using the Park as a short-cut through traffic), and that the proposed measure was to discourage this inappropriate use. It was intended that a fee of £1.00 be introduced in the Paddock area for parking cars, motorcycles, and light vans for up to twenty-four hours, Monday to Friday; with a fee of £10.00 being introduced to park in the motorhome park for up to twenty-four hours. There would be no charge for weekend parking so as not to discourage weekend use of the Park; and the fees would be reviewed annually as part of the budget process.

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 proposed tariffs contained in Schedule 2 of the draft Noble's Park (Parking Places) Order 2019 be approved accordingly."

**A8. Members' Attendances and Allowances 2018 / 2019**

The Committee considered a written report by the Assistant Town Clerk seeking approval to submit to the Council's auditors (and thence to the Department of Infrastructure) the schedule of meetings held; Members' attendance at meetings; and allowances paid to Members during the financial year ended 31<sup>st</sup> March 2019.

The Council was required by Schedule 2 of the Local Government Act 1985 to annually publish a report detailing the number of meetings of the Council and its Committees held, and the total sums paid to Members. It was also obliged to send a copy of the report to the Department of Infrastructure with a certificate by the Council's auditors.

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

- (ii) That the schedule setting out Members' attendances at meetings and allowances paid during the year ended 31<sup>st</sup> March 2019 also be noted on the minutes;
- (iii) That approval be given for the submission of the schedule to the Council's auditors with the annual accounts, and thence to the Department of Infrastructure; and
- (iv) That the schedule be made available to the public through the Council's website and at the Town Hall Reception desk, and that it be circulated to all Members with the Council Agenda for the July 2019 Council Meeting."

**A9. Bathing Water Quality and Designation of Beaches**

The Committee considered a written report by the Assistant Town Clerk in relation to a letter received from the Department of Environment, Food and Agriculture, seeking information and views on bathing water quality and beach management.

Members were advised that Tynwald had adopted the standards contained in the 2006 EU Bathing Water Directive, and that the Department was seeking to move this forward with each local authority initially being asked whether it would support the formal designation of a bathing beach (or beaches) in its area.

It was noted that designation would entail regular water quality testing and the formulation of a beach management plan for each location. There would also be a requirement for adequate byelaws and enforcement (which the Council had in place), and for the provision of public toilets. As the Council already managed and cleaned its beach according to a plan, the only additional issue would be the provision of signage advising the public of the water quality, as it was assumed that the Department of

Environment, Food and Agriculture, as the independent enforcement agency, would incur the cost of water sampling.

Members were advised that officers had looked at the proposals and concluded, provided that any issues causing poor bathing water quality in Douglas Bay were addressed, the proposals should not be too onerous for the Council. It was clarified that poor bathing quality water issues could arise from the IRIS System and the Isle of Man Creamery's whey pipeline, both of which were out-with the Council's ability to resolve.

With respect to the beach at Port Skillion, which the Council also owned, it was recommended that this be excluded – at least initially – from designation as a bathing beach, as it did not have the requisite facilities.

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

- (ii) That the Department of Environment, Food and Agriculture be advised that the Council was supportive of the adoption of the standards of the EU Bathing Water Directive and, if it was adopted by the Council, the Council would make an application for the designation of the whole of Douglas Beach as a bathing beach;
- (iii) That the responses drafted by officers and appended to the written report, relating to the means of compliance with the standards, be approved and submitted to the Department accordingly, with particular attention being drawn to the Council's concern that some issues relating to poor bathing water quality in Douglas Bay, arising from the IRIS System and Isle of Man Creamery's pipeline, were out-with the Council's ability to resolve;
- (iv) That for the sake of clarity, the Council would not initially seek to have Port Skillion Beach designated for bathing; and
- (v) That a typographical error in the written report relating to the date of the Committee meeting (28<sup>th</sup> 'July' 2019) be amended to read 28<sup>th</sup> 'June' 2019."

#### A10. **Monthly Financial Review**

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

It was noted that the opening hours for the cashiers' counter had been increased in the build-up to the rates discount date.

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

#### A11. **Review of the Council's Corporate Risk Register**

The Committee considered a written report by the Director of Finance in relation to a review of the Council's Corporate Risk Register.

Members were advised that Internal Audit had undertaken a review of the Council's risk management framework in March 2018, and that part of the recommendations arising from the review was that the Executive Committee should receive an update on the current risk environment at regular intervals.

It was noted that the Council's Risk Management Policy was fundamental to the risk management system. The risk management system included -

- Operational risk registers - forming part of the operational service plans for different areas of the Council's operations); and
- The Strategic or Corporate Risk Register - which included a sub-register relating to each theme of the Corporate Plan, and which would be regularly reviewed and updated, as and when new risks were identified or when risk levels changed.

Overseeing the Council's operations involved significant levels of risk in a variety of areas. The Committee therefore needed to be aware of the risks facing the Council and to be satisfied that the Council had effective strategies for the management of those risks.

This was the first time the Corporate Risk Register had been presented to the Committee for consideration, and it was intended that it would be presented to Committee annually hereafter. In considering it in detail, Members expressed some concern regarding Risk I13B of the Strategic Objective 'A place with improving infrastructure', and also Risk SGE3A of the Strategic Objective 'Position Douglas to succeed in the global economy', as it was noted that it was proposed to ring-fence budgets for particular functions across the Council. The Chief Executive clarified that the budget would not be 'untouchable', but rather would be subject to even more closer scrutiny, and suggested that an alternative, more appropriate phrase be used instead of 'ring fencing'.

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

- (ii) That the Corporate Risk Register relating to each theme of the Corporate Plan also be noted;
- (iii) That it be confirmed that there were no further items to be included at this stage; and
- (vi) That the actions detailed in the Risk Register be approved subject to the below amendments being incorporated -
  - That the wording contained in Objective II2 relating to ‘A place with improving infrastructure’, be amended to read, ‘If the Council does not *continuously* develop Douglas’ reputation as a destination then it will be economically disadvantaged through a lack of visitors and associated businesses.....’;
  - That the wording contained in Objective II3B relating to ‘A place with improving infrastructure’, be amended using an alternative phrase to the term ‘ring-fencing’;
  - That the wording contained in Objective SGE3A relating to ‘Position Douglas to succeed in the global economy’, be amended using an alternative phrase to the term ‘ring-fencing’;
  - That the residual probability risk score allocated to Objective G3 relating to ‘Good Governance and Financial Sustainability’ be reduced to 1 as it had been noted that all sections of the Council now had Service Plans in place; and
  - That officers consider if Risk LWV1C, included within the Strategic Objective theme ‘Desirable place to live, work and visit’ regarding Council compliance with the Equality Act 2017, could instead be summarised under a more relevant Strategic Objective heading.”

#### A12. Revenue Outturn Report for 2018 / 2019

The Committee considered a written report by the Assistant Chief Officer (Finance) detailing the revenue outturn position for the 2018 / 2019 financial year, and seeking to determine key strategic allocations to reserves at year-end.

Members were reminded that this annual report set out the overall revenue performance against budgets and the ensuing impact upon the General Revenue Reserve. It included the summary revenue outturn position; transfers to and from Reserves; and compared actual expenditure to the original budget. Members accordingly noted the uncommitted balance on the General Revenue Reserve (as compared with the budgeted position set in January 2018), and the summary of the Council’s usable reserves.

The major elements that had contributed to the year-end position were noted, as were the explanations for any significant variations compared with the original approved budget. In overall terms, the revenue outturn position presented a very favourable variance. It was noted, however, that a number of the favourable variances arising in 2018 / 2019 were one-off in nature and would not recur.

Discussion took place with regard to the Housing Software project. The Director of Finance advised that, although implementation of the project was on schedule, there had been some issues with its progress. These were now being resolved, and it was felt that the end product would be more tailored and appropriate for the Council’s requirements, and the service received should be enhanced. It was noted that both the Housing Committee and the Executive Committee would receive a briefing in the next month or so.

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

- (ii) That the year-end revenue outturn position for 2018 / 2019 also be noted;
- (iii) That approval be given for £166,400 to be contributed to the IT Fund, with the £66,400 General Revenue Reserve commitment in relation to Housing Software instead being switched to the IT Fund;
- (iv) That approval be given for the contribution to the Cremator Renewals Fund to be increased by an additional £40,000 for the 2018 / 2019 year;
- (v) That a policy be set for an increased contribution to the Cremator Renewals Fund to be considered at each financial year-end outturn, depending on the availability of surplus funds resulting from a favourable variance; and
- (vi) That approval be given for a £100,000 contribution to be made to the Risk Management and Special Projects Fund to support future suitable ‘invest to save’ projects.”

#### A13. Policy on Balloons

The Committee had received a written report by the Assistant Chief Officer (Regeneration) seeking support for a policy on balloons and sky lanterns. However, following brief discussion, it was agreed that consideration of the report should be deferred, in order that further input could be sought from the Isle of Man Coastguard and other emergency services.

Resolved, “That consideration of the report be deferred to the July 2019 meeting of the Committee, at which time the views of the Isle of Man Coastguard and other services could be taken account of.”

**A14. Replacement Vehicles and Plant 2019 – Parks Services (Golf Course Tractor Trailing Mower)**

The Committee considered a written report by the Head of Parks seeking approval for the replacement of the Golf Course tractor trailing mower.

Members were reminded that the vehicle and plant replacement programme was in place to ensure the Council’s continued renewal policy was carried out which, in turn, maintained a safe and sustainable fleet.

It was noted that the plant identified in the report had been evaluated in terms of its current condition and from a future perspective, that was, the likelihood of increased downtime and disruption to the front line service.

Due to the specialist nature and the model of equipment required, it was recommended that Standing Order 146 be invoked to permit non-tendering and therefore early purchase of the equipment, in order to ensure service continuity.

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

(ii) That approval be given for the replacement of vehicle P83, the Golf Course trailing mower, at a cost of £21,500, to be funded from the Plant Renewals Fund; and

(iii) That Standing Order 146 be invoked in order to permit non-tendering, so that early purchase of the equipment could ensure service continuity.”

**A15. 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.”

**A16. 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***

**C17. Referrals from the Regeneration & Community Committee**

The Committee considered the following referral from the minutes of the Regeneration and Community Committee meeting held on Tuesday 18<sup>th</sup> June 2019:

Clause B/C 11 - Kensington Road Sports Ground (Amendment to Lease Terms): the Committee had considered a further request from the Douglas Lawn Tennis Club seeking a change to the terms of the lease for the Sports Ground. It had been noted that, although the Committee had previously agreed to extend the lease from seven years to fifteen years (expiring in 2030), without a minimum twenty-one year lease, the Club would not be eligible for funding from the Lawn Tennis Association to replace the artificial tennis courts. Members had therefore agreed to grant a new twenty-one year lease, with this being conditional on the tenant either being responsible for the remedial works to the cladding on the premises, or for the rental being increased.

The Director of Finance clarified that, although the minute referred from the Regeneration and Community Committee stated that the replacement cladding on the premises had been budgeted for, this was not the case, and therefore the minute would need to be amended accordingly to reflect this before it was presented to the July 2019 Council Meeting.

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

(ii) That it be unanimously agreed that the current lease for the Kensington Road Sports Ground to the Douglas Lawn Tennis Club be replaced with a new twenty-one year lease on the same terms to expire in 2040, subject to the following -

- approval being granted by the Department of Infrastructure for the lease being for a period of twenty-one years, as required under Section 25 of the Local Government Act 1985; and

- a break clause being included in the new lease, to the effect that if the new ‘Astroturf’ surface to the tennis courts was not installed within three years from the commencement of the lease, then the lease would be forfeited;
- (iii) That the Regeneration and Community Committee’s proposal, that the granting of the new twenty-one year lease be conditional upon the tenant either being responsible for the remedial works to the cladding on the premises or for the rental being increased, be not supported; and
- (iv) That the minute referred from the Regeneration and Community Committee meeting be amended to reflect the fact that the replacement cladding on the premises had not been budgeted for by the Council.”

*3 For; 2 Against. Mr Councillor S.R. Pitts and Mr Councillor R.H. McNicholl recorded their vote against resolution (iii) above.*

The Committee rose at 4.05pm.

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

# HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 19<sup>th</sup> June, 2019.

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

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

## REPORT

### **PART A –**

#### ***Matters decided by the Committee***

##### **A1. Apologies for Absence**

Apologies for absence were submitted by Mr Councillor C.L.H. Cain.

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes – 15<sup>th</sup> May, 2019**

The minutes of the meeting held on Wednesday, 15<sup>th</sup> May, 2019, were approved and signed.

##### **A4. Matters arising**

*Clause A9 – Housing Condition and Development Strategy 2019* – The Chair advised that the updated 2019 strategy would be circulated to all Members by way of Briefing Note.

In response to question, the Housing Manager advised that the James Street fire detection and alarm system replacement project commenced on site on 10<sup>th</sup> June, 2019.

##### **A5. Vacant Properties Update**

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

Members noted that as at the end of May 2019 there were eleven vacant properties awaiting attention, of these eleven properties, a number were marked as requiring asbestos surveys. In response to question, the Housing Manager advised that this would be a standard survey done to locate, as far as reasonably practicable, the presence and extent of any suspected asbestos-containing materials which could be damaged or disturbed during normal occupancy, including foreseeable maintenance and installation, and to assess their condition..

The Chair requested that officers look into putting together a Project to undertake thorough asbestos surveys on a percentage of the Council’s social housing stock.

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

##### **A6. Housing Request Refusals**

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) advising on four housing refusals in the previous month.

Appended to the report were anonymised details of each case, together with a copy of the criteria for the allocation of properties. The Committee discussed the particulars of each refusal.

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

- (i) Case one - the deduction of five points from the applicant be approved;
- (ii) Case two – the Committee authorises officers to investigate whether there would be any legal implications following approval of the officer recommendation and that Members be advised of the outcome accordingly;
- (iii) Case three – not to issue a 5 year fixed term tenancy but to continue the existing temporary tenancy pending transfer of the tenant to more appropriate accommodation. Case to be reviewed in six months’ time; and
- (iv) Case four - permission to install a shower be approved.”

#### **A7. Revenue Outturn 2018/19**

The Committee considered a report submitted by the Assistant Chief Officer (Finance) setting out the revenue outturn position for 2018/19.

Appended to the report was a schedule presenting the revenue outturn position across services with explanations provided for significant variances against the approved budget, together with the position on housing reserves. Members noted that the Housing Maintenance was favourable to budget by £41,895, which had been achieved through vacancy savings and added to the Housing Repairs Fund for future use.

The report recommended use of the favourable variance, in the sum of £40,000 for early repayment of loan charges taken for the adoption of Pulrose Road as this would leave the full housing maintenance allowance available for in-year requirements. In response to question, the Assistant Chief Officer (Income) advised that no charges are incurred on the loan and £5000 is paid annually.

The Committee agreed not to accept the proposal as Members felt it could be better spent on responsive repairs.

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

- (i) That the year-end revenue outturn position for 2018/19 be noted; and
- (ii) Officers prepare a report for consideration by the Committee on using the surplus £40,000 from Housing Maintenance for responsive repairs."

#### **A8. Willaston Replacement Paths and Fences – Stage D1**

The Committee considered a report submitted by the Assistant Housing Manager (Capital) setting out the capital housing project for the renewal of paths and fences in the Willaston estate.

The scheme is for the tidying and removal of hedges, removal of dilapidated fencing, repointing and repair of front walls and the replacement of missing gate posts and renewal of gates where necessary.

It is proposed to carry out the scheme over seven phases of work on a total of two-hundred and ninety properties requiring paths and fences and a further one-hundred and twenty properties requiring only new fences as the paths have previously been replaced under a separate scheme. In response to question, The Assistant Chief Officer (Housing and Property) confirmed that works to the perimeter paths would only be undertaken where necessary.

Appended to the officer's report was the Capital Design Stage D1 report detailing the project proposals. Members noted the total capital cost of the project in the sum of £3,649,431.55.

Members discussed the provision of a Tenant Liaison Officer and a Clerk of Works for the project. In response to question, the Assistant Chief Officer (Housing and Property) advised that it would not be suitable to combine the two roles and that it is proposed to employ the Tenant Liaison on a part-time basis.

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

- (i) The Willaston Paths and Fences Capital Design Stage D1 report, as attached at appendix one, be approved;
- (ii) The Capital Design Stage D1 report be submitted to the Department of Infrastructure for concurrence to progress the scheme;
- (iii) Section 3.6 of appendix one be removed before submission to the Department of Infrastructure; and
- (iv) Provision of a full-time Tenant Liaison Officer be included as part of the submission."

#### **A9. Items for Future Consideration**

The Committee noted the monthly report and schedule setting out items which will be brought forward for consideration to future meetings.

Members were advised that item one of the schedule, a review of the criteria for transfers or from waiting lists with a view to standardising allocations would be presented to the July 2019 Committee meeting.

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

#### **A10. Date and Time of Next Meeting**

Members were reminded that the next scheduled meeting was due to take place at 10.30am on Wednesday, 15<sup>th</sup> July, 2019.

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

***PART B –***

***Matters requiring Executive Committee approval***

There were no items requiring Executive Committee approval.

***PART C –***

***Matters requiring Council approval***

There were no items requiring Council approval.

The meeting ended at 12.06pm.

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

# REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Tuesday, 18<sup>th</sup> June, 2019.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Town Clerk (Mr P.E. Cowin), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Housing and Property) (Mr G. Atkin), Head of Parks (Mr D. Hewes), Democratic Services Officer (Mrs D. Atkinson).

## REPORT

### **PART A –**

#### ***Matters delegated to the Committee***

##### **A1. Apologies**

Apologies for absence were submitted by Councillor Ms K. Angela.

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes – 14<sup>th</sup> May 2019**

The minutes of the meeting held on Tuesday, 14<sup>th</sup> May, 2019, were approved and signed.

##### **A4. Matters Arising**

*Clause A4 – Matters Arising, TT and Festival of Motorcycling Site Access* – Members reviewed the logistics of the new Noble’s Park site access used during TT Week. The Head of Parks confirmed that the points had been raised with the Department of Enterprise.

In response to question the Head of Parks assured that if the new site entrance is to be used for the 2019 Festival of Motorcycling, the direction of traffic will be altered to travel clockwise. A clockwise direction will be implemented for all future TT festivals.

Members noted that a briefing note answering questions on the subject raised at the June Council Meeting will be circulated to all Members and Members of Victoria Ward will be notified of the Department’s consultation that took place with the residents in the area.

*Clause B11 – Douglas Borough Cemetery Cottage* – Members were reminded that this item had been withdrawn by the Chair at the June Council Meeting. Officers advised that alternative options are being explored to be reported to the Committee. Members agreed to visit the site on Thursday, 27<sup>th</sup> June at 11.00am.

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

##### **A5. Noble’s Park BMX Track Improvements**

The Committee considered a report submitted by the Head of Parks to progress a request from BMX Isle of Man (the Club) to seek Council assistance to enable improvements to be made to the BMX track at Noble’s Park.

The Head of Parks advised that the Council received a proposal from BMX Isle of Man, supported by the Isle of Man Cycling Association, to seek Council assistance to make improvements to the track to enable United Kingdom BMX events to be held at Noble’s Park. The proposal requested funding from the Council for materials estimated at £7,700 to enable improvement works to be completed and the installation of a starting gate at a cost of £13,000. In return the Club have offered to pay a specialist contractor from the United Kingdom to undertake the works and the Club will maintain the track and surrounds.

The report recommended entering into a user agreement with the Club to formalise the Club’s proposal to undertake maintenance of the track and surrounds and to enable a Manx Lottery Trust application for the purchase and installation of a starting gate. If the grant application fails, it was proposed that the

purchase and installation of a gate be included for consideration as part of the Council's 2020/21 budget.

The report further recommended that the Committee approve the funding of materials from Parks Services revenue budgets to enable the track improvements subject to an agreement being signed by the Club.

Members noted that the user agreement will save the Council approximately 150 hours of labour per year, the monetary value is estimated to be £2,700 per annum.

Members raised concern that the Council had previously made arrangements with the Club and after carrying out extensive works to the track, Club usage had been minimal with no competitions taking place on the land to date. Members requested further information on the new Club structure before agreeing to the additional spends.

The Committee also requested the total expenditure to date on the track.

Resolved, "That particulars of the report and discussion be noted on the minutes and the improvements to the Noble's Park BMX Track be deferred to the July 2019 meeting to provide the Committee with more information on the new Club structure."

**A6. Application by Exchange Events to Hold a Circus in Noble's Park during 2020, 2021 and 2022**

The Committee considered a report submitted by the Head of Parks to progress an application by Exchange Events Limited to hold a circus in Noble's Park during 2020, 2021 and 2022 with dates to be confirmed.

Following the success of the Circus held in Noble's Park during April 2019, the Council has been approached by the organisers with a proposal to hold a circus in Noble's Park during 2020, 2021 and 2022. Members noted that the event proved very successful with positive ticket sales and public feedback.

The report recommended approving the application. The Head of Parks advised that the legal agreement will only be entered into annually and not for the period spanning 3 years as the Council cannot guarantee the Park or the specific area will be available in 2021 and 2022.

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

- (i) The application by Exchange Events Limited to hold a circus in Noble's Park during 2020 be approved with the ground rental period not to exceed 10 days per annum and dates to be confirmed;
- (ii) Subject to the availability of the Park, officers be permitted to enter into a legal agreement to allow Exchange Events Limited to hold a circus in Noble's Park during 2021 and 2022 with the ground rental period not to exceed 10 days per annum and dates to be confirmed;
- (iii) An incremented site rental fee for the event as detailed in the report be charged;
- (iv) A £10,000 refundable deposit be payable in advance;
- (v) The costs applicable to the event, including legal agreements and event reinstatement be charged to Exchange Events Limited;
- (vi) Exchange Events Limited be responsible for ensuring all licences and permissions are valid prior to the event."

**A7. Harris Promenade – Alterations to Marine Garden Number 6 Wall and Proposed Disabled Access Ramp**

The Committee considered a report submitted by the Assistant Chief Officer (Environment) following a request from the Department of Infrastructure (the Department), to alter the Manx stone wall at Marine Garden Number 6 to assist with the Promenade Regeneration Scheme.

Members were advised that an issue had become evident during the on-going construction phase of the tramline relocation concerning the positioning of the new horse tram passing point. The passing point is to be situated between the War Memorial and the Marine Gardens on Harris Promenade. A clear width either side of the horse tram for health and safety reasons is 1.7 metres and where the tram passes the northern section of the Marine Garden wall the distance is less. The Department has advised that the alignment cannot be moved or relocated due to the fixed positioning of road crossing barriers, tramline rail crossovers and adjoining proposed Promenade improvements.

The Department is seeking approval to demolish approximately 8 metres of the landside Manx stone wall and rebuild the wall aesthetically identical approximately 400mm into the gardens. All costs will be funded by the Department. As a gesture of goodwill, the Department has proposed to pay for the design and construction of a compliant ramp to provide disabled access to the garden at this end.

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

- (i) The Department of Infrastructure's request to demolish approximately 8 metres of the Manx stone wall in Marine Garden Number 6 and to rebuild the wall aesthetically identical further into the gardens be approved;
- (ii) The Department of Infrastructure's proposal to install a ramp for disabled access at the north end of Marine Garden Number 6 be approved;
- (iii) A legal document confirming the Council's ownership of the wall excluding the small reclaimed area of highway reverting to Government ownership be drafted;
- (iv) All costs be funded by the Department of Infrastructure."

#### **A8. Items for Future Report**

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

Members requested an update by briefing note on the new post office service at the Henry Bloom Noble Library.

A Member asked officers to investigate if the Council should receive copies of agendas and minutes of Douglas Town Band meetings that Douglas Councillors attend.

Officers advised that a joint meeting of the Environmental Services and Regeneration and Community Committees is to be arranged to consider a report on the Christmas Lights Ceremony. Members agreed to hold the meeting prior to the July Regeneration and Community Committee Meeting commencing at 10.00am.

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

#### **A9. Date and Time of Next Meeting**

Members were reminded that the next scheduled meeting was due to take place immediately after the joint meeting with the Environmental Services Committee on Tuesday, 16<sup>th</sup> July, 2019.

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

### ***PART B –***

#### ***Matters requiring Executive Committee approval***

#### **B10. Noble's Park Off Street Parking Place Order**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to present the draft Off-Street Parking Places Order for Noble's Park.

Members were reminded that the Committee had previously approved a Preliminary Traffic Management and Vehicle Parking Strategy for Noble's Park in an attempt to alleviate the parking of vehicles with no direct connection to the use of the park facilities and to reduce through-traffic attempting to bypass the traffic lights at the St Ninian's crossroads. Following the approval of the Strategy, the Council submitted the document to the Department of Infrastructure for consideration. The Department has subsequently produced a draft Noble's Park Parking Places Order 2019 which was presented to the Committee for comments.

It was noted that the Order will require endorsement by the Attorney General's Chambers. Before the Order can be brought into operation the Council is required to publish a notice in the local press to give the public an opportunity to comment on the proposed Order. Members were also presented with a list of tasks that will need to be undertaken before the Order can come into operation.

It was noted that the Order proposed introducing disc waiting zones for a maximum of 6 hours in the main car park, the Grandstand car park and outside the Pavilion. A proposed £1 fee will be introduced from Monday to Friday in the Paddock area for up to 24 hours for cars, motorcycles and light vans, and £10 for up to 24 hours in the motorhome park unless a motorhome permit has been purchased in advance of parking. The purpose of this fee is to deter the parking of vehicles not utilising the Park's facilities. There will be no charge for weekend parking to ensure park users are not dissuaded from using the park. Similar to the car park orders for Douglas car parks, the fees will be reviewed annually as part of the budget process.

Members noted that the Order may be subject to change during the progression of the tasks to be undertaken.

Resolved, "That particulars of the report and discussion be noted on the minutes and the Draft Noble's Park (Parking Places) Order 2019 be approved in principle and the tariffs in Schedule 2 be referred to the Executive Committee for approval."

***PART B & C –***

***Matters requiring Executive Committee and Council approval***

**B/C11. Kensington Road Sports Ground – Amendment to Lease Term**

The Committee considered a report submitted by Assistant Property Manager (Assets) in response to a further request from the tenant of Kensington Road Sports Ground, Douglas Lawn Tennis Club (the Club), to seek a change to the term of the lease.

Members were reminded that the Committee previously considered a report and agreed to extend the lease term from 7 years to 15 years expiring in 2030. This was to allow the Club to facilitate capital improvements for a new artificial surface to the course. An application for a lease extension was made to the Department of Infrastructure for petition and subsequently approved.

The Club has expressed their dissatisfaction that their request to extend the lease to a minimum of 21 years had not been agreed. The Council at the time advised the Club that 21 years is a significant long-term commitment by the Council and a 15 year lease was viewed as a more reasonable term. The Club has explained that without a minimum 21 year lease the Club will not be eligible for funding to replace the artificial tennis courts (costing approximately £110,000) from the Lawn Tennis Association. Members noted that the current artificial tennis courts have been in place for about 22 years and unlikely to be usable beyond two more years.

The report explained that it is unusual for the Council to enter into a longer lease agreement, the usual lease term within the Council is 7 years. However, as the site is identified in the Draft Area Plan for the East as recreational, it is unlikely to achieve planning permission for any development opportunity outside the criteria of the existing use. Members also noted that outdoor tennis facilities are extremely limited on the island and if the Club does not obtain an extension to the lease in order to improve the facilities they have indicated that they will need to vacate the premises in 2022 which will cause the loss of outdoor Astroturf tennis courts altogether.

Members were advised that the Club continues to keep the clubhouse in good condition and the tenant complies with the lease terms. The Council is currently responsible for the replacement of the cladding to the premises at an estimated cost of £36,000. The report recommended as part of the lease extension that the Club be responsible for the remedial works to the cladding or that the rental be increased to cover the cost of the remedial works.

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

- (i) The current lease for the Kensington Road Sports Ground to the Douglas Lawn Tennis Club be replaced with a new 21 year lease on the same terms, to expire in 2040 subject to Executive Committee approval and Department of Infrastructure approval as required by the Local Government Act 1985 Section 25;
- (ii) A break clause be included in the new lease to the affect that if the new Astroturf surface to the courts is not installed within 3 years from the commencement of the lease that the lease is forfeited;
- (iii) The granting of a new 21 year lease be conditional to the tenant being responsible for the remedial works to the cladding or that the rental be increased to a figure detailed within the report.”

The meeting ended at 11.37am.

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

# ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 17<sup>th</sup> June, 2019.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Environment) (Mr A. Donnelly), Assistant Chief Officer (Income) (Mrs C. Pulman), Dilapidation Enforcement Officer (Mr S. Salter) (Items A12 – A15), Assistant Town Clerk (Mr P.E. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

## REPORT

### **PART A –**

#### ***Matters delegated to the Committee***

##### **A1. Apologies**

No apologies for absence were received.

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes – 13<sup>th</sup> May, 2019**

The minutes of the meeting held on Monday, 13<sup>th</sup> May, 2019 were approved and signed.

##### **A4. Matters Arising**

*Clause A6 Heritage Style Lanterns* – In light of concerns raised at the June 2019 Council meeting the Director of Environment and Regeneration advised that the report considered at the May 2019 Committee meeting, would be brought back to Committee in July for further consideration. Members reaffirmed their previous resolution and agreed that the report should only cover Heritage Style Lighting in Lheannag Park. In response to question, the Director of Environment and Regeneration advised that the heritage style lanterns taken down from Lheannag Park could not be put back in the meantime as most of them had reached the end of their useful life.

*Clause B9 North Quay Christmas Light Switch On Event* – Members were advised that it is intended to call a special joint meeting of the Regeneration and Community Committee and the Environmental Services Committee in July 2019 with a view to progressing the event.

##### **A5. Minutes – 15<sup>th</sup> May, 2019**

The minutes of the reconvened meeting held on Wednesday, 15<sup>th</sup> May, 2019 were approved and signed.

##### **A6. Matters Arising**

*Clause A4 Planning Application 19/00324/B* – A Member opined that the Council's response to the Planning Application had not sufficiently explained all of the Committee's concerns in relation to their objection. The Director of Environment and Regeneration advised that the letter sent to the Planning Department would have reflected the minute from the Committee meeting and agreed to look into the matter.

Members were advised that it is intended to seek an independent review of lighting levels within the Borough following some concerns raised on the LED Lighting. The Committee agreed that the MUA should be approached in the first instance to ascertain if there is anyone on Island who can undertake the survey.

##### **A7. Cycle Parking in Shaw's Brow Car Park**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to set out the proposal to install secure, covered cycle parking in Shaw's Brow Car Park.

Members were advised that as part of the Department of Infrastructure's (the Department) Active Travel Strategy a budget has been created for the provision of suitable cycle storage infrastructure. The Department are willing to work in partnership with the Council by providing two 'Bike Nests' that can accommodate secure parking for twelve cycles.

The Committee noted that it is intended to install the Bike Nests at the Level three entrance into Shaw's Brow Car Park in the two hatched areas which are unsuited to car parking. This area could potentially accommodate up to six Bike Nests without impacting on car park capacity. Cyclists would be required to purchase a universal key to unlock the Bike Nest and would then be required to lock their bicycle individually to the cycle rack within the shelter.

In response to question, the Assistant Chief Officer (Regeneration) advised that the Council would be expected to install the shelters and to look after them.

Members raised concern over the potential ongoing maintenance costs for the Bike Nests. The Assistant Chief Officer (Regeneration) advised that officers anticipate there being minimal maintenance costs, however recognised that as a new initiative it was difficult to quantify costs. It was therefore agreed that the situation be monitored.

Appended to the report was the proposed design. Members requested that a vinyl sticker with the Council crest be put onto the Bike Nest.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the offer to work in partnership with the Department of Infrastructure by accommodating two Lockit Safe Bike Nests on level three of Shaw's Brow Car Park be approved."

#### **A8. Fire and Rescue Service Vehicles – Parking in Douglas**

The Committee considered a report submitted by the Community and Enforcement Manager, following a request received from the Isle of Man Constabulary and the Fire and Rescue Service for the use of Council Car Parking for Fire and Rescue Service liveried cars whilst on call outs or on inspections within Douglas Town Centre.

The report advised that currently the Department of Infrastructure provide parking spaces in the Town Centre for use by Police and Fire and Rescue Service vehicles, generally these spaces are occupied by Police vehicles and not available when Fire and Rescue Service vehicles need them.

In order to ascertain the extent of the problem and to determine the proposal officers had contacted the Fire and Rescue Service for their feedback.

It is proposed to offer use of three external parking spaces at Shaw's Brow Car Park. Members noted that these spaces are currently utilised by Council vehicles and sometimes by contractors, as the spaces do not generate revenue it would be a neutral cost to the Council. The same service could be offered to the Fire and Rescue Service on the basis of;

- 1) The Council collect the registrations of the three designated liveried vehicles and issue a permit clearly identifying the vehicle licence plate on the permit;
- 2) If any of these three car parking spaces are available, the Fire and Rescue Service can park there but must display the permit;
- 3) This is done ad-hoc, first come first served and if there are no spaces then they cannot park for free elsewhere within Shaw's Brow car park;
- 4) The permit issued for the above spaces could also be valid on Levels 1 and 2 in Chester Street car park (maximum three hour stay) (this allows a back-up if the spaces in Shaw's Brow are occupied by Council vehicles);
- 5) The spaces on Levels 1 and 2 are the short stay spaces with a utilisation of approximately 75%, a lower demand than the long stay spaces on other levels;
- 6) The cost for a two hour stay at Chester Street is £2.90 so if two visits per week were made this could be a loss of potential revenue of £5.80 per week. But as there is not 100% utilisation of these spaces it can be argued that this would in fact be cost neutral to the Council with no potential loss of revenue.

Members raised concern over a potential loss of productivity to the Council should Council vehicles be unable to park in the spaces on a frequent basis. The Assistant Chief Officer (Regeneration) advised that it is being proposed as a trial so that any unintended consequences can be assessed.

Resolved, "That particulars of the report and discussion be noted on the minutes and approval be given to the use of Council car parking spaces, as per the terms set out in items 1 – 6, for Fire and Rescue Service Liveried cars on a six month trial basis so that any unintended consequences can be assessed."

#### **A9. Armed Forces Day – Parking in Chester Street Car Park**

The Committee considered a report submitted by the Community and Enforcement Manager, following a request received from the Armed Forces Day Committee for free parking in Chester Street Car Park for invited veterans attending the Armed Forces Day in Douglas on Sunday, 30<sup>th</sup> June, 2019.

The report advised that parking for the event will be by invitation only, to approximately forty veterans and it is intended to issue each person with a 'Veterans Parking Permit' together with a formal invitation letter.

The Committee noted that the request has arisen following the introduction of the £2 flat tariff for all day parking on a Sunday.

Resolved, "That particulars of the report be noted on the minutes and that free parking, on an exceptional basis, for invited veterans to attend the Armed Forces Day event in Douglas on Sunday, 30<sup>th</sup> June, 2019, be approved."

#### **A10. Love Where you Live Campaign**

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager to provide an update on the Love Where You Live Campaign.

Members were reminded that the 'Love Where You Live' (LWYL) campaign was adopted by the Council in June 2017 as an alternative to the annual Big Tidy Up event. The initial event was a success and a number of tidy ups took place in various areas, the Committee noted that since March 2018, no further LWYL events have taken place.

The report advised that there does not appear to be a big appetite for individuals to organise 'clean up' type community events and as such it is proposed to engage with Beach Buddies with the aim of jointly hosting events in the Borough, where the Council assists with promotion, equipment and material collection.

Resolved, "That particulars of the report be noted on the minutes and that approval be given for officers to meet with Beach Buddies, in order to seek agreement to jointly organise litter picks as follows;

- (i) Parties enter agreement to stage a minimum of two events per year, including a schools litter pick and at least one in the wider community;
- (ii) The Council pledges to support the joint venture with on-line promotions and the supply of equipment and consumables; and
- (iii) The Council will provide resources to collect waste and where applicable the separation of recyclables for processing."

#### **A11. Beach Groyne Installation**

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager to update on the outcome of the reinstatement of one set of groynes using recycled timber and to set out recommendations for a long term strategy.

Following repair of the groyne set the beach was monitored over a twelve month period to determine whether the repair has had a positive, negative or neutral effect on the beach topography.

During the twelve months measurements have been taken on levels of both faces of the groynes on a three monthly basis. Set out within the report were a series of diagrams and photographs demonstrating sand levels around the groyne formation, summer and winter profiles of the beach and the composition of the beach.

Officers concluded that there appears to be very little evidence in support of the prevalence of long shore drift and the absence of any lateral sediment movement which renders the groyne sets redundant.

The report advised that Captain Carter had been contacted in order to gain a local opinion on what impact the Battery Pier revetment works had on wave dynamic. No written submission had yet been received.

Members were reminded that a report had been commissioned in 2016 from JBA Consulting in relation to beach management, particularly the removal of seaweed. As an addendum to the report they recommended giving serious consideration to the removal of groynes. The officer's report set out a number of options for the Committee to consider;

- Determine the risk (of removal) is too great and continue the programme of maintaining the groynes;
- Accept the report recommendation of JBA Consulting (2016) and remove all groynes;
- Commission a further report looking exclusively at the efficacy of the groynes. Previous reports have tended to focus on the seaweed problem

The Director of Environment and Regeneration advised that an approach has been made to the Department of Environment, Food and Agriculture seeking a copy of a report it commissioned in relation to whey discharge as information relating to sand levels may assist the Committee in making their determination.

The Committee agreed that there was insufficient evidence available to Members in order that a decision on removing, maintaining or reinstating the groynes be made at this time.

Resolved unanimously, "That a decision on the item be deferred until a written submission from Captain Carter, and if agreeable to DEFA, its report on Whey Discharge has been received."

#### **Attendance**

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

#### **A12. Planning Application 19/00474/B – Bake-house and Garage, Grosvenor Road**

The Committee considered planning application 19/00474/B for demolition of the existing building and erection of four dwellings with associated parking at the former Bake-house and Garage on Grosvenor Road, Douglas.

Members were advised that the applicant had submitted amended plans showing sufficient provision for both bin and bicycle stores following comment provided to the Planning Department by a Council officer. A Member opined that provision for the bicycle store was insufficient.

The Committee discussed the provision of bicycle storage. Members were advised by the Dilapidation Enforcement Officer that a written statement had been received from the Planning Department advising that for a private residential dwelling the provision for bicycle storage should only be a recommendation and not a condition. It was noted that the Planning Department would not refuse an application on these grounds.

A Member drew the Committee's attention to a neighbouring Council property and raised concern that if the proposal is approved, there would not be sufficient space for maintenance. It was suggested that an objection be raised but withdrawn should the applicant demonstrate adequate space

Members were reminded of the Council's remit as a consultee and advised that any objection must be made on legitimate planning grounds.

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

- (i) As the application appears to comply with the relevant policies of the Isle of Man Strategic Plan 2016 the Council supports application 19/00474/B;
- (ii) That the following comment be forward to the Planning Committee;
  - (a) The Council is concerned over the suitability of the bicycle store provision;
  - (b) The Council asks that the applicant be asked to demonstrate that there is adequate space available for maintenance of the adjacent Council Property and in particular the roof; and
  - (c) The Council asks that the Planning Department note that the plans submitted by the applicant are incorrect in terms of roof levels and that there is a telegraph pole in the rear lane which has been omitted from the plans."

For: 3 Against: 2

Mr Councillor R.H. McNicholl and Mr Councillor A.J. Bentley asked that their names be recorded as voting against the resolution.

#### **A12. Planning Application 19/00481/B – 34 Woodbourne Road**

The Committee considered planning application 19/00481/B for the alterations, demolition of the existing rear extension and the erection of a two storey rear extension with basement parking in association with planning applications 19/00482/CON and 19/00471/C for the change in use of part of the ground floor from residential accommodation to a shop (Class 1) and professional/medical use at 34 Woodbourne road, Douglas.

The report recommended that no objection be raised to the application but that the Council request that the applicant give consideration to the inclusion of an area for recycling receptacles within the curtilage of the property and also requests that an area is created within the garage for the secure storage of bicycles.

A Member opined that there was insufficient detail within the submitted plans in order to determine whether the intended use of the property was a HMO, flat or private dwelling, in response the Dilapidation Enforcement Officer advised that the Planning Department are treating the application as a private dwelling as that is what the applicant has stated.

Resolved unanimously, "That an objection be raised to planning applications 19/00481/B and 19/00482/CON on the grounds that the detail of the proposals do not clearly identify the intended nature/use of the property."

**A13. Planning Application 19/00554/B – 8 Clifton Terrace**

The Committee considered planning application 19/00554/B for the conversion of a guest house into a multiple occupancy (HMO) containing twelve bedrooms at 8 Clifton Terrace, Douglas.

The proposal is to make only internal alterations to the property by reducing the number of ensuite bedrooms from fourteen to twelve, the plans clearly show an area within the property for the storage of 19 bicycles to be accessed from the rear yard.

The report advised that the Planning Department and the Environmental Health Officer responsible for the registration of flats and HMO's have been contacted and in their opinion the design and access arrangements for the bicycle store and storage of prams is sufficient.

A Member raised concern about the level of lighting in the rear lane of the property in relation to the collection of domestic waste.

Resolved, "That particulars of the report be noted on the minutes and that the Council supports planning application 19/00554/B and requests that the applicant gives consideration to adding receptacles for the recycling of waste materials within the rear yard of the property, considers adding PIR lighting to the rear lane of the property for safety purposes and clarifies whether the back wall of the property is to be removed or remain in situ."

**A14. Planning Application 19/00546/B – Westminster Drive Lane**

The Committee considered planning application 19/00546/B for the erection of a detached dwelling with associated parking at the land off the lane at the rear of Westminster Drive, Douglas.

The report advised that the application site is a parcel of land to the rear of 15 Westminster Drive which is located to the south-eastern side of Westminster Drive, behind the dwellings and to the north-west of Ballakermeen High School. The proposal is for the erection of a detached two bedroom dormer bungalow with parking for two vehicles. Plans for the site were circulated by the Dilapidation Enforcement Officer.

A Member expressed concern that, if approved, a precedent for the area may be set for similar applications. The Dilapidation Enforcement Officer advised that the neighbouring properties do not have sufficient space to accommodate a proposal of the same nature.

Resolved, "That particulars of the report and discussion be noted on the minutes and having considered the improvement in the design of the proposed dwelling along with the reduction in the property's footprint, the addition of outdoor amenities, car parking and adequate space being available on the decked area to the rear of the property for bin storage and cycles storage no objection be raised to the planning application."

**A15. Schedule of Neglected, Dilapidated, Ruinous and Dangerous Properties**

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

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

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

**A16. Items for Future Consideration**

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

Item 2 – Extension of Wayleave for discharge of Whey into Douglas Bay – The Director of Environment and Regeneration advised that discussions with the Manx Utilities Authority were ongoing and that following legal advice received a Briefing Note would be prepared to update Members.

The Director of Environment and Regeneration advised that a request had been received from a Member for a review of the bye-law for allowing dogs on Douglas Beach and advised that a report would be presented to Committee accordingly.

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

**A17. Date and Time of Next Meeting**

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Monday, 15<sup>th</sup> July, 2019.

Councillor Miss N.A. Byron asked that her apologies be given for the meeting.

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

***PART B –***

***Matters requiring Executive Committee approval***

There were no matters requiring Executive Committee approval.

***PART C –***

***Matters requiring Council approval***

There were no matters requiring Council approval.

The meeting ended at 1.30pm.