



## Borough of Douglas

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**MR COUNCILLOR JONATHAN JOUGHIN, JP  
MAYOR**

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Town Hall,

Douglas,

7<sup>th</sup> February, 2020

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 12th day of FEBRUARY, 2020, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the TOWN HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

Town Clerk & Chief Executive

# Order of Agenda

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

II - Any statutory business.

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

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

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

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

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

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

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

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

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

# AGENDA

III – Chief Executive to read minutes of the Council Meeting held on Wednesday, 8<sup>th</sup> January, 2020, and the Special Council Meeting held on Wednesday, 29<sup>th</sup> January, 2020.

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

## EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 31<sup>st</sup> January, 2020.

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

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr A.J.T. Boyd), Director of Environment and Regeneration (Mrs D. Eynon), Assistant Town Clerk (Mr P.E. Cowin) (for Clauses A11 and C15), Executive Officer (Mrs J.M. Keig) (taking minutes).

### REPORT

#### **PART A –**

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

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

Apologies for absence were submitted on behalf of Mr Councillor S.R. Pitts; and the Director of Housing and Property (Mr D. Looney).

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

No declarations of interest were submitted.

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

The minutes of the meeting held on Wednesday 18<sup>th</sup> December 2019, and the Special Budget Meeting held on Thursday 16<sup>th</sup> January 2020 were approved and signed.

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

#### **Minutes of meeting, 16<sup>th</sup> January 2020 -**

Clause 7.2(c) - Shaw's Brow Car Park: following approval for a further four spaces on level 1 to be made available for use by officers other than during Council Meetings, it was agreed that this restriction should also apply on any occasion when a Joint Committee Meeting was taking place; or when any group of Members were attending at the Town Hall.

Resolved, "That particulars be noted on the minutes and that the proposed additional restriction be approved accordingly."

Clause 7.3(i) – Finch Hill Tennis Pavilion: that it be re-affirmed that the provision of £35,000, for the replacement of the cladding, be made available subject to the Club entering into a twenty-one year lease.

Resolved, "That particulars be noted on the minutes and that a further report be submitted to the Regeneration and Community Committee."

##### **A5. Referrals from the Environmental Services Committee – January 2020**

There were no referrals from the minutes of the Environmental Services Committee meeting held on Monday 13<sup>th</sup> January 2020.

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

##### **A6. Referrals from the Regeneration & Community Committee – January 2020**

There were no referrals from the minutes of the Regeneration and Community Committee meeting held on Tuesday 14<sup>th</sup> January 2020.

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

#### A7. **Enforcement Policy – Abandoned Vehicles on a Highway**

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

The Council was able to take enforcement action within its own specified car parking places under the powers provided by the Borough of Douglas Off-Street Parking Places Order 2018. The proposed new policy would be implemented within those specified parking areas, creating a uniform approach by the Council to deal with all incidents where vehicles were assessed as being abandoned. The procedure would also enable, where necessary, for a check to be in place for progressing vehicle removal.

It was noted that no enforcement action could be taken in respect of public spaces and public highways, as the Council did not have delegated powers to deal with abandoned vehicles in areas not covered by the Borough of Douglas Off-Street Parking Places Order. Members therefore requested that an approach be made to the Department of Infrastructure, seeking an amendment to the Road Traffic Regulation Act, that would give the Council the power to assess a vehicle in a public space or on a public highway to establish whether or not it was classed as abandoned and, as per the proposed policy, enable, where necessary, for a check to be in place for progressing removal of the vehicle.

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

- (ii) That the proposed new policy be approved and implemented with immediate effect within the specified car parking places provided by the Borough of Douglas Off-Street Parking Places Order 2018; and
- (iii) That an approach be made to the Department of Infrastructure with a view to seeking an amendment to the Road Traffic Regulation Act, to give the Council the power to assess a vehicle in a public space or on a public highway, to establish whether or not it was classed as abandoned and to enable, where necessary, for a check to be in place for progressing the removal of the vehicle.”

#### A8. **Town and Country Planning (Permitted Development) (Temporary Use or Development) Order 2015**

The Committee considered a written report by the Assistant Chief Officer (Regeneration) in relation to the implications of the Town and Country Planning (Permitted Development) (Temporary Use or Development) Order 2015 on the Council.

At the Executive Committee meeting on 18<sup>th</sup> December 2019, during consideration of a report in relation to events in the Council’s Parks, Members had raised concern about the implications of the Order and, in particular, its impact on events being held in Noble’s Park. The purpose of the Permitted Development Order was to exempt certain developments - those which were temporary in nature - from the requirement for planning consent, and Members accordingly noted the types of developments that were included within the Order, particularly the following:-

- *Class B – the use of land and the erection of associated temporary structures for events such as markets, car boot sales, certain motorsport events, fêtes, fairs, festivals, agricultural shows, or similar:*

the development rights applied for up to twelve days per year only, and then only for three consecutive days (with seven days permitted prior to the event for erection and set up of structures; and seven days following the event for dismantling and removal of structures).

- *Class D - safety works in connection with the T.T. and Festival of Motorcycling:*

the provisions specifically included parts of Noble’s Park during the two motorsport festivals (although the temporary structures erected in the wider area of Noble’s Park and the Bottleneck Car Park during the festivals had secured specific on-going consent).

The Director of Planning and Building Control at the Department of Environment, Food and Agriculture had advised that any proposed amendments to the Order - that would result in the permitted development rights for any events expanding because of the potential impact it could have around the Island - would not be supported. Notwithstanding this, the suggestion had been forthcoming that the Council and the Department could discuss the potential for a planning application for Noble’s Park to cover numerous events of a similar nature.

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

- (ii) That officers be instructed to pursue discussions with the Department of the Environment, Food and Agriculture regarding large events in Noble’s Park, and to submit a planning application for such if feedback from the planning authority suggested it may be feasible as a means to supplement and extend the current permitted development rights available under the Town and Country Planning (Permitted Development) (Temporary Use or Development) Order 2015.”

#### **A9. Converting Chester Street Car Park to Long-Stay**

The Committee considered a written report by the Assistant Chief Officer (Regeneration) seeking agreement for the three-hour maximum duration of stay on levels 1 and 2 of the Chester Street Car Park to be increased to twenty-four hours (in line with the remaining public levels) in order to encourage and enable more use of the car park by commuters.

It was noted that the recent trend had been for increased demand for long-stay parking and a decreased demand for short-stay parking. In the Chester Street Car Park, this trend had been further stimulated by the temporary introduction of free short-stay parking on the Loch Promenade Walkway during the Promenade refurbishment works, with levels 1 and 2 not currently being well used, while the long-stay levels were demonstrating demand for longer stay spaces.

The intention of providing short-stay car parking was to enable visitors to the Town Centre to park for a relatively short period, such as for shopping, rather than for commuters, who parked all day whilst at work. Therefore, the Drumgold Street Car Park would remain short-stay as it currently had capacity available (apart from peak periods, such as at Christmas).

It was also noted that four Electric Vehicle (EV) charging points were located on level 2 of the Chester Street Car Park. Currently, their maximum use was therefore three hours, ensuring that they were available to different EV drivers. By making level 2 long-stay, this would allow commuters to park all day in the EV spaces, limiting use of the charging points to only four users per day. Therefore, it was recommended that the maximum stay for the EV charging spaces be set at four hours.

If approved, the Department of Infrastructure as owner of the car park would be advised of the change – it was noted that, while the Council operated the car park under the terms of a licence agreement with the Department, the agreement did not stipulate that the car park operator must provide short-stay parking.

Amendments to the conditions for parking in the Chester Street Car Park were already being drafted for incorporation into the Borough of Douglas Off-Street Parking Places Order, and the proposed changes (as set out above) would be included accordingly. In future, if it was found that there was a shortage of short-stay parking within Douglas, it would be relatively straightforward to revert levels 1 and 2 back to short-stay.

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

(ii) That the following be approved with effect from 1<sup>st</sup> April 2020 -

- The three-hour maximum duration of stays on Levels 1 and 2 of the Chester Street Car Park be increased to twenty-four hours in line with the remaining public levels; and
- The maximum stay for the Electric Vehicle charging spaces be increased to four hours.”

#### **A10. 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.”

#### **A11. Members’ Privilege**

The Committee considered a written report by the Assistant Town Clerk in relation to a Member’s Question to Council on 13<sup>th</sup> November 2019, which sought to identify what protection was available to, and in place for, Members of the Council in relation to Parliamentary Privilege.

It was noted that Parliamentary Privilege (absolute privilege) applied to Members of the UK Parliament and a number of other national parliaments which had adopted similar protection for Members whereby, under common law, they may not be subject to prosecution for civil or criminal acts or statements made within parliamentary proceedings.

This did not apply to local authorities in the UK or the Isle of Man. Members did not therefore benefit from Parliamentary Privilege / absolute privilege within the proceedings of Council and were therefore responsible for their own words and deeds. It was noted that Members could, however, be covered by qualified privilege. Qualified privilege would have to be proved, but issues such as whether what had been said and whether the person had believed that what they were saying to be true, would be taken into account.

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

(ii) That the matter of privilege for Council Members be included in the induction of new Members after the General Election of Councillors scheduled for Thursday 23<sup>rd</sup> April 2020; and

(iii) That in the meantime, the Chief Executive circulate a Briefing Note to all Members on the issue of privilege and qualified privilege.”

#### A12. **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***

#### C13. **2020 Election of Councillors**

The Committee considered a written report by the Assistant Town Clerk in relation to the General Election of Councillors, scheduled to take place on Thursday 23<sup>rd</sup> April 2020.

Members noted the provisions of Section 2 of the Local Elections Act 1986 in relation to the Appointment of Returning Officers. In the case of the General Election of Councillors, as would be taking place on 23<sup>rd</sup> April 2020, the Worshipful the Mayor was constrained in acting as Returning Officer because of the likelihood of his being nominated or supporting a candidate. It would therefore be necessary for the Council to appoint an alternative, and it was recommended that the Chief Executive be appointed accordingly.

Members also noted the provisions of Standing Order 8, in relation to the Special Council Meeting for the Election of Leader, Chairs, and Members of Committees. The date for the meeting had been provisionally scheduled for Wednesday 6<sup>th</sup> May 2020, and it was recommended that this date be confirmed.

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

- (ii) That the Chief Executive be appointed Returning Officer for the Election of Councillors on Thursday 23<sup>rd</sup> April 2020; and
- (iii) That Wednesday 6<sup>th</sup> May 2020 be confirmed as the date for the Special Council Meeting for the appointment of Leader, Chairs, and Members of Committees."

*[On a vote being taken in relation to recommendation (ii), Members voted 3 For; 1 Against. Mr Councillor R.H. McNicholl requested his vote against the resolution to be recorded on the minutes.]*

#### C14. **Monthly Financial Review – December 2019**

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

Members' attention was particularly drawn to the following:-

- The Hearings of the Rent and Rating Appeal Commissioners to consider the application of rates rebates in respect of properties impacted by the Douglas Promenade works had been conducted during December 2019, and during the Hearings, it had been stated that the concerns of the Council in respect of the potential loss of rates revenue (if rates were reduced) was a matter for the Council to take up with Central Government. It was therefore proposed that formal representation be made to the Treasury Minister, with a request that the powers under Section 63A of the Rating and Valuation Act 1953 be invoked, in order to establish a 'rebate scheme' with grant payable to the Council.
- Following agreement at the Special Budget meeting of the Executive Committee on 16<sup>th</sup> January 2020, that details of approved virements be included within the Monthly Financial Report, the Director of Finance had undertaken a review of the Council's Financial Regulations. Members accordingly considered proposed amendments to the sections dealing with virements (F18, F18A, F18B, F18C, F18D, and F18E); together with proposed amendments governing employee settlement payments (F21A).
- In relation to a dilapidated property, Members noted the sundry debtor recovery position and the actions that were being taken.

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

- (ii) That the Director of Finance continue to report write-offs to the Committee on an annual basis;
- (iii) That the proposed letter (as amended at the meeting) from the Leader of the Council to The Treasury Minister, requesting that the powers under the Rating and Valuation Act 1953 be used

to establish a rebate scheme in respect of properties adversely affected by the Promenade Scheme works, with grant payable to the Council, be approved and sent accordingly; and

(iv) That it be recommended to Council that the amended sections of the Council's Financial Regulations, dealing with virements and confidential payments, be approved for inclusion in the wider changes to the Constitution for implementation as of 1<sup>st</sup> April 2020, subject to the following further amendments:-

- Financial Regulation 18 – that the amount of any single virement for a single scheme or project be reduced from £14,000 to £10,000; and
- Financial Regulation F21A – that the Chief Executive have delegated authority to approve agreements to settle employment disputes up to the limit referred to in Financial Regulation 21 (presently £21,000), and that it be the general policy of the Council that no settlement payment over that limit shall be made without the prior approval of the Executive Committee. Where this was not practical due to urgency or due to the highly confidential and sensitive nature of a payment, then the Urgent Business Procedure should apply. Any payment between £10,000 and £21,000 should be subject to a report, to inform Committee.”

#### C15. Review of the Council's Constitution

The Committee considered a written report by the Assistant Town Clerk in relation to proposed revisions to the Council's Constitution in preparation for the changes in Membership to take effect from the General Election of Councillors in April 2020.

Ahead of the number of Members of the Council reducing to twelve in 2020, consideration had been given at the Committee's meeting on 29<sup>th</sup> November 2019 to the Committee Structure and the number of Memberships that each Councillor would hold. In addition to the changes already agreed at that meeting, two further changes to the Committee Structure and the Scheme of Delegation had since been proposed as follows:

- To transfer the responsibilities of the Property Service from the Regeneration and Community Committee to the Housing Committee (to become the Housing and Property Committee); and
- To transfer the Town Centre Management Service from the Executive Committee to the Regeneration and Community Committee (under which Town Centre Regeneration already fell).

The following Parts of the Constitution had all been examined in detail:

- Part 1 - Summary and Explanation;
- Part 2 - Articles of the Constitution;
- Part 3 - Responsibility for Functions and Scheme and Delegation;
- Part 4 - Rules of Procedure

and Members accordingly considered the proposed changes (as set out in the Appendices to the Report).

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

(ii) That it be recommended to Council:-

(a) that the amendments to Parts 1, 2, 3, and 4 of the Constitution, as detailed in the appendices to the Report, be approved to take effect from 24<sup>th</sup> April 2020, subject to the following further amendments:-

- Standing Order 90 – Meetings of Committees:
  - that the commencement time of the three Standing Committees (that was, the Environmental Services Committee, the Regeneration and Community Committee, and the Housing and Property Committee) be set as 10.00am,
  - that the commencement time of all meetings of the Pensions Committee be set as 10.30am,

[the commencement time of the Executive Committee to remain unchanged as 2.00pm];

- Part 2, Article 6 – The Executive:
  - that a Deputy Leader be appointed, this to be the Vice-Chair of the Executive Committee, but that not all of the restrictions applying to the Leader to apply in the case of a Deputy Leader (these to be further considered accordingly);
- Part 3 – Responsibility for Functions and Scheme of Delegation - Executive Committee / Risk Management Function:

- that the reference to “Assistant Chief Officer” be deleted;
- (b) that the Chief Executive continue to be authorised to make any ancillary, incidental, and typographical changes to these Parts, and to the remaining elements of the Constitution;
- (c) that the further changes to the Committee Structure (as set out above) be approved, with the relevant changes being made to the Constitution accordingly; and
- (d) that the Committee and Council resolve, under the powers of Section 17 of the Local Government Act 1985, to reaffirm and approve as amended (and as detailed in appendix B to the Report), those of its functions that the appointed Committees and officers may discharge on behalf of the Council, as set out in Part 3 of the Constitution, ‘Responsibility for Functions and Scheme of Delegation’.

The Committee rose at 6.10pm.

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

# STANDARDS COMMITTEE

STANDARDS COMMITTEE – Minutes of Meeting held on Monday, 20<sup>th</sup> January, 2020.

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

In Attendance: Chief Executive (Miss K. Rice) (Items A1 and A2), Assistant Town Clerk (Mr P. Cowin), Democratic Services Officer (Mrs D. Atkinson).

## REPORT

### ***PART A –***

#### ***Matters within the scope of the Committee’s delegated authority***

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

Mr D. Booth, Independent Member, submitted apologies for absence. Councillor Miss N.A. Byron submitted apologies for late attendance.

##### **A2. Minutes – 5<sup>th</sup> November, 2019**

The minutes of the meeting held Monday, 5<sup>th</sup> November, 2019, were approved and signed.

##### **A3. Review of Standards Committee Handbook**

The Committee undertook a detailed review of the Standards Committee Handbook.

It was agreed to continue the review at a meeting to be held on Monday, 27<sup>th</sup> January, 2020 commencing at 10.00am.

### ***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 1.10pm.

## STANDARDS COMMITTEE

STANDARDS COMMITTEE – Minutes of Meeting held on Monday, 27<sup>th</sup> January, 2020.

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

In Attendance: Assistant Town Clerk (Mr P. Cowin) (from 10.00am to 10.30am and 11.45am to 4.10pm), Democratic Services Officer (Mrs D. Atkinson).

### REPORT

#### **PART A –**

##### ***Matters within the scope of the Committee's delegated authority***

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

Councillor Miss N.A. Byron submitted apologies for absence.

#### **A2. Minutes – 20<sup>th</sup> January, 2020**

The minutes of the meeting held Monday, 20<sup>th</sup> January, 2020, were approved and signed.

#### **A3. Review of Members' Interests Register**

In line with the Standards Committee Handbook, the Standards Committee is responsible for annually reviewing the Members' Interests Register. The Assistant Town Clerk circulated a summary of the Register to the Committee.

Resolved, "That the Members' Interests Register be updated and reviewed at the next meeting of the Committee."

#### **A4. Induction Process for New Members**

The Committee requested an item on the agenda to consider topics for inclusion in the induction process for new Members. Officers presented the Committee with a list of suggested topics for consideration.

Resolved, "That the list of topics for inclusion in the Member induction process be noted and circulated to Members that have joined the Council during the current term seeking their comments."

#### **A5. Date and Time of Next Meeting**

The next meeting of the Committee was scheduled for Monday, 24<sup>th</sup> February, 2020 commencing at 10.00am.

#### **PART B –**

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

There were no items requiring Executive Committee approval.

#### **PART C –**

##### ***Matters requiring Council approval***

#### **C6. Review of Standards Committee Handbook**

The Committee continued the detailed review of the Standards Committee Handbook.

It was noted that the proposed changes to the Standards Committee Handbook will require Council approval at the February Council Meeting.

During the review, the Committee adjourned for lunch at 1.10pm and resumed at 2.15pm.

Resolved, "That the proposed changes to the Standards Committee Handbook be incorporated and circulated to all Council Members for approval at the February Council Meeting."

The meeting ended at 4.10pm.

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

# EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE – Minutes of Meeting held on Wednesday, 22<sup>nd</sup> January, 2020.

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

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

In Attendance: Mr P.E. Cowin (Secretary), Mrs D. Atkinson (Democratic Services Officer), Mr M. Quayle (Accountancy Manager), Mr J. Quayle (Department of Infrastructure Representative), Mr S.A. Crook (Operational Contractor's Representative) (2.05 – 2.25pm) (Item A2 only).

## REPORT

### **PART A –**

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

##### **A1. Minutes – Thursday 28<sup>th</sup> November, 2019**

Noted and approved as a correct record.

##### **A2. Contractor's Report**

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

Some issues had arisen with parking on the Site, and Mr Crook agreed at the request of Members to review the barriers placed outside the Re-Use Shed.

In relation to cardboard, Mr Crook advised that disposal through other processors had become cost-negative so it was being taken to the Council's processing plant at Ballacottier at no cost to the Joint Committee. The benefit of reducing the tonnage subject to fees at the Energy from Waste Plant gate fees was still being realised.

The milk carton recycling container trial was still ongoing and it was intended to extend it while reviewing whether Civic Amenity sites were the most appropriate locations.

Recovery of reusable items from the main skips was being managed according to circumstances and availability of staff.

Incidents on the Site had been recorded. There had been one case of damage caused to the Shed by the excavator, which the Contractor had repaired. Otherwise a number of incidents of abuse of staff, breach of site rules, parking and related issues.

The report included quarterly statistics for the respective waste types processed through the Site to the end of December, 2019. There appeared to be no trend sufficient to cause concern.

A Member queried how many staff were on the Site at any one time and how many days each worked; Mr Crook confirmed that normally there were three staff, with one additional brought in as required. Hours worked varied because of the need for cover for the opening hours of the Site. The Secretary confirmed that minimum staffing levels had been fixed by the Joint Committee in specifying the current contract, and they were being met.

**Decision:** Report noted.

##### **A3. Vehicle and Plant**

Mr Donnelly had circulated a further addendum report to the report on vehicles and plant considered at the last meeting and deferred. Tenders had been invited for provision of a suitable vehicle and driver for removal and emptying of skips with only one compliant tender returned.

The condition of the current vehicle had also been reviewed and a number of significant defects identified. It was noted that most of these defects could be dealt with at a cost, and without guarantee that because of the age of the vehicle there would not be a catastrophic failure at some point in the future, which might have an adverse effect on the Site and need urgent funding to deal with.

The cost of replacing the vehicle with new would be in the region of £90,000. Members asked that given the short duration of the current operational contract a refurbished vehicle be considered.

There was some discussion of the alternatives identified with the conclusion that in the short term the current vehicle should be kept in use pending the tender exercise being repeated and more detailed costs being identified for new and refurbished replacements.

**It was agreed:** That the contract be re-tendered, that the costs of hire of vehicle only be reviewed, and that further costs be obtained for purchase of new and refurbished vehicles.

#### A4. CCTV

Further consideration was given to the proposed upgrading of CCTV coverage on the Site. Members were reluctant to incur expenditure at present because of the uncertainty of the future of the Site.

**It was agreed:** To defer consideration.

#### A5. Lease and Extension of Current Site/Procurement of Alternative Site

Secretary advised that although he had been in contact with the owner of the current Site, he had not yet been able to finalise the rental costs of the Joint Committee taking a lease on expiry of the current one, nor of the costs of extension onto the adjoining plot. He was directed to pursue the enquiries, and to ask the owner if there was a willingness to sell the Site rather than lease.

The purchase of a plot from a developer, with it being developed on a turnkey basis had already been explored and costs were clearer, with the benefit of future ownership of the Site. There was discussion over the comparative benefits of ownership as against leasing, and whether the Joint Committee as a body could incur capital expense.

There was recognition that whichever option was chosen the Authorities would be committing collectively to considerable expense.

**It was agreed:**

- (1) That the officers prepare a report setting out the options and costs for purchase and development of a new Site at the Joint Committee's preferred location;
- (2) That the Secretary press the owner of the current Site for comparative costs for the current Site for comparison; and
- (3) That once completed, the officers' report be circulated in draft to the Members of the Joint Committee, prior to formal consideration and onward transmission to the respective Authorities for approval.

#### A6. Next Meeting

Wednesday 26<sup>th</sup> February, at 2.00pm.

The meeting ended at 4.25pm.

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

# HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 15<sup>th</sup> January, 2020.

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

In Attendance: Director of Housing and Property (Mr D. Looney), 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. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

## REPORT

### **PART A –**

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

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

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

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

There were no Declarations of Interest.

##### **A3. Minutes – 18<sup>th</sup> December, 2019**

The minutes of the meeting held on Wednesday, 18<sup>th</sup> December, 2019, were approved and signed.

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

No issues were raised as arising from the minutes.

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

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

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

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

The report advised that eleven properties had been returned during the month of December 2019, eight of which are ready for reallocation.

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

##### **A6. 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.”

##### **A7. Date and Time of Next Meeting**

Members were reminded that the next scheduled meeting was due to take place at 10.30am on Wednesday, 19<sup>th</sup> February, 2020.

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

### **PART B –**

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

There were no matters requiring Executive Committee approval.

### **PART C –**

#### ***Matters requiring Council approval***

There were no matters requiring Council approval.

The meeting ended at 11.49am.

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, 14<sup>th</sup> January, 2020.

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

In Attendance: Director of Environment & 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), Head of Parks (Mr D. Hewes), Assistant Democratic Services Officer (Miss C. Cullen).

## REPORT

### **PART A –**

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

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

Apologies for absence were submitted by Councillor Mrs H. Callow and Councillor Miss D.A.M. Pitts.

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

There were no declarations of interest in the public minutes.

##### **A3. Minutes – 17<sup>th</sup> December, 2019**

The minutes of the meeting held Tuesday, 17<sup>th</sup> December, 2019 were approved and signed.

##### **A4. Matters arising from the Minutes**

*Clause A5 – 2019 November Events* – Members discussed the comments arising from the January 2020 Council meeting concerning a Member’s suggestion to hold a number of smaller events in the Town Centre as opposed to the main switch on ceremony, noting that the event would be the subject of a further report to Committee.

*Clause A6 – Douglas Town Band* – Members recalled the comments raised at the January 2020 Council meeting expressing the view that at least one Borough Council Member remain appointed to the Town Band Committee, noting that the appointment was yet to be reviewed by the Committee.

##### **A5. Hospice Chat Bench**

The Committee considered a report submitted by the Head of Parks to advise on a proposal received from Hospice Isle of Man seeking Council support for the implementation of the ‘Happy to Chat’ initiative in Douglas.

The report advised that the ‘Happy to Chat’ initiative had been launched by the UK Charity, Senior Citizens Liaison Team during June 2019, the ‘Chat Bench’ concept is to place a sign on a bench, typically within a park or Town Centre to encourage those using the bench to speak to one another, the sign on the bench is intended to break down the invisible social barriers that exist between strangers who find themselves sharing a common place.

Hospice had approached the Council in August 2019 seeking funding and support of a similar scheme in Douglas. They had requested that twelve benches be included in the scheme.

The Head of Parks advised that the Council’s existing benches will be modified for the scheme, the benches will be painted purple and yellow (the colours associated with the Hospice logo) and a sign fixed to them. Members noted that the costs associated with the paint and signage will be funded by existing park services revenue budgets at an estimated material cost of £500.

The report recommended approval of the proposal at a reduced scheme of six benches as opposed to twelve due to the cost and labour involved in creating the benches.

The Committee noted that Hospice intend to carry out an Island wide media campaign which would be supported and publicised on the Council’s website and social media outlets. Members were advised that Hospice intend to roll the initiative out to other areas of the Island and if approved, Douglas will be the first area to have the benches.

Set out within the officers report were five proposed locations; Marine Gardens (two benches), Noble’s Park, Douglas Borough Cemetery, Lawn Cemetery and Douglas Head. Members discussed the

proposed locations and opined that a bench may be better utilised closer to the Town Centre. Members agreed to locate a bench at St George's Cemetery as opposed to the Douglas Borough Cemetery.

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

- (i) The "Happy to Chat" bench initiative be supported with dedicated benches being provided at the following locations:
  - 1) Marine Gardens x 2
  - 2) Noble's Park x 1
  - 3) St. George's Cemetery x 1
  - 4) Lawn Cemetery x 1
  - 5) Douglas Head x 1
- (ii) The Committee noted that the initiative will be funded through existing Parks Services revenue budgets."

#### **A6. 2020 Public Events**

The Committee considered a report submitted by the Democratic Services Officer to determine provisional dates for public events in 2020.

The report advised that the Council traditionally organises a number of events during the year for the benefit of residents. Whilst it is not certain the budgetary provision will be made for all the events, it is necessary to fix provisional dates to enable preliminary planning.

Set out within the report were provisional dates for the D-Day Commemoration Service, Civic Sunday, Noble's Park Fun Day, Fireworks Display, Remembrance Sunday and Christmas Lights Ceremony.

During discussion of the Christmas Lights Ceremony, the Chair raised concern that holding the event on the 26<sup>th</sup> November 2020, as proposed, would provide retailers with the opportunity for four evenings of late night shopping as opposed to the usual five. Members unanimously agreed to change the provisional date to Thursday 19<sup>th</sup> November 2020 noting that a determination on the event would be subject to a further Committee report.

Members raised concern on the proposal to hold the Fireworks Display on either Thursday 5<sup>th</sup> or Friday 6<sup>th</sup> November, noting that Council policy is for the fireworks display to be the Friday evening closest to 5<sup>th</sup> November. In response to question, the Assistant Town Clerk advised that if the Display were to be held on Friday 6<sup>th</sup> November a contingency date could not be offered on Saturday 7<sup>th</sup> November due to unfavourable tide times and as the display is designed specifically for the beach, the option of a barge at a late stage due to poor weather would not be feasible, nor could a contingency be offered on Sunday 8<sup>th</sup> November due to the Remembrance Sunday commemoration.

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

- (i) That in 2020, subject to inclusion of funding in the 2020/21 Council budget;
  - 1) The Council host a D-Day Commemoration on Saturday, 6th June,
  - 2) Douglas Borough Council Civic Sunday be arranged for Sunday, 14th June,
  - 3) The Fun Day take place in Noble's Park on Saturday, 1<sup>st</sup> August,
  - 4) The Fireworks Display take place on Thursday, 5th November or Friday, 6<sup>th</sup> November,
  - 5) The date of the Remembrance Sunday service, Sunday, 8th November, be noted,
  - 6) The Christmas Lights Ceremony take place on Thursday, 19<sup>th</sup> November, subject to approval of a separate report on the feasibility of the event;
- (ii) Officers actively seek sponsorship and a media partner for appropriate events;
- (iii) A sound and stage contract for events, where appropriate, be sought; and
- (iv) Officers report back on the finer details of all events in due course."

#### **A7. 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."

**A8. Date and Time of Next Meeting**

Members were reminded that the next scheduled meeting was due to take place at 10.30 a.m. on Tuesday, 18<sup>th</sup> February, 2020.

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

***PART B –***

***Matters requiring Executive Committee approval***

There were no matters requiring Executive Committee approval.

***PART C –***

***Matters requiring Council approval***

There were no matters requiring Council approval.

The meeting ended at 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, 13<sup>th</sup> January, 2020.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Environment) (Mr A. Donnelly), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Accountancy Manager (Mr M. Quayle) (Items A1 to A6), Dilapidation Enforcement Officer (Mr S. Salter) (Item A8), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

## REPORT

### **PART A –**

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

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

Apologies for absence were submitted by Councillor Ms J. Thommeny.

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

There were no declarations of interest.

##### **A3. Minutes – 16<sup>th</sup> December, 2019**

The minutes of the meeting held on Monday, 16<sup>th</sup> December, 2019 were approved and signed.

##### **A4. Minutes – 20<sup>th</sup> December, 2019**

The minutes of the reconvened meeting held on Friday, 20<sup>th</sup> December, 2019 were approved and signed.

##### **A5. Matters arising from the Minutes**

*Minutes of 16<sup>th</sup> December, 2019 – Clause A6, Douglas Beach Groynes Appraisal* - Following debate at the January 2020 Council meeting, Members recalled that the Chair had agreed, with the consent of Council, to take back the item for further consideration by the Committee. In light of the views expressed by some Members at the Council meeting the Director of Environment and Regeneration advised that Dr. Sutherland had been approached for a fee proposal to present his findings to all Council Members at which time, Members would have the opportunity to debate and determine a plan for the management of the beach. The Director of Environment and Regeneration advised that the full report, as prepared by Dr. Sutherland, had been circulated to all Members.

##### **A6. Fire Department Vehicles – Parking in Douglas – Six Month Review**

The Committee considered a report submitted by the Community and Enforcement Manager providing an appraisal of a six month trial period on the use of Council car parking spaces by the Isle of Man Fire and Rescue Service.

Members recalled that approval had been given at the June 2019 Committee meeting permitting Isle of Man Fire and Rescue Service vehicles to utilise three Council car parking spaces (normally reserved for liveried Council vehicles), situated at Shaw's Brow car park, whilst on call-out or inspections within Douglas Town Centre.

Following conclusion of the six month period officers had carried out an assessment on the impact of the use in order to determine whether any unintended consequences had arisen. Members were advised that there were no instances where the Fire and Rescue Service have reported any parking issues nor have the Council received any reports of Council vehicles being unable to park in the spaces due to them already being occupied by the Fire and Rescue Services.

It is proposed to extend the current arrangement for a further six months with another review to take place at the end of the six month term.

Resolved, "That particulars of the report and discussion be noted on the minutes and that Isle of Man Fire and Rescue Service vehicles be permitted to park in Council car parking spaces in Shaw's Brow for a further six months at which point another review of the situation be undertaken."

**A7. Adjournment and Resumption and Attendance**

The meeting adjourned at 10.30am and resumed at 10.35am. The Accountancy Manager left the meeting and the Dilapidation Enforcement Officer joined the meeting for discussion of the following item.

**A8. 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

**A9. Items for Future Report**

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

Members discussed the renewal of various contracts under the Committee's remit and agreed that a review of the Beach Management Contract and a review of the Chester Street and Drumgold Street Car Parks Licences be added to the schedule.

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

**A10. 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, 17<sup>th</sup> February, 2020.

***PART B –***

***Matters requiring Executive Committee approval***

There were no matters requiring Executive Committee approval.

***PART C –***

***Matters requiring Council approval***

There were no matters requiring Council approval.

The meeting ended at 11.42pm.