



Borough of Douglas

**MRS RAINA CHATEL, JP
MAYOR**

Town Hall,

Douglas,

3rd September, 2021

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 8th day of SEPTEMBER, 2021, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the TOWN HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

A handwritten signature in black ink, appearing to be 'A. ...'.

Acting 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 and Property 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 Special Council Meeting held on Wednesday, 4th August, 2021, and the Annual Council Meeting held on Wednesday, 11th August, 2021.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Thursday, 19th August, 2021.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, Mr Councillor S.R. Pitts, Mr Councillor I.J.G. Clague, Mr Councillor F. Horning, Councillor Ms J. Thommeny.

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr A.J.T. Boyd), Director of Environment and Regeneration (Mrs D. Eynon), Director of Housing and Property (Mr D. Looney), Assistant Town Clerk (Mr P.E. Cowin) (for Clauses A9, A10, A11), Executive Officer (Mrs J.M. Keig) (taking minutes).

REPORT

PART A –

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

A1. Apologies for Absence

No apologies for absence were submitted.

A2. Appointment of Vice-Chair

Resolved, “That it be unanimously agreed that Mr Councillor I.J.G. Clague be appointed as Vice-Chair of the Committee for the 2021 to 2023 municipal years and, as such, that he also be confirmed to the position of Deputy Leader of the Council.”

A3. Declarations of Interest

The Director of Environment and Regeneration declared an interest in item A18.

A4. Minutes

The minutes of the meeting held on Friday 25th June 2021 were approved and signed.

A5. Matters Arising From Previous Minutes

There were no matters arising from the previous minutes.

A6. Referrals from the Environmental Services Committee

There were no referrals from the public minutes of the Environmental Services Committee meeting held on Monday 16th August 2021.

A7. Referrals from the Regeneration and Community Committee

There were no referrals from the minutes of the Regeneration and Community Committee meeting held on Tuesday 17th August 2021.

A8. Referrals from the Housing and Property Committee

The Committee considered the following referral from the public minutes of the Housing and Property Committee meeting held on Wednesday 18th August 2021:

Clause B12 - Department of Infrastructure Social Housing Rent Setting Consultation 2022 / 2023: the Housing and Property Committee had considered a joint report by the Director of Finance and the Director of Housing and Property. Members had been advised that the current amount of allowance permitted to be retained from rental income for Housing Maintenance and Housing Management had reduced significantly over recent years, and that the present funding mechanism for social housing by Government was unsustainable, resulting in a rate-borne cost. The Committee had resolved to formally respond to the Department of Infrastructure, recommending the following:

- A 2.3% rent increase for 2022 / 2023 (in line with the Manx Consumer Prices Index for July 2021);

- A 5% increase for Housing Maintenance (with 3% being dedicated to improving the Council's VOID standard, and 2% to assist in the increase in the cost of materials);
- A 1% increase for Housing Management; and
- A 0.5% increase for Fund Contribution to Sheltered Housing in 2022 / 2023.

The Committee had also resolved to request that the annual Project Management Grant be uplifted by inflation each year.

Because of the potential impact upon the Council's budgets, approval was accordingly sought from the Executive Committee.

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

- (ii) That the decision of the Housing and Property Committee – as detailed above – be noted and endorsed accordingly."

A9. Consultation Document – Draft Climate Change (Single Use Plastics) Regulations 2021

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Department of Environment, Food and Agriculture (DEFA).

It was generally accepted that single use plastics needed to be controlled in order to stem pollution of the countryside and the marine environment, and the ethos of the proposed Regulations was therefore to control the amount of single use plastics being used. This aim corresponded with the Council's own limitation on the use of such materials at public events and, as such, it was suggested that the move be supported in principle.

The Regulations contained outright prohibitions on businesses and the activities of charitable or non-profit organisations on the supply (or offer to supply) of single use plastic and micro-bead products (but with certain exceptions for medical and similar purposes). It was noted that power to enforce the Regulations was given to the DEFA, with the ability to impose a monetary penalty on anyone the Department considered to have breached them. Discussion took place on whether local authorities might also have some authority to act in relation to the enforcement of the Regulations.

It was noted that there was provision for a six-month transition period following the introduction of the Regulations, in order to facilitate traders exhausting stocks of materials and replacing them with more acceptable materials.

Members agreed that the proposed Regulations should be supported in principle, and that the Assistant Town Clerk be authorised to respond to the Department accordingly, with the only significant comment being made in relation to the enforcement powers.

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

- (ii) That the draft Climate Change (Single Use Plastics) Regulations 2021 be noted and approved in principle;
- (iii) That the Assistant Town Clerk be authorised to respond to the questionnaire accordingly;
- (iv) That the observation be included in the response that an independent perspective might be useful in supporting officers of the Department of Environment, Food and Agriculture in deciding on monetary penalties and the like in relation to enforcement; and
- (v) That it be queried if it was the intention of the Department of Environment, Food and Agriculture to permit enforcement only by its officers, or whether some powers might be conferred upon local authorities to act in support of the Department's officers, as was already the case in respect of the Litter Act and the Dogs Act."

Attendance

The Worshipful the Mayor left the meeting at 3.40pm, during discussion of the following item.

A10. Consultation Document – Climate Change Plan 2022 - 2027

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Isle of Man Government.

The proposed outline and principles of the first Statutory Climate Change Plan 2022 – 2027 was directed principally at individual members of the public, rather than at local authorities or other bodies. It was noted that the Council was already committed to supporting the Government in its endeavours to mitigate the effects of climate change; and had responded supportively in February 2020 to an initial consultation on Climate Change Strategy.

Members reviewed the selective elements of the consultation to which responses or comments were proposed, indicating either agreement or suggesting amendment to the proposed responses accordingly.

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

- (ii) That the responses, as amended, be approved for submission to the Isle of Man Government as the Council’s comments on the consultation document; and
- (iii) That the Committee re-affirms its previous resolution of February 2021 - to align itself with the Isle of Man Government’s aspirations for net zero greenhouse gases by 2050 - but that the Council continues to aim to be net zero by 2035.”

A11. Consultation Document – Proposal to Designate Douglas Head as a Conservation Area

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document received from the Cabinet Office.

During the Area Plan for the East consultation process, a proposal had been made that Douglas Head should be designated a Conservation Area, and that proposal had now been circulated for public views. The extent of the proposed area to be designated embraced the Battery and Alexandra Piers; South Quay to the foot of Gasworks Hill; Douglas Head Road (including Taubman Terrace); and a large section of land stretching from Douglas Head Quarry to the old Toll Gates on Marine Drive.

Designation as a Conservation Area would entail restrictions on development (both new, and the enhancement of existing buildings). The Director of Environment and Regeneration and the Assistant Chief Officer (Regeneration) had examined the proposal and commented that, while parts of the area would be appropriate for Conservation Area status, some parts – particularly the more industrialised parts of the Piers – should be excluded on the grounds that they had little architectural merit, and future redevelopment should not be impeded. As a result of the discussion, Members also agreed that the South Quay should additionally be excluded from the proposed Conservation Area.

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

- (ii) That the proposal to designate Douglas Head as a Conservation Area be supported, but with the exclusion of the Battery and Alexandra Piers (and the industrial units situated thereon) and the industrial units on the South Quay.”

A12. Consultation Document – Public Libraries

The Committee considered a written report by the Director of Finance in relation to a consultation document issued by the Cabinet Office.

Following the issuing of the findings of the Council of Ministers’ Working Party on Libraries, views were being sought on the report’s recommendations; together with any other comments on public library provision on the Island.

The report included some wide-ranging recommendations. Among them was the establishment of a National Libraries Board - to assume responsibility for all public libraries on the Island (including the Mobile Library service) to facilitate consistency of service provision; and a rates reform - to introduce a new Community Rate to fund the provision of public libraries and ‘other socially valuable activities and community hubs’.

Members considered the proposed response, which had been prepared based upon comments made by Members during debate at the July 2021 Meeting of Council, and from the Council’s response to the 2019 consultation on the Review and Modernisation of Rates.

It was agreed that, whilst there was scope for greater collaboration between the Island’s public libraries to benefit the end-user, the response should contain a clear indication that it was the Council’s view that local authority libraries should remain under local authority remit, in order to maintain local accountability, and the ability to make decisions in respect of allocating resources towards local services and amenities. It was noted that the Family Library service was largely duplicating functions already provided by local authority libraries, in particular, the Henry Bloom Noble Library in Douglas.

Although the closing date for responses was 20th August 2021, an extension had been granted to the Council until 31st August 2021 in order to allow for Committee consideration.

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

- (ii) That the proposed response on behalf of the Council as set out in the appendix to the written report, and amended to include the clear indication that local authority libraries should remain under local authority remit, be approved for submission to the Cabinet Office accordingly.”

A13. Monthly Financial Review

The Committee considered a written report by the Director of Finance setting out details of key financial monitoring information and progress made against key performance indicators for finance.

Members were advised that the Public Services Commission pay award, which had been agreed before the end of July 2021, equated to an aggregate increase of 2.26% for 2021 / 2022. With just 0.5%

assumed in the Council's approved budget for 2021 / 2022, this would result in an estimated budgetary shortfall of £185,000. Members were reminded that the Council was analogous to the Public Service Commission and its terms and conditions, including pay awards, and expressed concern that the Council did not have a seat on the Commission, and was not therefore represented or involved in discussions.

Resolved, "That particulars of the report be noted on the minutes, including:-

- The 80.5% rates collection figure for the months of April to July 2021, compared against the target figure of 77.4% for that period; and
- The impact of the recently-agreed Public Services Commission pay award on the Council's financial position, leading to an overall estimated budgetary shortfall for this year of approximately £185,000."

A14. Treasury Management Outturn Report 2020 / 2021

The Committee considered a written report by the Assistant Chief Officer (Income) setting out details on treasury management.

The outturn report was a key aspect of delivering the Council's Treasury Management Strategy. It summarised treasury management activities undertaken in respect of long-term loans and short-term investments; and also outlined information in relation to the Prudential Indicators for 2020 / 2021 in respect of affordability - the indicator for prudence being that net external borrowing would not exceed the capital financing requirement.

The CIPFA Treasury Management Code of Practice and Cross-Sectoral Guidance Notes (i.e., the indicator for treasury management) had been adopted by the Council in 2011, and reviewed in 2019; and it was confirmed that these had been complied with and adhered to for all treasury management activities accordingly.

Members were advised that, currently, the maximum allowable deposit for institutions on the Approved Lending List was £2,000,000 per institution. Due to the reduced number of deposit institutions now available, it was recommended that the maximum allowable deposit per institution be increased to £3,000,000.

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

- (ii) That the achievement of the Prudential Indicators for affordability, prudence, and treasury management, also be noted; and
- (iii) That authority be given for the maximum deposit for each approved institution to be increased to £3,000,000."

A15. Items Sold at Auction 2021

The Committee considered a written report by the Senior Engineering and Waste Services Manager detailing items sold at auction on 29th May 2021.

In accordance with Standing Order 161, 'Disposal of Surplus Property, Materials, etc', an auctioneer had been appointed to conduct an auction of surplus mixed plant and vehicles. The details of the items that had been for sale were noted accordingly. As the winning bidder for one Lot had subsequently withdrawn their bid, Fleet Services had obtained quotations from local scrap merchants for the item, with the highest price offered being in the sum of £150.

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

- (ii) That the Schedule of Vehicles and Plant and the income achieved at auction also be noted, this being in the sum of £26,100 (excluding VAT and less auctioneer commission in the sum of £1,315), giving net income on the day of £24,785; and
- (iii) That approval be given for the disposal of the un-sold Lot to a scrap merchant for the sum of £150, giving an overall net income from vehicle and plant disposal in the sum of £24,935."

A16. 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."

A17. 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.”

A18. Urgent Business Procedure – Appeal against Planning Approval for Erection of Telecommunications Pole, Woodbourne Lane, Douglas (PA 20/01538/B)

The Director of Environment and Regeneration declared an interest in this item, and left the meeting accordingly.

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

The former Leader of the Council and the former Vice Chair of the Environmental Services Committee had approved a recommendation that an appeal be lodged against the Planning Authority’s decision to approve an application for the erection of a 15-metre telecommunications pole with associated equipment cabinets and fencing, at a vacant plot on Woodbourne Lane and to the rear of nos. 7 to 11 Woodbourne Villas, Douglas.

It was believed that the Planning Committee had not fully taken into account the Council’s grounds for objection; nor the many objections raised by those other individuals who had been given interested party status, and it had therefore been agreed to submit a request to the Planning Authority (together with a fee of £405) to have the appeal considered by an enquiry (the dates for which were currently awaited).

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

- (ii) That the resolution under the Urgent Business Procedure – to appeal against the approval granted by the Planning Authority in respect of Planning Application PA 20/10538/B – be noted and endorsed accordingly.”

The Committee rose at 5.30pm.

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 Monday, 19th July, 2021.

Members Present: Mr N. Dobson (Garff) (Chair), Mr Councillor D.W. Christian (Douglas), Mr D. Crellin (Onchan), Mr T. Kenyon (Garff).

Apologies: Mr N. Young (Santon), Mr J. Quayle (Department of Infrastructure).

In Attendance: Mr P.E. Cowin, Secretary, Mrs D. Eynon (Douglas), Mr J.C. Whiteway (Braddan), Mr R. Phillips (Onchan), Mr G.B. Kennedy (Santon), Mr S.A. Crook, Contractor's Representative (Item A2 only).

REPORT

PART A –

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

A1. Minutes of Meeting – Thursday, 24th June, 2021

Agreed unanimously: that the minutes circulated be approved as a correct record.

A2. Contractor's Report

Mr Crook joined the meeting at 2.35pm; his report had been circulated and he provided further explanation of several issues.

Charges for WEEE goods disposal had been notified by DoI, showing substantial increases and they had been implemented pending approval by the Committee. There was considerable discussion of the new charges and several Members felt they should be considered by each Authority's Board. There was a suggestion that the charge to the user could be reduced and subsidised to some extent by the Authorities in an effort to deter fly-tipping, but that would definitely need approval from the respective Authorities. There was concern that the meeting between the Authorities for the respective Sites, that DoI had undertaken to arrange, had not yet taken place to discuss common issues such as these charges.

Mr Crook added that the WEEE goods contactor had also advised of an additional levy where no electrical lead is attached to the item.

It was agreed that the charges, at the new rate, should continue subject to approval by the respective Authorities. Mr Crook undertook to provide information on the number of items in each WEEE category being deposited at the Site as it might aid consideration.

Mr Crook advised on the disposal route for cardboard, which was currently being taken to the Contractor's depot for baling and shipment off-Island.

He advised the Committee that the revised opening times appeared to be working satisfactorily and the diversion of the extra resource to times of peak demand had been effective.

The statistics that Mr Crook had circulated showed that overall throughput was in line with previous years.

A3. New Site – Progress

Mrs Eynon stated that since the last meeting she had had no direct contact with the Developer but the Planning Application had been submitted. So far there had been no objections submitted but there had been a comment on the Government's Planning Portal relating to potential visual impact.

A4. New Site – Funding and Legal Agreement

In relation to funding the development, Mrs Eynon advised that Onchan Commissioners had rejected Option A under which one Authority would seek to borrow on behalf of all, in favour of Option B in which each Authority would make its own funding arrangements for its proportion of the costs. Braddan and Garff would have preferred Option A but were content to follow Option B.

Mr Kennedy stated that Santon Commissioners would make their own arrangements for funding in any case, as they were not participants in the Local Authorities Borrowing Scheme.

Mrs Eynon sought clarification on a number of points to assist in drafting the Agreement:

1. All five Authorities to be signatories;
2. Consent of DoI is required;
3. Recitals to set out powers and purpose;
4. Term – to expire 31st December, 2052;
5. Constitution of Joint Committee to remain broadly as the former Agreement;
6. Voting proportions to remain in ratio of rateable values;
7. Douglas Borough Council to provide Secretariat, Administration and Accountancy;
8. Joint ownership of assets (including vehicles, plant, etc.);
9. Joint liability for costs;
10. Douglas Borough Council empowered to enter into contracts on behalf of Joint Committee;
11. Operation of current Site until 31st December 2022;
12. Douglas Borough Council to oversee development of new Site;
13. Provision to be made for regular renewals (five or 7 years) of operational contract;
14. Division of assets in proportion to initial ratio of investment.

It was agreed: that Douglas Borough Council proceed as speedily as possible to draft the agreement on the basis outlined.

A5. **Next Meeting**

It was agreed, in view of the urgency of progressing the replacement Site project, that a meeting of the Joint Committee be provisionally arranged on Tuesday, 7th September, 2021, at 2.30pm to review the Authorities' responses to the proposals for funding arrangements.

Closing Remarks

The Chair expressed appreciation of the efforts and support of Members and Officers during recent difficult times and throughout his tenure of Office.

He expressed particular appreciation to Mr Councillor D.W. Christian of Douglas and Mr D. Dentith of Braddan who had both indicated they would not be standing for re-election; on behalf of the Committee he wished them both well for the future.

The meeting ended at 3.25pm.

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

HOUSING AND PROPERTY COMMITTEE

HOUSING AND PROPERTY COMMITTEE – Minutes of Meeting held on Wednesday, 18th August, 2021.

Members Present: Councillor Ms J. Thommeny (Chair), the Mayor (from 11.20am), Mr Councillor S.R. Crellin, Mr Councillor P.J. Washington.

In Attendance: Director of Housing and Property (Mr D. Looney), Chief Executive (Miss K.J. Rice) (Items A1 to A8 and B12), Director of Finance (Mr A. Boyd) (Items A1 to A8 and B12), Assistant Chief Officer (Housing and Property) (Mr V. Zivave), Assistant Chief Officer (Income) (Mrs C. Pulman), Assistant Property Manager (Capital) (Mr R. Green) (Items A9 to A11), Assistant Town Clerk (Mr P. Cowin), Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies for Absence

Apologies for absence had been submitted by Mr Councillor J.E. Skinner and for late attendance by the Worshipful the Mayor.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Appointment of Vice-Chair

The Committee considered the election of Vice-Chair for the Committee to act in the illness or absence of the Chair for the municipal term 2021 to 2023.

Resolved unanimously, “That Mr Councillor S.R. Crellin be elected Committee Vice-Chair for the municipal term 2021 – 2023.”

A4. Minutes – 16th June, 2021

The minutes of the meeting held on Wednesday, 16th June, 2021, were approved and signed.

A5. Matters Arising

No issues were raised as arising from the previous minutes.

A6. Vacant Properties Update

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

Appended to the officer’s report was the void properties schedule, which showed that as at the end of July 2021 there were twenty-three vacant properties receiving attention. Members were presented with a summary chart showing the number of properties returned in each month, together with details of the category repair type for each property.

It was noted that during July, 2021 three properties had been returned by tenants, the Assistant Chief Officer (Housing and Property) advised that nine properties were ready for reallocation.

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

A7. Housing Rent Arrears

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

It was noted that since the outbreak of coronavirus in March 2020, Council officers had carried out a significant amount of work conducting welfare checks and calls to all tenants who were in rent arrears due to the effects of the pandemic. For any tenants who do not have payment plans, officers were engaging with and linking them to charities and Government organisations that offer debt counselling.

Members were advised that due to the frequency of rent payments there is a constant fluctuation of tenants in arrears of under £500 and as such, Housing officers were targeting tenants in the over £500 category noted at 3.7% of all tenants.

Appended to the officer's report was a table setting out the rent arrears statistics for June 2021 and July 2021, Members noted that as at the 31st July, 2021, the level of rent arrears was £151,523.26.

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

A8. Quarter Four Performance Monitoring

The Committee considered a report submitted by the Housing Manager to update on the performance made against measures as outlined in the Housing and Property Service Plans as relevant to the Housing and Property Committee. It should be noted that the targets are set by the Government so there is a single measure across all housing providers.

Appended to the officer's report were the performance figures for quarter one 2021/22, of particular note for this quarter;

- On average, 41% of emergency, urgent and routine repairs had been achieved on target, it was noted that this had been due to the effects of Covid-19 pandemic as emergency repairs had been prioritised resulting in routine repairs falling below target. Although target achievements are lower all jobs are being allocated and actioned;
- On average, 73% of void properties, requiring both standard and major works were completed within the specified programme targets;
- Arrears were 5.2% (target of below 2.5%), due to the effects of Covid-19;
- Of the tenants surveyed on the repairs service, 87.23% of the surveys returned had indicated that they were generally satisfied with the service;
- Of the tenants surveyed in relation to general tenant services, 100% of the surveys returned had indicated that they were satisfied with the service.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the progress made against the performance indicators in the Service Plans for quarter one 2021/22 be noted."

A9. Items for Future Consideration

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

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

A10. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Wednesday, 15th September, 2021.

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

A11. Urgent Business Procedure – Peel Road Apartments – Carpet Fitting

Members were presented with a report to advise the Committee on the use of the Council's Urgent Business Procedure under Standing Order 125 to consider the business case and submission to the Department of Infrastructure in relation to carpet fitting in the Peel Road Apartments Development.

Appended to the officer's report was the business case, together with the Urgent Business Procedure form as approved and signed by the Leader of the Council and Chair of the Housing and Property Committee on 27th July, 2021.

It was noted that in order to comply with 'Approved Document B' of the Building Regulations 'Fire Safety' with regards to spacing between the underside of the doors and the finished carpets it was recommended that carpets be installed in forty-six of the sixty-six apartments due to these units being allocated for the purpose of permanently relocating tenants from the Lord Street flats which are enforced moves. Also, tenants should not endure any form of cost implication for enforced moves.

Resolved, "That particulars of the report be noted on the minutes and that the decision of the Leader of the Council and Chair of the Housing and Property Committee to approve the business case in relation to carpet fitting in the Peel Road Apartments, under the Urgent Business Procedure be noted."

PART B –

Matters requiring Executive Committee approval

B12. Department of Infrastructure Social Housing Rent Setting Consultation 2022/23

The Committee considered a joint report submitted by the Director of Housing and Property and the Director of Finance on the Department of Infrastructure's (the Department) Consultation on rent-setting and associated matters for social housing for the 2022/2023 financial year.

Appended to the officer's report was correspondence from the Department of Infrastructure seeking the Council's views on rent increases, and the allowances for expenditure by the Council on administration, maintenance and community. The Committee were reminded that over recent years, a robust stance had been taken on a number of issues including the need for a rent increase at least in line with inflation and for increases in the Maintenance, Community and Administration Allowances.

It was noted that the current amount of allowance permitted to be retained from rental income for Housing Maintenance and Housing Management had reduced significantly over recent years. Members recognised that the present funding mechanism for social housing by Government is unsustainable which is why there remains a rate borne cost arising from the Housing Revenue Account ("Housing Act Support"), which is estimated at just over £15,000 for the current 2021/22 financial year. This is also why the Housing Maintenance Reserve has been reduced to the inadequately low level of £150,000 as at 31st March 2021.

Members and Officers have continued to lobby the Department for changes, and have had some success with the recent approval of the minor works capital petition which will allow a further £150,000 of maintenance work of a capital nature to be expended in the present year. Additionally the introduction of funding change request forms by the Department and trialled by the Council is assisting with void rent loss.

It is recommended that as part of the requested increase in maintenance, 3% is allocated to the improvement in the Council VOID standard. The VOID plus standard includes a level of general improvement over standard VOIDS consisting of improved decoration and finishes, offering a more complete home to the tenant when first moving into the property. Allocating to this new standard gives a tangible and measurable benefit of the additional investment.

The report proposed to seek a rental increase in line with Manx CPI, as at the end of July 2021, together with increases in allowances. The Assistant Chief Officer (Income) advised that for the month of July 2021 Manx CPI stood at 2.3%.

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

- (i) That the Council formally responds to the Department recommending a 2.3% rent increase for 2022/23 which is in line with the Manx Consumer Prices Index for July 2021;
- (ii) That the Council agrees that the amount of rental income being allocated to Housing Maintenance and Housing Management through the Housing Deficiency Grant system allowances is presently insufficient and therefore recommends a 5% increase for housing maintenance (with 3% being dedicated to improving the Councils VOID standard and 2% to assist in the increase in material costs); a 1% increase for housing management; and 0.5% increase for Fund contribution to Sheltered Housing in 2022/23;
- (iii) That Council at the same time requests that the annual Project Management grant is uplifted by inflation each year rather than remain fixed, as current; and
- (iv) That the matter be referred to the Executive Committee for consideration because of the potential impact upon budgets."

Mr Councillor P.J. Washington asked that his name be recoded as voting against resolution (i).

The meeting ended at 11.51am.

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, 17th August, 2021.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Director of Finance (Mr A. Boyd), Assistant Town Clerk (Mr P.E. Cowin), Assistant Chief Officer (Income) (Mrs C. Pulman), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Head of Parks (Mr D. Hewes), Borough Librarian (Mrs J. Macartney) (item A6), Assistant Democratic Services Officer (Mr M. Peach).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

No apologies for absence had been submitted.

A2. Declarations of Interest

There were no declarations of interest.

A3. Appointment of Vice-Chair

The Chair invited nominations for a Member to serve as Vice-Chair of the Regeneration and Community Committee for the municipal term 2021 to 2023.

Mr Councillor A.J. Bentley was nominated by Councillor Mrs N.A. Byron, seconded by Mr Councillor F. Schuengel.

As there were no other nominations the Chair declared Mr Councillor A.J. Bentley to be elected as Vice-Chair of the Regeneration and Community Committee for the municipal term 2021 to 2023.

A4. Minutes – 15th June, 2021

The minutes of the meeting held Tuesday, 15^h June, 2021 were approved and signed.

A5. Matters Arising

There were no matters arising raised from the previous minutes.

A6. Henry Bloom Noble Library Quarter 1 Performance Monitoring 2021 / 2022

The Committee considered a report submitted by the Borough Librarian to update on the performance of the Henry Bloom Noble Library. The Borough Librarian detailed different community projects which had been undertaken to increase footfall to the Library such as Financial Wellbeing talks, and Health Information talks.

The Borough Librarian also detailed the success of the Summer Reading Program and a recent Beach Clean which the Library had organised, but also explained that some planned programs were difficult to find takers for, due to the recent rise in Covid cases.

Members suggested the Financial Wellbeing talks be held at a more sociable time, such as lunchtimes, to enable workers to be able to attend, the Borough Librarian agreed to consult on the matter.

Members also advised of other community programs being held by local businesses within Douglas, such as Café Lingo at the Promenade Methodist Church, and suggested collaborating with these businesses to hold these programs at the Library.

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

The Borough Librarian left the meeting at 10.54am.

A7. Tarmacking of TT Paddock Area

The Committee considered a report from the Head of Parks which outlined a proposal from the Department for Enterprise to tarmac an area of the TT Paddock.

The Head of Parks advised that this proposal has come about due to increased traffic in the area because of the location of the Covid Testing Area nearby.

The report noted that planning permission may be required for the tarmac surfacing, if so it will be the responsibility of the Department for Enterprise to seek.

The Head of Parks advised of the potential need of a drainage scheme being installed due to surface water run-off, causing standing water issues towards the bottom of the Paddock, if it is required it will likely be a condition of any planning approval.

During discussion the Chair enquired of the possibility of the chain and link fence for the area being replaced to zaun fencing in the near future, the Head of Parks advised that amendments to the fencing were not included in this proposal.

A copy of the Nobles Park Master plan was requested by Members during discussion, which was agreed to be put on the Items for Future Report.

Members raised concerns of the access road looking patch worked after the work was complete, but the Head of Parks advised the area will be fully resurfaced.

The Head of Parks advised there would be no costs to the Council as the work costs would be paid for by the Department for Enterprise.

Resolved, "To accept the offer from the Department to tarmac an area of the TT paddock area and access road into the park, subject to all relevant permissions being obtained."

The Director of Finance and The Assistant Chief Officer (Income) left the meeting at 11.15am.

A8. Lheannag Park Tree Planting

The Committee considered a report submitted by the Head of Parks detailing an offer from Hartford Homes to provide trees for a planting scheme at Lheannag Park.

The Head of Parks advised that Hartford Homes have confirmed the offer of supplying trees and sundry items in writing, it would be the Council's responsibility to maintain the trees, and Parks would have to assess the area at Lheannag Park first before confirming to Hartford Homes how many trees we would require.

Members queried the timescale of the process, to which the Head of Parks advised it would take around a week of planting to complete the work required.

Members asked if fruit trees would be suitable in the area, the Head of Parks advised that Lheannag Park would not be suitable for fruit trees due to topography of the site and soil conditions, in addition an area adjacent to Lester's Yard in Ballaughton Park is due to be planted with fruit trees and bushes during Winter 2021.

The Head of Parks advised that all due diligence had been performed to ensure the offer made by Hartford Homes is as stated, within correspondence received and not as a consequence of planning conditions or public concern for the loss of trees on other developments. The Head of Parks also advised that a similar offer of trees made by Hartford Homes to Ramsey Commissioners some time ago, was successfully implemented.

Resolved, "That the offer of trees from Hartford Homes for a planting scheme at Lheannag Park be accepted, subject to positive consultation with local residents opposite the area."

A9. Quarter One Service Plan Performance Monitoring

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

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

Of note for Quarter One:

- All measures in Parks Services have been met. One is slightly behind schedule;
- All measures in Town Centre Management are being met.

During discussion a number of Members showed interest in visiting the Nobles Park Community Room which was agreed to be arranged in the near future.

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

A10. Items for Future Report

The Committee considered a report submitted by the Assistant 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.”

A11. Date and Time of Next Meeting

The next scheduled meeting was due to take place on Tuesday, 14th September, 2021.

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

The meeting ended at 12.00pm.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 16th August, 2021.

Members Present: Mr Councillor F. Horning (Chair), the Mayor, Councillor Miss N.A. Byron, Mr Councillor D.R. Watson (from 10.10am).

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Chief Executive (Miss K.J. Rice) (Items A1 to A8), Accountancy Manager (Mr M. Quayle) (Items A1 to A8), Senior Engineering and Waste Services Manager (Mr A. Crook) (Item A6), Dilapidation Enforcement Officer (Mr S. Salter) (Items A10 and A11), Assistant Town Clerk (Mr P.E. Cowin), Democratic Services Officer (Miss C. Cullen), Assistant Democratic Services Officer (Mr M. Peach).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Apologies for absence had been submitted by Mr Councillor J.E. Skinner.

A2. Declarations of Interest

The Director of Environment and Regeneration declared an interest in item A11, Urgent Business Procedure – Planning Application 20/01538/B – Telecom Mast Woodbourne Lane.

A3. Appointment of Vice-Chair

The Committee considered the election of a Vice-Chair for the Committee to act in the illness or absence of the Chair for the municipal term 2021 to 2023.

Resolved unanimously, “That Councillor Miss N.A. Byron be elected Committee Vice-Chair for the municipal term 2021 to 2023.”

A4. Minutes – 14th June, 2021

The minutes of the meeting held on Monday, 14th June, 2021 were approved and signed.

A5. Matters Arising

No issues were raised as arising from the previous minutes.

A6. Douglas Beach Management Contract – Review of Groyne Removal and Trial of New Methodology for Re-profiling

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager providing an update on the beach status following commencement of the new contract in October 2020, removal of the groynes during the summer 2020 and observations following a trial methodology for re-profiling the beach.

The Senior Engineering and Waste Services Manager advised that in the 12 months following the groyne removal, anecdotally, there does not appear to be much difference with the central area of the beach (Broadway to the Castle Mona) appearing to remain stable in terms of levels before and after intervention, the most notable visual difference is the appearance of large stones at the lower part of the foreshore (Loch Promenade area). Members were advised that for a more detailed analysis of material movement and potential mitigating measures a detailed modelling study would be required.

In response to question, the Senior Engineering and Waste Services Manager advised that the Council does not have the expertise to carry out the study in-house. Members were reminded of the Council’s standing resolution to take a lead in coordinating a holistic approach involving all of the parties who have independent schemes/strategies which will impact Douglas Beach with a view to cost sharing the study. It was agreed to add the item to the schedule of items for future report.

Members were advised the current specification includes a measured item to carry out re-profiling as a condition of the contract. It was noted that during the winter season activities are limited with the primary focus being the clearance of heavy seaweed strandings. This varies from the summer season arrangements (Apr-Sept) where the contractor is required to maintain the levels throughout the summer period.

The report advised that the Council had been contacted by an individual who had studied geomorphology at Durham University. In their correspondence they made a number of observations about the re-profiling methodology and the impact of changes in material composition in the sandy zone of the beach. A meeting between some Members, Council officers and this individual was arranged.

Arising from the meeting was an agreement to carry out a trial of the re-profiling methodology, whereby the material would be removed from the seawall but instead of grading it to the lower part of the beach, would only take the material to the extent of the 'swash' zone, under neap high tide conditions. In addition, a control area would be maintained using the old methodology, this would enable a means of measuring the effectiveness of the trial. Initially it was considered that following this approach would result in a berm forming higher up the beach and material returning to the seawall quicker; however the following effects were observed;

1. The material formed a single berm landside of the high water mark under neap tide conditions, described above.
2. The berm's form, created a natural steep face, helping to dissipate wave energy and also slow down landward material migration.
3. Lower down the beach (sandy zone) the material composition remained stable with no berms forming.
4. Under the previous methodology a longer more dissipating face was created, which did not reduce wave velocity resulting in numerous berms forming as conditions moved from neap to spring tides, with what appeared to be little resistance to material migrating landwards under cross shore processes.
5. The control area has required more frequent attention during the trial period, supporting observation 4 above.

Officers had concluded that the trial methodology appears to have been effective but considered that continuation of the trial throughout autumn and winter will give an indication of its effectiveness under more turbulent conditions.

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

- (i) That the re-profiling methodology which has been in trial since March 2021 be continued; and
- (ii) The Council seek prices from both JBA Consulting and Wallingford to carry out a detailed modelling study of the Beach as a continuation to the previous preliminary studies undertaken by both companies."

The Senior Engineering and Waste Services Manager was thanked for his attendance and left the meeting at 10.38am.

A7. Expressions of Interest, Bottleneck Car Park TT 2022

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) advising on an expression of interest received for use of the Bottleneck Car Park during TT 2022.

It was noted that expressions of interest had been invited in May 2021 and only one submission had been received by the closing date. This was a joint proposal by 1886, 360 Multimedia and Of Course Solutions to operate a 14 day festival comprising named bands, artists and comedians. The proposal is for occupation of the site for 26 days in total with 7 days to build the infrastructure, 14 days operation and 5 days to return the site to its prior condition.

As both 1886 and 360 Multimedia and Of Course Solutions have a good track record in operating licensed premises and delivering music and entertainment events the proposal was recommended for acceptance. Members were advised that the proposal is for a fee of £9,360, which is equivalent only to the likely loss of car parking revenue over the period. The report advised that this figure was provided in the brief document by way of a guide as an absolute baseline fee. The proposal does not include a fee structure that includes an element of the takings as also suggested as an addition in the brief.

Members expressed disappointment at the proposed fee, given that this would only just cover the loss of car parking revenue and concern was raised by a Member at the inconvenience to car park users during this period for not much additional benefit.

The Committee agreed that the proposal be trialled for 2022 but that should the Council extend beyond 2022 they would expect a more financially beneficial revenue for future years.

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

- (i) The joint proposal to use the Bottleneck Car Park for TT 2022 from 1886, 360 Multimedia Limited and Of Course Solutions for the fee of £9,360 be approved for 2022 and that officers are

authorised to enter into detailed negotiations and planning with the companies and seek to improve the financial benefit if possible; and

- (ii) The proposed operators be advised that although the Council is prepared to accept a flat fee equivalent to the loss of car parking revenue for 2022, it would expect more financially beneficial revenue from the event if it continues in subsequent years to 2026.”

A8. Quarter One Performance Monitoring 2021/2022

The Committee considered a report submitted by the Director of Environment and Regeneration to update on the performance made against measures as outlined in the Environment and Regeneration Service Plans as relevant to the Environmental Services Committee. Appended to the officer’s report were the measures as outlined in each Service Plan together with an update on the performance as at the end of quarter one 2021/2022.

Given the delay to the Local Government elections, the Corporate Plan had been extended to cover the additional municipal year, and Service Plans have been extended accordingly. The Covid-19 crisis had adversely impacted upon many of the measures and actions contained within the service plans, which had resulted in target deadlines not being met; in some cases, new deadlines have been set and these were reflected in the appendices. Some project work has been suspended indefinitely to protect the Council’s revenue position.

Members noted that for quarter one;

- All measures except one within Building Control have been met;
- Electrical Services project work is delayed due to successive lockdowns as are some annual programmes, which are slightly behind. Other performance indicators were met;
- Two measures within Fleet Services are slightly behind target;
- Measures within Community and Enforcement involving meeting others were adversely affected by Lockdown 3.0 and the unavailability of personnel in other organisations, all other measures were met;
- Sickness in Waste Services continues to be higher than the industry benchmark due to three cases of long term sickness, measures on recycling rate and trade customers are slightly behind target, and all other measures were met.

Resolved, “That particulars of the report be noted on the minutes and that the progress made against performance indicators in Service Plans for Quarter One 2021/22 be noted.”

A9. Adjournment and Resumption of Meeting

The Meeting adjourned at 11.05am and resumed at 11.15am at which time the Accountancy Manager left the meeting and the Dilapidations Enforcement Officer attended.

A10. Schedule of Dilapidated, Ruinous or Dangerous Properties

The Committee considered a schedule of properties in a state of dilapidation or disrepair, setting out eighteen properties added since the last meeting; fourteen properties removed because work had been completed; and a total of fifty-seven properties remaining on the list.

Members were reminded that the addition of any property to the list would first involve contact with the property owner to resolve the concern over its condition and to offer them reasonable opportunity to carry out the work willingly. Should that not happen, then Notice would be served that the work must be carried out, and failure then to comply with the Notice would involve the possibility of legal action being taken.

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

A11. Urgent Business Procedure – Planning Application 20/01538/B – Telecom Mast Woodbourne Lane

Under the provisions of the Local Government Act 1985 the Director of Environment and Regeneration declared an interest in the item and retired whilst it was considered.

The Committee considered a report submitted by the Dilapidation Enforcement Officer to advise on the use of the Council’s Urgent Business procedure under Standing Order 125 to consider if an appeal should be lodged against the approval of planning application 20/01538/B.

Members were reminded that the Environmental Services Committee had resolved to raise an objection to the application at its meeting on 17th May, 2021. It was noted that application had subsequently been approved by the Planning Authority.

The Committee noted that the Urgent Business Procedure report lodging an appeal against the Planning Authority's decision to approve the application as it was considered that the Planning Committee had not fully taken into account the Council's grounds of objection as well as many of the objections raised by those other individuals who had been given interested party status.

Resolved, "That particulars of the report be noted on the minutes and that the decision of the Chair of the Executive Committee and the Vice-Chair of the Environmental Services Committee to approve the Urgent Business Procedure, to appeal against the approval granted by the Planning Authority for planning application 20/01538/B be noted."

The Dilapidations Enforcement Officer was thanked for his attendance and left the meeting at 12.26pm.

A12. Items for Future Report

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

It was agreed that the multi-agency meeting in relation to Douglas Beach be added to the schedule.

Members noted that a report on Alternative Weekly Waste Collection was due to be presented to the Committee meeting in September, 2021.

In response to question, the Director of Environment and Regeneration agreed to circulate a briefing note to the Committee to provide an update on the outcome of the school poster design campaign.

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

A13. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting of the Environmental Services Committee was due to take place at 10.00am on Monday, 13th September, 2021.

The meeting ended at 12.33pm.

IX – Motions, of which Notice has been given by Members of the Council pursuant to Standing Order 26:

MOTIONS

1. Mr Councillor J.E. Skinner to move:

“That the Council approve that a short inter denominational service of remembrance and dedication take place to include the renaming of the Kaye Garden at the bottom of Summerhill as ‘the Summerland Memorial Garden’ on 2nd August 2023 to commemorate the fiftieth anniversary of the Summerland fire which occurred on 2nd August 1973 with the loss of 52 lives.”

On being moved and seconded, under Standing Order 30 the Motion will stand referred to the Executive Committee for consideration and report to the Council by 14th April, 2021.