



Borough of Douglas

**MRS RAINA CHATEL, JP
MAYOR**

Town Hall,

Douglas,

4th February, 2022

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 9th day of FEBRUARY, 2022, 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 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 Council Meeting held on Wednesday, 12th January, 2022 and the Special Council Meeting held on Wednesday, 26th January, 2022.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 28th January, 2022.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, 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), 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

Members were advised that Mr Councillor S.R. Pitts had submitted his resignation that afternoon as Chair of the Regeneration and Community Committee with immediate effect.

Resolved, “That particulars be noted on the minutes, and that the thanks of Members be extended to Mr Councillor S.R. Pitts for his commitment to the Regeneration and Community Committee and his Chairmanship thereof; and as a Member of the Executive Committee.”

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes

The minutes of the scheduled meeting held on Thursday 16th December 2021 and the Special Budget meeting held on Thursday 13th January 2022 were approved and signed.

A4. Matters Arising From Previous Minutes

Special Budget Meeting – Clause 4.2(g), Spring Valley Changing Rooms and Club (LS00081): following the amendment approved at the Rates Setting Council Meeting on 26th January 2022, for the provision of £495,000 to be reinstated into the 2022 / 2023 Capital Programme for the replacement of the changing facilities, a Member sought clarification on whether the provision of £31,000 approved for the demolition of the changing rooms would still remain as a commitment on the Derelict Building Fund. The Director of Finance recommended that it would be prudent to retain this amount as a commitment guarantee from Reserves, in the event that the scheme did not proceed, and funding was then required to enable the demolition of the building.

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

(ii) That following the reinstatement of the provision of £495,000 into the 2022 / 2023 Capital Programme for the replacement of the Spring Valley Changing Rooms, the £31,000 commitment be retained in the Derelict Building Fund as a funding guarantee in the event that demolition of the building became necessary.”

A5. Referrals from the Environmental Services Committee

There were no referrals from the minutes of the Environmental Services Committee meeting held on Monday 17th January 2022.

A6. Referrals from the Regeneration and Community Committee

There were no referrals from the minutes of the Regeneration and Community Committee meeting held on Tuesday 18th January 2022.

A7. Referrals from the Housing and Property Committee

The Committee considered the following referral from the minutes of the Housing and Property Committee meeting held on Wednesday 19th January 2022:

Clause B9 – Willaston External Refurbishment Second Framework Agreement (Building Control Fees): the Committee had considered a report by the Assistant Housing Manager (Capital) in relation to a condition attached by the Department of Infrastructure to the approval of the recent Stage I2 report. This was a requirement for Building Regulations Approval to be obtained prior to submission of the main petition for borrowing powers.

As this would incur Building Control fees totalling £10,650 payable in advance, the concurrence of the Executive Committee was sought on a proposal to utilise capital housing receipts to pay the amount, in order to avoid delaying the project. The amount would then be reimbursed once the principal borrowing petition (including provision for fees) had received approval.

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

(ii) That the resolution of the Housing and Property Committee be endorsed, and that approval be given for the payment of Building Control fees in respect of the Willaston External Refurbishment Second Framework Agreement to be met from housing capital receipts by way of funding guarantee, with the amount being reimbursed to the fund on final approval of the principal borrowing petition being received.”

A8. Monthly Financial Review – December 2021

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

Members were advised that the Manx Consumer Prices Index (CPI) figure for December 2021 had been published at 6%, this represented a 1.4% increase on the October 2021 figure; and was the highest that Manx CPI had been since August 2011. The lesser-used Retail Prices Index (RPI) stood at 6.8% for December 2021, an increase of 1.3% on the previous month. This rise in Manx inflation reflected a global trend, indicating underlying inflationary pressures in the economy - not just from energy prices, but also commodities, materials, and a post-pandemic tight labour market.

Discussion also took place in relation to the rates increase approved by full Council for 2022 / 2023. It was noted that, of the other local authorities that had so far declared a rate for the coming financial year, two had set increases in excess of the 3.8% set by Douglas. The Director of Finance reminded Members of a recent comparison exercise undertaken in respect of local authority rates increases for the three years 2019 / 2020; 2020 / 2021; and 2021 / 2022, which showed that Douglas' rate had increased at a steady pace, rather than the sharp increases / decreases of some other authorities.

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

- The 95.2% rates collection figure for the months of April to December 2021, compared against the target figure of 94.6% for that period; and
- The rise in Manx Consumer Prices Index (CPI) inflation to 6% for the month of December 2021, the highest level since August 2011.”

A9. Urgent Business Procedure – Planning Application (21 01398/C – Temporary Car Parking Spaces, 20 St George’s Street, Douglas)

The Committee considered a written report by the Director of Environment and Regeneration on the use of the Council’s Urgent Business Procedure under Standing Order 125.

The Leader of the Council and the Chair of the Environmental Services Committee had approved a recommendation to object to a planning application for the continued use of twenty-two temporary car parking spaces at 20 St George’s Street, Douglas, on the grounds that the application was contrary to several planning policies.

The matter had been due for consideration by the Environmental Services Committee at its meeting on 13th December 2021, however, as one Member had submitted apologies for the meeting and another Member had had to declare an interest, the Committee had been inquorate in considering this particular item.

As it was considered not feasible to delay the matter until the scheduled meeting of the Environmental Services Committee in January 2022, it had been agreed that the matter should be determined under the Urgent Business Procedure.

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

- (ii) That the resolution under the Urgent Business Procedure – to object to planning application 21 01398/C for the continued use of twenty-two temporary car parking spaces at 20 St George’s Street, Douglas – be noted and endorsed accordingly.”

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. Items for Future Report

The Committee considered a written report by the Acting 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

C12. Council’s Constitution - Interviews for Assistant Chief Officer Posts

The Committee considered a written report by the Assistant Town Clerk in relation to a proposal from Members regarding the procedure for the appointment to Assistant Chief Officer posts.

Posts of the level of Assistant Chief Officer were currently subject to appointment by a panel of Council Members, normally appointed from the Executive Committee. However, following a meeting of one such panel in recent months, it had been questioned whether the involvement of Members in the process was appropriate; it being perceived that the Chief Executive and the Chief Officer (to whom the post reported), together with the Assistant Chief Officer (Human Resources) would constitute a more appropriate panel.

It was therefore proposed to amend the following sections of the Constitution:-

- Part 4(1) – Council Procedure Rules / Standing Order 122 - Filling of New Posts and Vacancies: so that Council Members did not have to be involved in the process of filling vacancies in posts of Assistant Chief Officer. Instead, such appointments would be made by a group of relevant senior officers – including the Chief Executive, the Chief Officer relevant to the particular Department, and the Assistant Chief Officer (Human Resources); and
- Part 4(5) – Officer Employment Procedure Rules: which would be adjusted to reflect the proposed changes to the responsibilities for appointments of Assistant Chief Officers (by a panel of Officers) and staff at lower grades.

The Committee rose at 3.15pm.

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, 19th January, 2022.

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

In Attendance: Director of Housing and Property (Mr D. Looney), Assistant Chief Officer (Housing and Property) (Mr V. Zivave), Accountancy Manager (Mr M. Quayle), Assistant Town Clerk (Mr P. Cowin), Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies for Absence

There were no apologies for absence.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 15th December, 2021

The minutes of the meeting held on Wednesday, 15th December, 2021, were approved and signed.

A4. 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 December, 2021 there were eighteen 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.

The Assistant Chief Officer (Housing and Property) advised that as 19th January, 2022, there were twenty-two vacant properties outstanding, of which 5 were now ready for re-letting.

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

A5. Housing Rent Arrears

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) to monitor the progress made on rental income collection.

Members were presented with a table setting out the rent arrears statistics for November and December, 2021. It was noted that as at the 5th December, 2021 the level of rent arrears was £152,218.33 which had decreased to £103,247.42 by 2nd January, 2022.

Members of the Committee were particularly pleased to note that the number of "at risk" tenants, where no payment plan was in place, had reduced from 3 in December, 2021 to zero in January 2022.

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

A6. Lord Street Flats/Peel Road Apartments Removals Contractor

The Committee considered a report by the Assistant Property Manager (Capital) on the tendering of a contract for removal of tenants' personal contents of Lord Street Flats to Peel Road Apartments.

Funding was available within the borrowing powers of the petition for construction of the Apartments and following the first tender invitation, which had resulted in only one tender at an unacceptable level, the specification had been adjusted and further tenders invited. Again, only one tender was received.

Resolved unanimously, "That the tender of Corkill's Removals Ltd., for the removal of tenants' personal contents from Lord Street Flats to Peel Road Apartments, being the sole tender received, be accepted."

A7. Items for Future Consideration

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

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

A8. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Wednesday, 16th February, 2022.

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

PART B –

Matters requiring Executive Committee approval

B9. Willaston External Refurbishment 2nd Framework Agreement – Building Control Fees

The Committee considered a report submitted by the Assistant Housing Manager (Capital) in relation to the second Framework Agreement for external refurbishment at Willaston. The Department of Infrastructure had attached a condition to approval of the recent Stage I2 report that Building Regulations Approval be obtained prior to submission of the main petition for borrowing powers in respect of the next phase of the scheme.

This required payment of the Building Control fees in advance, totalling £10,650, and it was proposed to utilise capital housing receipts to pay that amount, and to repay it once the principal borrowing petition, including provision for the fees, was approved.

It was noted that the concurrence of the Executive Committee would be required for the use of capital housing receipts.

Resolved unanimously, “That the report be noted on the minutes and that subject to the concurrence of the Executive Committee to the use of housing capital receipts for the purpose, and to its repayment on final approval of the principal borrowing petition, the Building Control fees for the second framework agreement for Willaston External Refurbishment be met from housing capital receipts.”

PART C –

Matters requiring Council approval

C10. Willaston External Refurbishment – Tenant Liaison Services

The Committee considered a report by the Assistant Housing Manager (Capital) in relation to the services of the Tenants Liaison Assistant in connection with the Willaston External Refurbishment Scheme. The proposal was to engage the services for the full five-year length of the second framework agreement, rather than phase by phase as had previously been the case. The cost would be met through a single borrowing petition rather than an element of the petition for each phase.

It was also intended to use the exercise to adjust the cost of the tenant liaison element of phases within the first framework agreement.

Resolved unanimously, “That the report be noted on the minutes and that:

- (i) The cost of Tenant Liaison Services in the sum of £353,246 to the end of the second framework agreement be approved;
- (ii) The Chief Executive be authorised to petition the Department of Infrastructure for borrowing powers in the sum of £353,246, being the sum required to defray the cost to the Council of the services of the Tenant Liaison Assistant;
- (iii) The Department of Infrastructure be advised that an assessment of the Council’s housing reserve fund has been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source.”

The meeting ended at 11.15am.

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, 18th January, 2022.

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

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

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Apologies had been submitted by the Chair, Mr Councillor S.R. Pitts, and the Senior Engineering and Waste Services Manager.

A2. Chair of Meeting

In the absence of the Chair, the Committee unanimously elected Mr Councillor A.J. Bentley to Chair the meeting.

A3. Declarations of Interest

There were no declarations of interest.

A4. Minutes – 14th December, 2021

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

A5. Matters Arising from the Minutes

There were no matters arising from the previous minutes.

A6. Report on Beach Modelling and Discussions from Other Agencies

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager on a fee proposal to carry out a detailed modelling study and to progress discussions with other agencies regarding an holistic approach to the various issues affecting Douglas Bay.

The Director of Environment and Regeneration advised that the Council had been investigating how best to deal with numerous issues affecting Douglas beach, and had approached companies on how to deal with seaweed, as well as the efficacy of the beach groynes. The Director of Environment and Regeneration explained that the Council expended resource re-profiling the beach due to cross-shore sediment transportation and that any future proposed solutions were likely to be at high cost.

Members were advised that invitations had been sent to two companies, JBA consulting, and HR Wallingford on 23rd November 2021, for fee proposals for conducting a detailed beach modelling study of sediment transport. As these tenders did not close until 17th December 2021, fees for beach modelling had not been included in the 2022 / 2023 budget.

In response to question, the Director of Environment and Regeneration advised that the recommendation of the report is to authorise officers to approach other agencies sharing quotes and ask how much they would be prepared to contribute towards the study, in order for the works to be budgeted accordingly for the 2023 / 2024 Council budget.

During discussion Members highlighted that as work on the beach would likely be at high cost, the further work and subsequent costs required to remodel the beach could potentially exceed what budget could be allotted towards it, so communicating with other agencies and enquiring if they would be happy to contribute is essential.

Resolved, “That particulars of the report and discussion be noted on the minutes and that other stakeholders be approached to ask whether, and how much they would be prepared to contribute towards the cost of financing the study and/or any future planned measures to reduce the effects of

sediment transport and the longer term potential issues associated with climate change i.e. rising sea levels and more frequent incidences of storm events.”

A7. Derby Square – Plans for Weather Vane

The Committee considered a report submitted by the Head of Parks to consider the relocation of the Derby Square Weather Vane.

The Head of Parks advised that he had spoken to the Isle of Man Victorian Society who had confirmed they would be happy to receive the Weather Vane, but did not at present have anywhere to display it.

Members agreed that they would prefer the Weather Vane to be displayed somewhere as opposed to it being placed in storage.

Members opted to reject the recommendation, “That Members approve the donation of the Derby Square Weather Vane to the Isle of Man Victorian Society.”

Resolved unanimously “That particulars of the report and discussion be noted on the minutes and officers be authorised to investigate alternative sites for relocation for the Derby Square Weather Vane.”

A8. Licencing Letter of Consent for Bars at TT 2022

The Committee considered a report submitted by the Head of Parks seeking approval to provide the advocate representing the Department for Enterprise and Okell’s Inns Limited a letter of consent for licences for Bars at TT 2022.

Members were advised that previously, the sale of alcohol was permitted from 10.00am to 12.00 midnight with the hours that live amplified music can be operated limited to between 10.00am and 11.00pm, with background music being permitted to midnight. It is recommended that these parameters be conditions of any letter of consent.

The Head of Parks advised that in 2019 a Council Member had commented in regards to the high level of noise of the event, the Head of Parks further advised if the Council were to receive multiple direct noise complaints in regards to the event then at that point the Council would have to review the arrangement.

Members highlighted concerns that excessive noise during Practice Week may affect students taking GCSE exams at that time.

In response to question, the Head of Parks advised that the Council will only be dealing directly with the Department for Enterprise, and the DfE will be responsible for ensuring that the bars operating on Council land during TT adhere to the Health and Safety requirements.

Resolved, “That particulars of the report be noted on the minutes and that approval be given to officers to provide the advocate representing the Department for Enterprise and Okell’s Inns Limited, with a letter of consent for licencing of Bars at TT 2022 with the following conditions:

- The sale of alcohol is permitted to start from 10.00am to 12.00 midnight on Saturday 28th May 2022 until Friday 10th June 2022 inclusive.
- The hours of live/amplified music can be operated are limited to between 10.00am and 11.00pm and background music until 12.00 midnight on Saturday 28th May 2022 until Friday 10th June 2022 inclusive.”

A9. Motorhome Winter Storage in Noble’s Park

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) advising on the possibilities for Motorhome Winter Storage in Noble’s Park.

The Assistant Chief Officer (Regeneration) outlined the recommendations for Committee to choose from, whether to continue prohibiting the long term storage and parking of Motorhome Vehicles in Noble’s Park or to consider using the paddock car park to permit storage of Motorhomes between 1st October and 31st March, subject to planning approval being obtained. The Assistant Chief Officer (Regeneration) advised that in the paddock car park, Motorhomes could only be stored to mid-March, as the Circus use that area from the 21st of March, and the revenue generated from the Circus exceeds what would be generated as a Motorhome Storage area.

The Assistant Chief Officer (Regeneration) reminded Members that one of the main aims of the Noble’s Park Traffic Management Strategy was to protect the park’s primary use for leisure and recreation.

Members considered the possibility of using “the boneyard” as a potential location to store Motorhomes throughout Winter. The Assistant Chief Officer (Regeneration) advised against this as planning consent for that area would very likely be refused, and reminded Members that the planning authority had imposed the four night maximum stay limit on the planning consent approved for the motorhome aire. In response to question the Assistant Chief Officer (Regeneration) advised that currently the Parking Places Order prohibits Motorhomes from being parked in the Paddock.

In response to question, the Assistant Chief Officer (Regeneration) advised that the Motorhome Storage could be enforced by checking the permit displayed of each Motorhome, and in the event of a Motorhome being stored beyond its end date, the Council can issue an additional parking charge of £150 to pay within 28 days, and then if left unpaid to proceed with prosecution and if appropriate issue further additional parking charges.

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

(i) That long term parking and storage of motorhomes in Noble's Park continues to be prohibited."

2 for, 1 against.

Motion Carried.

Councillor Miss N.A. Byron asked that her name be recorded as voting against the resolution.

A10. Douglas Town Centre Management Geographical Remit

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to provide a revised proposed boundary for the geographical remit of Douglas Town Centre Management as requested by Members at the December 2021 Committee meeting.

Members highlighted that while including some streets in the geographical remit and excluding others could potentially upset some businesses, this revised geographical remit is now manageable within officer's capacities, Members also reiterated that this issue has come about as a result of the success of Douglas Town Centre Management.

Members considered adding a number of other streets to the geographical remit to which the Assistant Chief Officer (Regeneration) highlighted which areas would cause a strain on Douglas Town Centre Management's resources.

Members requested that a further report be received by the Committee with regard to increasing the staff resource for Douglas Town Centre Management and the impact that might have on the geographical remit.

Members suggested amending the recommendation to include the stores, "IQ" on Prospect Hill, the former Sayle Gallery unit in the Villa Marina colonnade, and the Sea Terminal.

Resolved, "That particulars of the report and discussion be noted on the minutes and the Committee confirms that the remit of Douglas Town Centre Management should be limited to Douglas Town Centre as defined on the plan attached at Appendix 1 with the addition of the IQ store unit on Prospect Hill, the former Sayle Gallery unit, and the Sea Terminal."

A11. Adjournment and Resumption

The meeting adjourned at 10.58am and resumed at 11.04am. The Worshipful the Mayor submitted her apologies for the remainder of the meeting.

A12. Pedestrianisation of North Quay

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to provide feedback on the pedestrianisation of North Quay during the evenings over the summer of 2021 and to seek approval to repeat the initiative in 2022.

In response to question, the Assistant Chief Officer (Regeneration) advised the current road closure on North Quay on the site of the former Newson's building will need to stay in place until either the property is repaired or demolished and that with that closure in place it will not be possible to implement the evening pedestrianisation because two-way traffic on Ridgeway Street was deemed unsuccessful during the initial trial.

The Assistant Chief Officer (Regeneration) relayed feedback from businesses in the area with their opinions on the proposed road closures.

The accompanying report stated that road closures from Ridgeway Street to Market Hill would take place from Friday, 15th April until Friday, 30th September 2022 from 4.30pm until 2.00am.

The Assistant Chief Officer (Regeneration) advised that St Matthews Church had voiced concerns regarding a lack of access, and to accommodate those concerns the proposal included a drop off point within the closed area for access to the church.

A Member proposed trialling the road closure from 11.30am or 7-days per week during the TT race week and the weekend immediately before and after it, and the Assistant Chief Officer (Regeneration) agreed that this would be a good opportunity to trial the earlier closure. Members expressed a view that some sort of entertainment during these periods would also be beneficial.

Resolved "That particulars of the report be noted and that:

- (i) Officers be authorised to apply for road closures of North Quay from Ridgeway Street to Market Hill commencing on Friday, 15th April 2022 to run until Friday, 30th September 2022 from 4.30pm until 2.00am seven days per week including a pick-up and drop-off area for users of St Matthews Church within the closed road and that a closure from 11.30am during TT race week (including the weekends either side) be trialled;
- (ii) A summer evening road closure is applied for annually with any proposed changes being reported to the Committee for approval; and
- (iii) All extensions and revisions granted to pavement café areas during the pedestrianisation in 2021, including relaxation on the requirement to fix barrier posts into the ground, are repeated during any future periods of pedestrianisation in order to tie in with the Liquor Licence approvals.”

A13. Quarter Three Henry Bloom Noble Library Service Plan Performance Monitoring 2021/22

The Committee considered a report submitted by the Borough Librarian to update on the performance made against measures as outlined in the library service plan.

Appended to the report were the actions from the Library service plan together with an update as at the end of Quarter Three 2021/22, together with Library usage numbers. A red, amber, or green status had been applied to each measure.

The Borough Librarian reported that almost all measures were on target, with the one exception being the Library Working Group, with Quarter Three being the same as Quarter Two in that the findings of the survey are still yet to be reported by Government.

The Borough Librarian advised the Committee of the impact of the flood in the Library which took place on the 26th of November, with the Library being closed for one day to allow the clean up to commence, the report stated various necessary repairs which were required as a result of flooding, such as floor coverings needing replacing, water damaged walls and a total of 24 books which were damaged beyond repair.

As contained in the report the number of PC users was slightly down, which was as a result of two PC's being located on the bottom floor which was flooded, they were out of action for three weeks while the immediate repairs to the bottom floor were taking place.

The Borough Librarian commended the speed of which the Library was able to resume service, being open again the next day, with the bottom floor being out of use for three weeks.

In response to question, the Borough Librarian advised that she was looking into if the Library could hold more Beginners Manx Language lessons in 2022 in partnership with Culture Vannin.

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

- (i) That the progress made against performance indicators in the Library Service Plan be noted;
- (ii) That the impact of the flood on Friday, 26th November 2021 and the closure of the library on that day to allow the clean-up operation to begin in a safe way be noted.”

A14. 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.”

A15. Date and Time of Next Meeting

Members were advised that the next scheduled meeting was due to take place on Tuesday, 15th February, 2022.

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

The meeting ended at 11.50am.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 17th January, 2022.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Accountancy Manager (Mr M. Quayle) (Items A1 to A7), Senior Engineering and Waste Services Manager (Mr A. Crook) (Item A6), Dilapidation Enforcement Officer (Mr S. Salter) (Items A7 to A10), Assistant Town Clerk (Mr P.E. Cowin), Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

No apologies for absence were received.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 13th December, 2021

The minutes of the meeting held on Monday, 13th December, 2021 were approved and signed.

A4. Matters Arising

Clause A11 – Dilapidated Properties. Members discussed the comments raised at the January 2022 Council meeting in relation to the newly formed Housing Committee within Government. In response, the Director of Environment and Regeneration advised that officers would seek to ascertain the Committee's remit to understand whether there was any overlap in relation to the enforcement of legislation for dilapidated properties.

The Assistant Chief Officer (Regeneration) reminded Members of a previous review of the Building Control Act which had been carried out approximately five years ago, he undertook to revisit this to see if there were any weaknesses in the current legislation, further advising that the Council's current powers under the Act are generally fit for purpose, although there are sometimes obstacles related to matters outside the scope of the Act that can hinder the progress of cases such as identifying property owners and dealing with property assets left over from dissolved companies that have not been properly liquidated.

A5. Use of the Bottleneck Car Park during TT

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to provide an update on the use of the Bottleneck Car Park during the TT fortnight.

Members were reminded that in August 2021, a joint proposal submitted by 1886, 360 Multimedia and Of Course Solutions, to operate a 14 day festival comprising named bands, artists and comedians had been accepted by the Committee in response to expressions of interest that had been sought from potential operators for the Bottleneck Car Park site.

Members were advised that since that time, the Council had been informed by 1886 that they no longer wished to be part of this partnership and were therefore withdrawing from the project. Subsequent conversations with the other parties had also indicated that they no longer wished to pursue the option. It was recommended that the Council does not seek an alternative operator but instead retain the site as a public car park.

The Assistant Chief Officer (Regeneration) advised that, since the time of publishing the report, a proposal to potentially operate a left luggage port-a-cabin on the site had been received. He explained that the proposal would require the use of four car parking spaces. Members agreed in principle for officers to explore the proposal and report back to the Committee with more detail.

In response to question, the Director of Environment and Regeneration advised that if any future proposals were received from potential operators of the site then these would be presented to the Committee for determination as per the Council's current approach for dealing with such requests.

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

- (i) It be noted that the group of businesses offered the opportunity to use the Bottleneck Car Park for TT 2022 no longer wish to pursue the option; and
- (ii) That an alternative operator for 2022 and subsequent years not be sought, instead retaining the Bottleneck as a public car park during the TT festival."

A6. **Review of the Council's Bulk Waste Refuse Collection Service**

The Senior Engineering and Waste Services Manager joined the meeting for discussion of the item.

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager following a review of the Council's bulk waste collection service.

Members were advised that the current system for bulk waste collections had been in operation for a number of years and is fundamentally based around the volume of waste rather than weight. It was noted that Waste Electrical and Electronic Equipment (WEEE) such as TVs, PC monitors, fridges, freezers etc. are subject to the standard disposal charge as levied by the Isle of Man Government's appointed contractor and all other items are assessed on their volume; the yardstick used is based on a quarter, half or full lorry load for domestic collections and a half or full load for commercial collections. Pre-quote inspections are carried out by experienced staff who make a judgement on the volume of bulk waste.

The current charging mechanism is in accordance with the agreed schedule of fees and charges and is based on a calculation of the labour, the vehicle used to carry out the collection, disposal costs at the Energy from Waste Plant / disposal with the Government's contractor for WEEE goods and the capacity of vehicle that is required.

Members were advised that the current service is satisfactory but is not in high demand, with approximately three collections per fortnight on average. It was noted that from April 2021 to December 2021 there were 87 domestic and 4 commercial collections.

In order to review the service with a view to streamlining it, officers had looked at the operations carried out by a range of UK Local Authorities. It was noted that the main difference in their approach is working on a charge per item basis which eliminates the need for a pre-quote inspection. The Senior Engineering and Waste Services Manager advised that as Douglas is considerably smaller in size the actual cost / hours lost from carrying out an inspection of the items is relatively minimal and also enables the customer to dispose of more items than the limitation imposed by other authorities.

Members were advised that whilst the Council operates a system based around volume rather than the number of items, there is a base charge for single and small items that is comparably very good value for money. The option to 'fill a wagon' is advantageous as there is not a limit on the amount of items for disposal, whereas most Authorities studied set a maximum number of items.

Of particular note was Cambridge Council who at the time of receiving an enquiry, ask the customer to consider other options before pursuing a bulk waste collection; can the item(s) be sold for re-use, would a charity be interested in taking the item, can the item(s) be taken to the nearest Household and Waste Recycling Centre? Members noted that the promotion of alternative methods of disposal/reuse aligned with the Waste Framework Directive and meets the Council's Corporate and Strategic objectives in terms of waste minimisation and the circular economy.

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

- (i) That the Bulk Waste Collection Service continue in its current format as follows;
 - a) That quotations for single or small items be arranged by telephone;
 - b) That quotations for multiple or larger items be carried out following inspection;
 - c) That the charging mechanism, which includes, plant, labour, estimated disposal cost following inspection and WEEE charges, continue in its current form;
 - d) Receipt of payment is required before collection; and
 - e) In addition to the existing arrangement, Waste Services discuss other disposal options with the customer before providing quotations, to include options for private sale, donating to a charity, or set aside for re-use at the Eastern Civic Amenity Site."

The Senior Engineering and Waste Services Manager was thanked for his attendance and left the meeting. The Accountancy Manager left the meeting at the conclusion of this item.

A7. Planning Application 21/01468/B – 6 Dwellings Victoria Road

The Dilapidation Enforcement Officer joined the meeting for discussion of items A7 to A10.

The Committee considered an appraisal of planning application 21/01468/B for the erection of six detached houses and associated parking at the land South of Leyton on Victoria Road, Douglas.

The proposed development is for six large family properties, five of which will have a garage and off-street parking for two vehicles. It was noted that the development is on a brownfield site. The report advised that the Council's waste services team had raised no concern over the proposals and at the time of publishing the appraisal there had been no concerns raised by the Department of Infrastructure over highway safety. The report had recommended raising no objection to the application.

The Dilapidation Enforcement Officer advised that since the time of writing the report, the Department of Environment, Food and Agriculture had raised an objection to the application based on the loss of trees, the type of tree proposed to be replanted and their proximity to the development, which may in the future encroach onto the new properties. Based on this new information the officer had recommended raising an objection to the application based on the loss of biodiversity, tree cover and the poor assessment by the applicant in relation to the proposed mitigation replanting.

Resolved, "That particulars of the report and discussion be noted on the minutes and that an objection be raised to planning application 21/01468/B on the grounds that the proposed development does not comply with planning policy; most notably General Policy 2 (B) and (F)."

A8. Planning Application 21/01454/B – TT Timing Hut, Grandstand

The Committee considered an appraisal of planning application 21/01454/B for the erection of a two storey structure TT timing hut at the Grandstand on Glencrutchery Road, Douglas.

Members were advised that the application had arisen as a result of a structural survey carried out on the previous timekeeper's hut, which found that the existing structures were in such condition that they could no longer be used after the Festival of Motorcycling in September 2020. Detailed within the appraisal were photographs showing both the existing and proposed new structure which has been designed in accordance with the Equality Act 2017 and is DDA compliant.

The report advised that the footprint of the proposed structure is of a similar size to the existing with Members noting that the proposals do not show any external lighting which may be required dependent on any detrimental effects the development may have on the Glencrutchery Road users.

In response to question, the Dilapidation Enforcement Officer advised that the Council has asked the applicant for protection to the Cemetery wall.

Resolved, "That particulars of the report and discussion be noted on the minutes and that support be given to planning application 21/01454/B on the condition that the applicant gives consideration to the fitting of external lighting should it be established that the new building had any detrimental effects on the efficiency of the existing lighting."

A9. Planning Application 21/01540/B – Bix House

The Committee considered an appraisal of planning application 21/01540/B for the erection of six residential dwellings with associated landscaping at Bix House and the land to the rear of Farmhill Lane, Douglas.

Members were advised that this application is a revision to planning application 20/01531/B which had been previously considered by the Committee in February 2021 with Members resolving to raise no objection to the application.

The Dilapidation Enforcement Officer advised that this application is much improved in comparison to the previously approved proposal and is considered as being better for the environment/ecology as it involves more tree planting and fewer trees being removed. It was noted that the applicant had revised the proposal in order to address many of the previous objections raised from residents living in close proximity to the site.

It was noted that this revised application will reduce the proposed number of dwellings from twelve to six and is a result of ongoing discussions primarily relating to the loss of a large area of the existing woodland that would have been removed as part of the original application. The revised scheme aims to find a compromise solution to benefit the ecology of the area.

A Member expressed disappointment at the loss of first time buyer properties to be included in the development.

Resolved, "That particulars of the report and discussion be noted on the minutes and that support be given to planning application 21/01540/B."

3 For. 1 Against.

Mr Councillor D.R. Watson asked that his name be recorded as voting against the resolution.

A10. Schedule of Dilapidated, Ruinous or Dangerous Properties

The Committee considered a schedule of properties in a state of dilapidation or disrepair, setting out five properties added since the last meeting; eight properties removed because work had been completed; and a total of fifty-four 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.”

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

A11. 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 noted that a report on the proposal received for use of the Bottleneck Car Park during TT 2022 would be added to the schedule.

It was noted that item three, in relation to Douglas Beach would be removed from the schedule as this was now within the Regeneration and Community Committee’s remit.

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

A12. 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, 14th February, 2022.

The meeting ended at 11.40am.

X – MISCELLANEOUS BUSINESS, of which Notice has been given as follows:

MISCELLANEOUS BUSINESS

1. Election of a Member to be Chair of the Regeneration and Community Committee for the remainder of the two-year term until April, 2023.

The vacancy has arisen through the resignation from the position of Mr Councillor S.R. Pitts.

If the Member elected is a current Member of the Regeneration and Community Committee, it will leave a vacancy in Membership which will be filled by the Executive Committee making an appointment when it meets on 25th February.