



Borough of Douglas

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

Town Hall,

Douglas,

7th July, 2023

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL of the BOROUGH OF DOUGLAS to be held on WEDNESDAY, the 12th day of JULY, 2023, 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 read 'Katherine'.

Town Clerk & Chief Executive

Order of Agenda

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

II - Any statutory business.

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

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

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

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

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

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

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

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

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

AGENDA

III – Chief Executive to read minutes of the monthly Council Meeting held on Wednesday, 14th June, 2023.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Thursday, 29th June, 2023.

Members Present: Councillor Mrs C L Wells (Chair), Mr Councillor A J Bentley, Mr Councillor I J G Clague, Mr Councillor D R Watson, Mr Councillor F Horning.

In Attendance: Chief Executive (Miss K J Rice), Director of Finance (Mr A J T Boyd), Director of Environment and Regeneration (Mrs D Eynon), Director of Housing and Property (Mr D Looney), Assistant Chief Officer (Democratic Services) (Mrs L Radcliffe) (for Clauses A10), Assistant Chief Officer (Finance) (Mr E P Pierce) (for Clause A11), Accountancy Manager (Mr M Quayle) (for Clause A11), Executive Officer (Mrs J M Keig) (taking minutes).

REPORT

PART A –

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

A1. Apologies for Absence

Apologies for absence were submitted on behalf of the Worshipful the Mayor.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes

The minutes of the meeting held on Thursday 25th May 2023 were approved and signed.

A4. Matters Arising From Previous Minutes

There were no matters arising from the previous minutes.

A5. Referrals from the Environmental Services Committee

The Committee considered the following referrals from the minutes of the Environmental Services Committee meeting held on Monday 19th June 2023:

Clause B11 – Alternate Weekly Collections (Additional Funding in Support of the Change in Service): the Committee had considered a report by the Senior Engineering and Waste Services Manager in relation to additional funding required in support of the transition from weekly to fortnightly refuse collections and the introduction of the garden waste service.

The Committee had resolved expenditure for the following items, and approval for funding was sought accordingly:-

- The purchase of a replacement stock of garden waste and recycling bins at a cost of £37,000;
- The preparation of communication and all other promotional material at a cost of £10,000;
- The upgrading of the Council's membership of Keep Britain Tidy for 2023 / 2024 to the exemplar membership at a cost of £2,500; and
- The production of a new recycling / processing video at a cost of £9,000.

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

(ii) That the resolution of the Environmental Services Committee be noted and endorsed and that approval be given to drawdown reserve funding in the sum of £58,500 accordingly."

Clause B12 – Vandalism in Public Toilets and Pay-Per-Use: the Committee had considered a report by the Senior Engineering and Waste Services Manager in relation to whether the levying of a charge to access the Council's public toilets in Douglas had had a material effect on incidences of vandalism, either adversely or positively. Members had noted that a number of mitigating measures had been employed in recent years with varying success and resolved the following:

- To give officers authority to disable the charging mechanism or close particular sites overnight (for a period of up to a maximum of seven days) where, in their judgement, those actions would reduce the likelihood of vandalism or anti-social behaviour; and
- To give officers authority, in consultation with the Chair of the Environmental Services Committee, to disable the charging mechanism for particular sites where, in their judgement, it would support one-off events in the City.

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

- (ii) That the resolution of the Environmental Services Committee – proposing a policy amendment to enable officers to apply flexibility to disabling the charging mechanism in response to vandalism and / or anti-social behaviour and in support of events in the City - be noted and endorsed accordingly.”

A6. Referral from the Joint Environmental Services and Regeneration and Community Committee

The Committee considered the following referral from the minutes of the Joint Environmental Services and Regeneration and Community Committee meeting held on Tuesday 20th June 2023:

Clause A3 – Proposed Noble’s Park Off-Street Parking Places Order: the Joint Committee had considered a report by the Assistant Chief Officer (Regeneration) in relation to car parking in the paddock area in Noble’s Park.

Members had been reminded that one of the aims of the Traffic Management and Vehicle Parking Strategy had been to alleviate the use of Noble’s Park for the parking of vehicles with no direct connection to the use of the Park and its facilities. Since the first phase of the Order had been implemented, the problem of vehicles being stored in the Park had virtually disappeared. The second phase had been to include the introduction of a pay-and-display regime, with a nominal £1 fee for 24 hours’ parking, however, this had been significantly delayed and the parking order had simply limited the use of the paddock car park to cars (specifically excluding motor-caravans) for a period of up to 24 hours.

As the current arrangement, permitting vehicles to be parked for up to 24 hours in the paddock area had also achieved the original objective, it had been recommended to the Joint Committee that it be continued with. Approval was therefore sought for the £1 daily charge for parking in the paddock car park to be deleted from the Budget Book accordingly.

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

- (ii) That the resolution of the Joint Environmental Services and Regeneration and Community Committee be noted and endorsed and that approval be given for the £1 daily charge for parking in the paddock car park in Noble’s Park to be deleted from the Budget Book.”

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 20th June 2023.

A8. Referrals from the Housing and Property Committee

There were no referrals from the public minutes of the Housing and Property Committee meeting held on Wednesday 21st June 2023.

A9. Monthly Financial Review - May 2023

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

As reported in March 2023, Manx Utilities had been planning to implement staged increases in electricity tariffs for this year, leading to a 50% overall level of increase in aggregate terms. It had subsequently been announced however that the tariffs would not be increasing by as much as had been previously planned, reflecting the fall in wholesale energy prices.

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

- The rates collection figure of 30.4% compared against the target figure of 26.7% for the period April to May 2023; and
- The revised £86,000 rateborne budget shortfall in 2023 / 2024 arising from the reduced level of electricity tariff increases now planned by Manx Utilities from 1st July 2023.”

A10. Consultation Document – Withdrawal of Low Value Coins and Rounding

The Committee considered a written report by the Assistant Chief Officer (Democratic Services) in relation to a consultation document received from the Isle of Man Treasury.

The Treasury was considering the removal of 1p, 2p, and 5p coins from general circulation at a date in the future yet to be decided. From that agreed date, these coins (and their UK equivalent denominations) would cease to be legal tender on the Isle of Man and could not be used for day-to-day use; and retailers and institutions would not be required to accept them for payment.

At the same date from which the coins would cease to be legal tender, the Treasury was also proposing to introduce the concept of compulsory rounding in respect of all cash transactions (although rounding would not apply to digital transactions).

The vast majority of the Council's transactions were fully digitised, so there would be little impact. Only around 3% of the Council's income was collected through cash, with the use of direct debits, payments direct to the bank account, and online payments being much greater, although there may be some small impact upon the coin-operated machinery at the Council's car parks and public conveniences, as machines would need to be programmed to reject 1p, 2p, and 5p coins.

Members were cognisant that the older and more vulnerable within the population of the Council's social housing tenants still relied on the use of physical cash, so cash did need to remain an option in order that they were not financially excluded from society.

Rounding would not, however, be applied to social housing rents or rates payments, as these were statutory amounts that were payable; and it was suggested, if the proposal was progressed, that the Department of Infrastructure should consider rounding social housing rents to the nearest 10 pence in advance of the withdrawal of the coins. The Council would also require sufficient notice of the proposals being implemented, in order that fees and charges could be amended to avoid any figures that were not a multiple of 10 pence.

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

(ii) That the proposed response (as appended to the written report) be approved for submission to the Isle of Man Treasury as the Council's response."

[Members voted 3 For; 2 Against. Mr Councillor A J Bentley and Mr Councillor D R Watson requested their vote against the resolution to be noted on the minutes]

A11. Revenue Outturn Report 2022 / 2023

The Committee considered a joint written report by the Director of Finance and the Assistant Chief Officer (Finance) detailing the revenue outturn position for the 2022 / 2023 financial year, and seeking to determine key strategic allocations to reserves at the year-end.

The annual report set out the overall revenue performance against budgets, and the ensuing impact upon the Council's reserves. It included the summary revenue outturn position; details of transfers to and from the General Revenue Reserve; and actual expenditure compared to the original budget.

Members noted the major elements that had contributed to the revenue outturn position. Although there was a net favourable variance at the Service level across Committees, the full position would only be understood once all commitments had been taken into account, including items that had been rolled forward and any deferred one-off reserve-funded costs. The uncommitted balance on the General Revenue Reserve (as compared with the budgeted position set in January 2022), and the summary of the Council's usable reserves were also noted.

Members were reminded that, at the Special Executive Committee Budget Meeting (in January 2023), it had been resolved that top-up contributions be considered in the event of a favourable outturn position, however, because of the level of the General Revenue Reserve, it was recommended that no contribution be made to specific Reserves at this stage.

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

(ii) That the favourable initial draft revenue outturn position for the 2022 / 2023 financial year also be noted;

(iii) That approval be given for a £358,819 contribution to be made to Balances; and

(iv) That no additional contributions into specific Reserves be made from the General Revenue Reserve at this stage."

A12. Isle of Man Municipal Association

No documents had been received from the Isle of Man Municipal Association in advance of the meeting.

A13. Items for Future Report

The Committee considered a written report by the Chief Executive identifying those issues on which further reports had been requested or which were outstanding, so that Members and officers were aware of them and could monitor progress.

Resolved, "That particulars of the report be noted on the minutes and that it be considered and monitored at each meeting of the Executive Committee."

PART C –

Matters subject to Council approval

No public matters subject to Council approval were considered.

The Committee rose at 4.45pm.

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

HOUSING AND PROPERTY COMMITTEE

HOUSING AND PROPERTY COMMITTEE – Minutes of Meeting held on Wednesday, 21st June, 2023.

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

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

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies for Absence

No apologies for absence were received.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 17th May, 2023

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

A4. Matters Arising

There were no matters arising from the previous meeting.

A5. Vacant Properties Update

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

Appended to the officer's report was the void properties schedule, which showed that as at the end of May 2023, there were thirty-five vacant properties receiving attention. The Assistant Chief Officer (Housing and Property) advised that eight properties from the schedule would be ready for allocation in the forthcoming weeks.

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

Members were reminded of the change request which had been submitted to the Department of Infrastructure, seeking funding to carry out works to six vacant properties, following approval by the Committee in February 2023. The Assistant Chief Officer (Housing and Property) advised that funding in the sum of £69,000 had now been approved.

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

A6. Housing Rent Arrears

The Committee considered the monthly report submitted by the Housing and Property Operations Manager to monitor the progress made on rental income collection.

Members were presented with a table setting out the rent arrears statistics for April and May 2023. It was noted that as at the 4th June, 2023 the level of rent arrears was £94,737.23.

Appended to the officer's report was statistical data prepared by the Housing and Property Operations Manager setting out the rent arrears statistics by estate; property type and occupancy. The Housing and Property Operations Manager explained that the one reported "at risk" tenant had agreed and set up a payment plan therefore is no longer deemed "at risk".

The Director of Housing and Property advised that the Housing and Property Operations Manager had compiled trend analysis data that was intended to be included in the report going forward.

In light of the fact that the rent arrears monitoring report was first presented to the Committee in response to the COVID-19 pandemic, the Director suggested that the rent arrears monitoring be included as part of the Housing and Property Service plan performance monitoring reports as opposed to its own standalone item.

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

A7. Void Refurbishment Framework Contract

The Committee considered a report submitted by the Assistant Housing Manager (Maintenance) to advise on the tenders received for the Void Refurbishment Framework Contract.

Members were reminded that works to void properties have been carried out by a contractor using a pre-determined and tendered schedule of rates since Committee approval in 2016. Following adoption of this approach, the void rent loss account had reduced considerably and contracting out the work had proved to be the most efficient method to turn around void properties. It was noted that the current contract expired on 31st March, 2023.

Appended to the officer's report was the schedule of rates against which contractors were required to tender, together with a cost comparison of the price increases with the previous voids framework.

Tenders were invited and returned by the closing date of 5.00pm on Thursday 18th May, 2023. The tenders were opened by the Chair of the Housing and Property Committee, in the presence of the Assistant Chief Officer (Housing and Property) on 22nd May, 2023 and following checks and analysis of the two tenders received it is proposed to accept the lowest tender submitted by Maclo Construction Limited which was below the pretender estimate.

Members were advised that the tender submission is based upon an estimate of 260 voids, 130 voids per year. It was noted that the actual spend under the contract will depend upon the number of voids and level of voids works required to each vacant property.

Members were advised that the tender has been based on the worst case scenario, if all voids received are refurbishment category. However, it was noted that over a twelve month period a variety of void types ranging from standard, major and refurbishment are received. During the last financial year, the following void types were received: standard – 22, major – 16 and refurbishment – 41.

With the Department of Infrastructure now monitoring the 2% rent loss deficiency target, it is essential that the total amount of rent loss incurred by void properties is kept to a minimum by ensuring that void properties are turned around to re-let standard as quickly as possible. The use of contractors to complete repair work to void properties assists in achieving this aim.

It is anticipated that the contract will commence in July 2023 and will continue until June 2025 when the two years is complete or the contractual figures has been fully utilised.

Resolved, "That particulars of the report be noted on the minutes and that the lowest tender rates for the void refurbishment framework contract from Maclo Construction Limited, for a period of two years be accepted."

A8. 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.

In response to reports of issues with non-residents parking at the new Peel Road Apartments, it was agreed that a report on options to alleviate these issues be forthcoming.

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

A9. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Wednesday, 19th July, 2023.

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

The meeting ended at 12.15pm

VI(vi) – The proceedings of the Joint REGENERATION AND COMMUNITY COMMITTEE and ENVIRONMENTAL SERVICES COMMITTEE as follows:

REGENERATION AND COMMUNITY COMMITTEE / ENVIRONMENTAL SERVICES COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE / ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Special Joint Meeting held on Tuesday, 20th June, 2023.

Members Present: Mr Councillor A.J. Bentley (Chair), Mr Councillor F. Horning, Mr Councillor J.E. Skinner, Mr Councillor S.R. Crellin, Mr Councillor F. Schuengel.

In Attendance: Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Income) (Mrs C. Pulman), Assistant Chief Officer (Democratic Services) (Mrs Linda Radcliffe), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters requiring Executive Committee approval

A1. Chair of the Meeting

Mr Councillor A.J. Bentley was unanimously approved to Chair the joint Committee meeting.

A2. Apologies and Declarations of Interest

The Mayor submitted her apologies for the meeting. Councillor Ms J. Thommeny and Mr Councillor P.J. Washington declared an interest in item A3 and as the only item of business before the joint Committee, submitted their apologies for the meeting.

A3. Proposed Noble's Park Off-street Parking Places Order

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to further consider the means of operation of the paddock car parking in Noble's Park.

The Joint Committee was reminded that in May 2018, the Regeneration and Community Committee agreed a preliminary Traffic Management and Vehicle Parking Strategy for Noble's Park. One of the main aims of the strategy was to alleviate the use of Noble's Park for parking vehicles with no direct connection to the use of the park and its facilities. The strategy involved making an Off-street Car Parking Places Order to regulate how vehicles could be parked in the park and to create enforcement opportunities.

The first phase of the strategy created several areas where parking was permitted up to six hours by the display of a parking disk. This was considered long enough for legitimate users of the park, however the paddock car park was known to be used for commuter parking including parking by police staff. Most of these vehicles park for longer than six hours and some in excess of twelve hours making the use of a parking disk ineffective (because it uses a twelve hour clock). Consequently it was agreed that the second phase of the strategy would include the introduction of a pay and display regime. The fee for 24 hours was proposed as a nominal £1. It was recognised in the officer's report at the time that this did have the potential to lead to some displacement of cars into the surrounding streets.

Until such time as the pay and display machine could be procured and installed, the parking order simply limited the use of the paddock car park to cars (specifically excluding motorcaravans) for a period of up to 24 hours. The Police, following notification from the Council regarding the changes, formally requested that Police be permitted to park for free, a petition was also received from local residents concerned about the likely displacement of cars into residential streets surrounding the park.

Consequently, a further joint meeting was called, and two recommendations were put forward, to introduce disk parking with a maximum stay of 12 hours instead of pay and display machines as originally proposed, and that Police staff routinely staying longer than 12 hours be issued with parking permits. Both recommendations were not supported.

The project to install the pay and display machines was then seriously delayed due to Covid-19 and then subsequent delays outside of the Council's control. Before officers amend the Parking Places Order, given there had been further representation from the Police, both Committees agreed to reconvene the joint meeting to confirm the arrangements for the paddock.

Officers had originally recommended a pay and display system in anticipation that a strong evidence-based enforcement approach would be required to change the use of the park and prevent the unauthorised storage of motorhomes and commercial vehicles. However, since the first phase of the Order was implemented the issue has been alleviated. The current arrangement permitting 24 hour parking has achieved the original objective, and the report therefore recommended that the current arrangements be continued for the paddock. It was proposed that the only change to the forthcoming Order be the amendment in respect of motorhome parking in the boneyard. Members noted that a pay and display system is required for this area to ensure it is properly controlled. The Assistant Chief Officer (Regeneration) reminded the Committee that there is a four day maximum stay period in this area for motorhome parking, as requested by the Planning Authority during consideration of the application. The Council, in line with the Committee resolution, intends to request an extension to this period, however he reminded that storing motorhomes in Noble's Park for prolonged periods would not be recommended.

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

- (i) The current arrangement for the paddock car park in Noble's Park be continued for the time being whereby cars (excluding motorcaravans) may park for up to twenty four hours without having to display a ticket, permit or parking disk;
- (ii) The matter be referred to the Executive Committee to request that the £1 daily charge for paddock parking be deleted from the budget book."

The meeting ended at 10:40a.m.

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, 20th June, 2023.

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

In Attendance: Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Income) (Mrs C. Pulman), Assistant Chief Officer (Democratic Services) (Mrs Linda Radcliffe), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Apologies for absence were submitted on behalf of the Worshipful the Mayor and the Director of Environment and Regeneration.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes – 22nd May, 2023

The minutes of the meeting held on Monday, 22nd May, 2023 were approved and signed.

A4. Noble’s Park – All Ability Play Equipment

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to present a proposal in relation to all ability play equipment for Noble’s Park.

Following a Member request for a wheelchair swing in Noble’s Park, officers have been investigating options. The swing initially suggested was manufactured by GL Jones Playgrounds. It is designed and only recommended for use in supervised play areas rather than unsupervised public parks although an enclosed version is available that is unlocked using a RADAR key. The equipment can only be used by wheelchair users. The report therefore suggested an alternative more inclusive piece of equipment provided by the same company, a self-propelled roundabout. The roundabout is an inclusive piece of equipment that can be used by people in wheelchairs alongside people with a range of abilities and disabilities, it has a range of seating and standing options, and does not require access by RADAR key and is much more straightforward to use. Consequently it does not discriminate positively or negatively and therefore complies with policy 5 of the Council’s play policy. The cost of the equipment is £12,500 and installation is estimated at £8,000.

The Committee supported the proposal and asked that consideration be given to installing more all ability play equipment in Noble’s Park. The Assistant Chief Officer (Regeneration) suggested incorporating the request into the Noble’s Park Masterplan. He also reminded that any future equipment that is replaced will need to comply with the play policy, so where possible, pieces should be capable of using in flexible way by children of different abilities.

Resolved, “That particulars of the report and discussion be noted on the minutes and that the purchase of an Ability Whirl Self Propelled roundabout for Noble’s Park be approved to be funded from unbudgeted income received from events in Noble’s Park.”

A5. Douglas Head Viewing Park – Manxman Arrival

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek agreement for the Isle of Man Steam Packet Company to utilise Douglas Head as a viewing park as part of the event for the arrival of the new Isle of Man Steam Packet Company vessel, the Manxman.

The new vessel is due to arrive on Sunday 9th July and the Company is organising an event to mark the occasion which will include a formal invitation to 250 guests. The Company anticipates a great deal of public interest on the arrival, and are working with their event management contractor to provide an opportunity for the public to feel part of the day whilst not causing any congestion or crowd issues in the port area. One suggestion is to build a ‘viewing park’ on Douglas Head on the area of the big poppy.

The intention would be to have a large screen and sound system so that people could see and hear what was happening on the Quayside and within the boat itself.

It was noted that the Company will be responsible for the production of the Event Management and Traffic Management Plans.

Resolved, "That particulars of the report and discussion be noted on the minutes and the request for use of Douglas Head as a viewing park for the arrival of the new Isle of Man Steam Packet Company vessel, the Manxman, be supported and approved."

A6. Items for Future Report

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

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

A7. Date and Time of Next Meeting

Members were advised that the next scheduled meeting was due to take place on Tuesday, 18th July, 2023.

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

The meeting ended at 11.05am

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 19th June, 2023.

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

In Attendance: Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Environment) (Mr I. Jackson), Assistant Chief Officer (Democratic Services) (Mrs L. Radcliffe), Finance Manager (Mr M. Quayle), Community and Enforcement Manager (Mr A. Gordon) (Items A1 to A8), Dilapidation Enforcement Officer (Mr S. Salter) (Items A1 to A8), Electrical Services Manager (Mr D. Cullen) (Item C13), Senior Engineering and Waste Services Manager (Mr A. Crook) (Items B11 and B12), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Apologies for absence were submitted on behalf of the Director of Environment and Regeneration.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes –15th May, 2023

The minutes of the meeting held on Monday, 15th May, 2023 were approved and signed.

A4. Matters Arising from the Minutes

No issues were raised as arising from the previous minutes.

A5. Planning Application 22/00675/B – Land East of Braddan

The Committee considered an appraisal of planning application 22/00675/B for a residential development comprising of up to 320 dwellings, a nursery and a neighbourhood centre with associated highway and pedestrian/cycle access and infrastructure, drainage, landscaping and public open space together with approval in principle for a 2-form entry primary school and associated access/infrastructure at Fields and Part Fields 524202, 524978, 524930, 524765, 524224, 524225 & 524226 on Land East Of Braddan Road, Braddan.

Members were reminded that the application had been previously considered by the Committee at its meeting held on 19th September, 2022 where it had been resolved to raise an objection against the proposed development. Set out within the officer's appraisal was the Council's original grounds for objection.

The report advised that since the application was first submitted, the applicant has worked closely with the Department of Infrastructure (DOI) and Manx Utilities Authority (MUA) resulting in agreements being reached with the MUA in regards to drainage. It was noted that the DOI had also reviewed additional information provided by the applicant and have withdrawn their objection subject to conditions on any approval granted.

Officers consider that the Council's original grounds for objection have now been addressed as it has been established that any additional traffic from the proposed development can be accommodated on the existing road network.

It is considered that in order to meet the demands for affordable housing, large scale developments of this nature will be required to be permitted. The proposed eighty-two new affordable homes would contribute towards alleviating some of the demands on the Government's current affordable homes waiting list.

It was noted that the proposed development is to be built on land that has clearly been zoned within the Area Plan for the East as suitable for residential development.

Resolved, "That particulars of the report be noted on the minutes and that the Council removes its previous objection to planning application 22/00675/B as it is considered that the Committee's original grounds for objection have now been addressed."

3 For. 1 Against.

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

A6. Planning Application 23/00526/B – Eastfield Mansion House

The Committee considered an appraisal of planning application 23/00526/B for demolition of the former nursing home and outbuildings, and the creation of five new four bedroom dwellings with associated garages, parking, amended access, amended drainage, and landscaping at the former Eastfield Mansion House, Eastfield, Douglas.

The appraisal advised that no objections have been raised by Highways or DEFA's Biodiversity officer in relation to the proposals. At the time of writing the report no comment had been made by the planning department's Registered Building's Officer (RBO). Despite the lack of any comments from the RBO council officers do not consider there to be any grounds to object to the proposed works as the application appears to comply with the planning policies considered within the application.

In response to question about maintenance of hedges, the Community and Enforcement Manager undertook to remind the developer that as the development is on private land it would be the owners responsibility to maintain the hedges.

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

- (i) That support be given to planning application 22/00526/B on the condition that the applicant either provides detailed drawings of the bin storage area to the satisfaction of the Council's waste services management team prior to any approval being granted, or that any approval granted be subject to a condition that the bin storage areas must meet the standards required by the Local Authority."

A7. Planning Application 23/00291/B – Crookall House, Demesne Road, Douglas

The Committee considered an appraisal of planning application 23/00291/B for the construction of 133 new dwellings split into apartments, townhouses, small blocks of flats and a senior living block. In addition, a new scout hut/community pavilion, refurbishment and extension of Crookall House as office space, replacement of the existing sub-station and associated external landscaping, highways and drainage works at Crookall House plus the surrounding site on Demesne Road, Douglas.

Set out within the appraisal were details of the proposed development.

Members were advised that the application has attracted a number of objections from local residents, predominately relating to a lack of on-site parking. The Highways Services Division have stated that they consider the relaxations requested as part of the application to be appropriate due to the location of the site with further consideration to be given to clauses in the leases for car parking allocations for the residential apartment blocks and parking management within and outside of the site in relation to the on street provision, traffic regulation orders and enforcement where pressures exist, including to Disc Zone H with measures to be reinforced through a Section 13 legal agreement. The Community and Enforcement Manager undertook to establish what provisions are available under the Section 13 and advise the Committee.

The applicant states that the benefits of the development, the creation of affordable housing along with a mix of other dwellings for senior living and younger families added to employment opportunities that will be created and the benefits to the town's economy outweighs any possible negatives caused by a relaxation in the parking standards.

Based upon the various planning policies considered as well as the statements made by the applicant and other consultee statements, it is recommended that the application be supported on the basis that the revisions required by both the Highways Services Division and the DEFA Ecosystems policy officer are submitted and agreed by Highways and DEFA prior to any final decision being made to approve the application.

A Member raised concern over the lack of amenity space within the proposed development, the Assistant Chief Officer (Regeneration) advised that in line with the Isle of Man Strategic Plan, if the amount of space for recreation is insufficient the applicant would be required to pay a commuted sum to the Council so that provision can be created off site.

Concerns were also raised over the lack of parking in the surrounding area and the impact the development will have on neighbouring properties.

In response to concerns raised over the proposed height of some of the properties the Community and Enforcement Manager advised that this was a matter for the planning authority to comment on.

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

- (ii) That support be given to planning application 23/00291/B subject to the following conditions;
 - 1) That if there is insufficient outdoor amenity space provided within the development that any shortfall is calculated and addressed by way of a commuted sum to the Council through a Section 13 agreement for outdoor space which should be a condition of any approval granted; and
 - 2) That the revisions requested by DEFA Ecosystems Policy Officer and Highways Services are approved prior to any final decision being made to permit the development."

2 For. 2 Against.

Mr Councillor J.E. Skinner and Councillor Ms J. Thommeny asked that their names be recorded as voting against the resolution.

The Chair exercised his casting vote in favour of the resolution.

A8. Schedule of Dilapidated, Ruinous or Dangerous Properties

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

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

A9. Items for Future Report

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

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

A10. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting of the Environmental Services Committee was due to take place at 10.00am on Monday, 17th July 2023.

PART B –

Matters requiring Executive Committee Approval

B11. Additional Funding in Support of the Change in Service – Alternate Weekly Collections

The Senior Engineering and Waste Services Manager joined the meeting for discussion of the item and item B12.

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager in relation to additional funding in support of the transition from weekly to fortnightly refuse collections and introduction of the garden waste service.

Members were reminded that the Executive Committee, at its special budget meeting held on 12th January, 2023 had made a revenue commitment of £60,000 to provide increased communication to the public in relation to the waste and recycling service and for the purchase of several alternative-style recycling boxes.

Members were advised that following the change in service, kerbside collection figures for March were the highest on record for the same month in preceding years, similarly April's figures were the highest for the corresponding month since 2015/16 with May's figures up a further 9 tonnes compared to April. 104.66 tonnes of garden waste had been collected in May 2023 as opposed to 36 tonnes in September 2022. Members were advised that this significant increase is attributed to the number of garden waste bins currently in circulation, compared to the first few months of the rollout with demand for the service expected to increase.

It was noted that to date, approximately 3,700 garden waste bins had been delivered to households, leaving 500 from an original stock of 4,200. The combination of increased recyclables and garden waste gave a record high recycling rate of 24.13% for May 2023. The highest rate prior to fortnightly refuse / garden waste collections was 8.6% achieved in June 2019.

The Senior Engineering and Waste Services Manager advised that officers had revisited the option of a trolley stacking system as an alternative to the recycling boxes. As costs for the trolley boxes have increased by 50% and because their capacity is much lower than the recycling boxes, they are not

recommended for purchase. Due to the amount already invested into the recycling boxes it is recommended that the Council continues with the current approach.

It is proposed that Membership of Keep Britain Tidy be upgraded which will give access to key campaign material, in particular to reduce incidences of household waste being deposited in litter bins as part of their 'crime not to care' campaign. It will also, allow access to the environmental quality app and database to measure what impact the changes to the service have had on the streets of the City, which is not currently available through the basic membership.

Contained within the officers report was a breakdown of the intended allocation of funding at a total cost of £58,500.

The Chair queried the proposed number of garden waste bins to be purchased and opined that the Council's focus should be on high urban density areas. As the Council already holds a stock of 500 garden waste bins the Chair suggested that a larger portion of the funding be allocated to replenish the stock of bins with recycling apertures for bring bank sites. It was agreed that before purchasing the replacement stock of garden waste and recycling bins officers give further consideration to the requirements and determine whether more should be allocated for bins with recycling apertures for bring bank sites.

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

- (i) That a replacement stock of garden waste and recycling bins, including labels, livery and accessories e.g. gravity locks be purchased at a cost £37,000;
- (ii) That communication, including a bulletin to all households and all other promotional material be prepared at a cost of £10,000;
- (iii) That the membership to Keep Britain Tidy be upgraded to the exemplar membership for 2023/24 at a cost of £2,500;
- (iv) That the production of a new recycling / processing video at a cost of £9,000 be approved; and
- (v) That the matter be referred to the Executive Committee seeking approval to drawdown reserve funding in the sum of £58,500."

3 For. 1 Against.

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

B12. Vandalism in Public Toilets and Pay Per Use

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager in response to a Member query on whether levying a charge to access the Council's public toilets in Douglas has had a material effect on incidences of vandalism, either adversely or positively.

Detailed within the report was an analysis of each site which had been considered in isolation due to their different circumstances and characteristics.

Members were advised that in recent years, a number of mitigating measures had been employed with varying success. It was noted that during spates of vandalism, the police are notified and patrols in the area are intensified. Intervention from parks staff, the Borough wardens, cleansing staff and the contractor had also been relatively effective at deterring potential perpetrators. It was noted that comprehensive CCTV coverage only deters vandalism outside of the units.

Question had been raised as to whether increasing the door entry charge would act as a further deterrent to those wishing to enter to commit acts of vandalism or anti-social behaviour. Officers were cognisant that a higher charge could potentially deter use of the facilities altogether.

Set out within the officer's report were the advantages and disadvantages of the three options for consideration;

- 1) To continue with the existing arrangement of levying a 20 pence charge
- 2) To provide free access to the public toilets
- 3) To increase the current charge

Members were advised that increasing the cost would likely be negatively received, especially in the current economic climate and would do little to deter vandalism. Removing the charge altogether would mean unlimited access, giving free reign to anti-social behaviour. As such, it is recommended to continue with the current charge.

It is further recommended that more flexibility be given to the way in which accessibility to the public toilets is managed by allowing officers to temporarily close sites over-night as an immediate response to spates of vandalism or anti-social behaviour.

In recognition that disabling the charging mechanism would support a number of one-off events in the City, the Chair suggested that officers be given approval to suspend the charge for the duration of such events. It was agreed that this should be done in consultation with the Chair.

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

- (i) That the current charge of 20 pence per use for public toilets be continued;
- (ii) That officers be given authority to disable the charging mechanism or close particular sites overnight, where in their judgement those actions would reduce the likelihood of vandalism or anti-social behaviour, for up to a maximum of seven days; and
- (iii) In consultation with the Chair, officers be given the authority to disable the charging mechanism for particular sites, where in their judgement it would support one-off events in the City; and
- (iv) That the matter be referred to the Executive Committee for consideration of the policy amendment to enable officers to apply flexibility to disabling the charging mechanism in response to vandalism and or anti-social behaviour and in support of events in the City.”

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

PART C –

Matters requiring Council approval

C13. Capital Lighting Scheme 2023-2024

The Electrical Services Manager joined the meeting for discussion of the item.

The Committee considered a report submitted by the Electrical Services Manager advising on the developed street lighting scheme for 2023-2024.

Members were advised that street lighting columns, which are either beyond the manufacturer’s design life of twenty-five years and/or are in locations with poor quantity providing an unsatisfactory level of illuminations for road users, had been identified and prioritised for renewal. Set out within the officer’s report were details of the locations.

The report advised that the Electrical Services section will undertake the street lighting electrical works and the installation of the civil engineering infrastructure (trenching, ducting and column installations) will be undertaken by the Electrical Services civil engineering ground workers team.

In response to question, the Electrical Services Manager advised that commencement of the works is subject to the appointment of the civil engineering ground workers team, but that officer’s felt it prudent to petition for the scheme now, in order to protect the Council against rising costs in materials.

Members noted that the electrical and civil engineering labour costs will be funded by the existing revenue budgets and are not included in the petition fee.

The estimated cost for the supply of material, electrical equipment and Manx Utility electrical connections for the scheme is £203,000, inclusive of a contingency of £6,975.50; which equates to 3.5% of the estimated costs. If not expended, then the contingency will not be borrowed. Detailed within the report was a full breakdown of the estimated costs.

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

- (i) That the Chief Executive be authorised to petition the Department of Infrastructure under the provisions of Section 51 of the Local Government Act 1985, for borrowing powers in the sum of £203,000, being the amount required to provide lighting and ancillary services for the Public Lighting Scheme 2023-2024.”

The meeting ended at 12.40pm