



Borough of Douglas

**MR. COUNCILLOR RICHARD HENRY McNICHOLL, J.P.
MAYOR**

Town Hall

Douglas

5th June 2010

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 9th day of JUNE, 2010, 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. 36.
- 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 Policy and Resources Committee;
 - (ii) The Leisure Services Committee;
 - (iii) The Public Health and Housing Committee;
 - (iv) The Public Works Committee;
 - (v) The Commercial Lettings Committee;
 - (vi) Any other Joint Committee;
 - (vii) Any Select Committee of the Council.
- VII.- Consideration of such communications or petitions and memorials as the Mayor or Town Clerk may desire to lay before Council.
- VIII.- Notices of Motion submitted by Members of the Council in order of their receipt by the Town Clerk.
- IX.- 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. 15(1); under Standing Order No. 15(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.

*Items marked thus in the Minutes of Committees are those in respect of which the Committees have delegated powers, and such matters are therefore reported for information only.

AGENDA

III. – Chief Executive to read minutes of the Annual Council Meeting held on Wednesday, 12th May.

VI(i). - The proceedings of the POLICY AND RESOURCES COMMITTEE as follows:

POLICY AND RESOURCES COMMITTEE

POLICY AND RESOURCES COMMITTEE – Minutes of Meeting held on Friday, 14th May, 2010.

Members present: Mr. Councillor D.W. Christian (Chairman), the Mayor, Messrs Councillors D.J. Ashford, C.L.H. Cain, Councillors Mesdames E.C. Quirk, D.M. Kinrade

Apologies: Councillor Mrs. G.G.S. Corkish, Mr. Councillor S.R. Pitts

In Attendance: Chief Executive, Borough Engineer and Surveyor, Assistant Borough Treasurer (Financial Services), Assistant Town Clerk (from 2.45pm).

REPORT

1. **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor Mrs G G S Corkish, Mr Councillor S R Pitts and the Borough Treasurer.

*2. **Appointment of Vice Chairman**

Resolved, “That it be unanimously agreed that Mr Councillor S R Pitts be appointed as Vice-Chairman of the Committee for the ensuing municipal year.”

*3. **Declarations of Interest**

No declarations of interest were submitted.

4. **Minutes**

Minutes of meeting held on Friday 26th March 2010 were approved and signed.

*5. **Matters Arising from Previous Minutes**

No matters arising from the previous minutes were identified.

*6. **Membership of sub-Committees and Working Groups**

Resolved, “That membership of sub-Committees and Working Groups be re-affirmed as follows:

Douglas Golf Course sub-Committee:

Mr Councillor D W Christian, Mr Councillor S R Pitts, Mr Councillor D J Ashford, Mr Councillor C L H Cain

Twinning sub-Committee:

Mr Councillor D W Christian, Mr Councillor S R Pitts, Mr Councillor R I Kissack, Mr Councillor G J Faragher, Councillor Mrs E C Quirk and the Worshipful the Mayor

Community Events sub-Committee:

Mr Councillor D W Christian, Councillor Mrs G G S Corkish, Councillor Mrs R Chatel, Mr Councillor G J Faragher, Councillor Mrs E C Quirk, Councillor Mrs D M Kinrade and the Worshipful the Mayor

Local Government Modernisation sub-Committee:

Mr Councillor D W Christian, Mr Councillor S R Pitts, Mr Councillor D J Ashford, Mr Councillor C L H Cain and Councillor Mrs D M Kinrade

Library Working Group:

Mr Councillor D W Christian, Mr Councillor S R Pitts, Mr Councillor R I Kissack and Mr Councillor C L H Cain

Redevelopment of Douglas Promenade Working Group:

Mr Councillor D W Christian, Mr Councillor S R Pitts and Mr Councillor D J Ashford

Queen's Golden Jubilee Trust political champions:

Councillor Mrs G G S Corkish and Councillor Mrs S D A Hackman.”

Further resolved, “That the Working Group in respect of the Review of Market Hall be disbanded.”

***7. Monthly Financial Review – March (End of Year) 2009 / 2010**

The Committee considered a written report by the Borough Treasurer setting out the final position for 2009 / 2010 of progress made compared to key performance indicators in relation to rates collected; the increase in direct debit take-up for the year; the percentage of net rent collected; gross rent arrears; the number of tenants owing over £500; and sundry debtors over three months old.

The Committee expressed its thanks to the Borough Treasurer and his staff for achieving all targets in respect of the key performance indicators for finance.

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

***8. Attendance at CIPFA or IRRV Conference 2010**

The Committee considered a written report by the Borough Treasurer setting out information in order to assess which conference should be attended this year, following the reduction in the conference budget for this Committee from two to one.

It was noted that the Chairman of Committee and the Borough Treasurer had attended both the CIPFA and IRRV conferences in previous years and found them of great benefit in following current trends in finance and income services. However, as only one of the conferences could now be attended each year, it was suggested that this was done on a rotational basis, with attendance at the IRRV conference this year, as there was currently a full conference place held due to a cancellation last year.

Resolved, “That particulars of the report be noted on the minutes and that authority be given for the Chairman of Committee and the Borough Treasurer to attend the IRRV Conference, to be held in Harrogate between the 28th September and 1st October 2010.”

***9. Capital Programme 2009 / 2010 – Actual Expenditure**

The Committee considered a written report by the Assistant Borough Treasurer (Financial Services) seeking approval of the financing of the 2009 / 2010 capital expenditure and the carry forward of unspent amounts for those projects not completed, or with retention payments still outstanding as at 31st March 2010.

The report set out the actual expenditure on the capital programme for 2009 / 2010 compared to the original and revised estimates. Expenditure of £5,891,600 represented 36% of the original and 73% of the revised capital programme estimates, and which compared with £4,275,000 capital programme expenditure in 2008 / 2009.

Members considered the carry forward of capital expenditure budget amounts totalling £2,603,000 (made up of £1,435,000 Housing Revenue Account and £1,168,000 General Fund amounts). It was noted, given the contractual nature of many capital projects, that some element of carry forward was inevitable. Unlike revenue, however, the funding implications of carrying forward capital budgets were minimal as normally the funding rolled forward automatically.

Members were also advised that there were four historical lighting schemes which had exceeded the petition amounts approved by the former Department of Local Government and the Environment. The total in excess over petition approvals amounted to £23,162 made up as follows:

Anagh Coar Estate - £9,387

Allan Street / Orry Street / Tynwald Street / Peveril Street - £8,281

Glencrutchery Road - £3,235 and

Glen Park Estate - £2,258.

There also remained a further £13,678 due to be incurred during this 2010 / 2011 financial year in respect, mainly, of a final retention payment, but also some outstanding lighting column painting work.

It was also reported that the preliminary expenditure, totalling £86,500, invested in the aborted Bowl pitch and stadium improvements scheme had been charged to the Leisure Services Pulrose Recreational Grounds revenue service as a revenue cost.

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

(ii) That the financing of the £5,892,000 expenditure on Capital Projects (details as set out in Appendix A, column 10 of the written report, and as summarised in Appendix B) be approved;

(iii) That the Capital Programme budget amounts to carry forward into 2010 / 2011, totalling £2,603,000 (Housing Revenue Account £1,435,000 and General Fund £1,168,000), be approved;

(iv) That the £23,162 expenditure incurred over and above the approved petition amount on the historical public lighting schemes (Anagh Coar Estate; Allan, Orry, Tynwald and Peveril Streets; Glencrutchery Road; and Glen Park Estate) be funded from the General Revenue Reserve in 2010 / 2011; and

(v) That the further £13,678 expenditure due during 2010 / 2011, in respect of the above lighting schemes, also be funded from the General Revenue Reserve in 2010 / 2011.”

***10. Consultation Document – Code of Practice on Race Relations**

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Department of Home Affairs setting out a draft Code of Practice on Race Relations.

The draft Code set out three main objectives, which would be required to be followed by all public authorities -

- To eliminate unlawful discrimination;
- To promote equality of opportunity between people of different racial groups; and
- To promote good relations between people of different racial groups.

The first two objectives were already embodied in other legislation and required only continuation of the Council’s current equal opportunities practices, whilst the third required public bodies to actively promote good relations between different racial groups. Although in Douglas, and on the Isle of Man, racial issues were very rare, it was agreed that this should not lead to complacency and there must be an effort to ensure that this situation continued. The better public sector employers, such as the Council, already followed UK practices which provided for equality of opportunity and this Code would impose a duty on all public authorities to be able to demonstrate that issues of racial equality were taken into account in decision-making.

The document appeared to reflect accepted best practice, however, Members felt that the Code should apply to all public bodies and that Tynwald, the House of Keys, the Legislative Council and their respective officers should not be excluded and that Central Government should in fact be leading by example.

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

(ii) That the Department of Home Affairs be advised that the Council supported the principles of the Code of Practice on Race Relations; and

(iii) That the Department also be advised that the Council took the view that the Code of Practice should apply to all public bodies including Government and not exclude Tynwald, the House of Keys, the Legislative Council and their respective Officers.”

***11. Rally Isle of Man – 6th to 10th July 2010**

The Committee considered a written report by the Assistant Chief Executive in relation to a request from Rally Isle of Man seeking permission to use land at the rear of the T.T. Grandstand, as in previous years, in connection with their 2010 event.

It was noted that the organisers would require the use of the Grandstand area from the 6th July until the 12th July 2010, with Sunday 11th July being used for clear-up. If approved, and as the event was a contribution to sports and tourism on the Island, it was recommended that a charge of £500 be made in line with the fee charged for 2009. The letting would also be subject to the Council’s standard form of legal agreement being entered into, which incorporated all safeguards on the use and return of the land and all legal requirements in respect of health and safety and motor-sport safety.

Members noted that the organisers had been advised that they would have to obtain road closure orders for the required areas of Noble’s Park, in accordance with the requirement following the High Bailiff’s judgment.

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

(ii) That approval be given for the use of the T.T. Grandstand area on 6th to 12th July 2010, as in previous years, subject to Rally Isle of Man entering into a legal agreement containing the standard terms and conditions set by the Council; and

(iii) That a charge of £500 be made in line with that levied for the 2009 event.”

***12. Manx Auto Sport ‘Black Horse’ Rally – 5th and 6th November 2010**

The Committee considered a written report by the Assistant Chief Executive in relation to a request from Manx Auto Sport Limited seeking permission to use land at the rear of the T.T. Grandstand, as in previous years, in connection with their 2010 event.

It was noted that the organisers would require the use of the Grandstand area on the 5th and 6th November 2010. If approved, and as the event was a contribution to sports and tourism on the Island, it was recommended that a charge of £150 be made in line with the fee charged for 2009. The letting would also be subject to the Council's standard form of legal agreement being entered into, which incorporated all safeguards on the use and return of the land and all legal requirements in respect of health and safety and motor-sport safety.

Members noted that the organisers had been advised that they would have to obtain road closure orders for the required areas of Noble's Park, in accordance with the requirement following the High Bailiff's judgment.

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

(ii) That approval be given for the use of the T.T. Grandstand area on 5th and 6th November 2010, as in previous years, subject to Manx Auto Sport Limited entering into a legal agreement containing the standard terms and conditions set by the Council; and

(iii) That a charge of £150 be made in line with that levied for previous rally events."

***13. Tesco Planning Inquiry – Traffic Impact Study (Two-Chair Procedure)**

The Committee considered a written report by the Borough Engineer & Surveyor informing Members of a Two-Chair Procedure which had taken place to approve expenditure in respect of professional fees to be paid. This related to the Council's contribution towards a Traffic Impact Assessment Report in support of the joint Council / Douglas Development Partnership / Chamber of Commerce objection to the planning application submitted by Tesco Limited to extend their existing store at Lake Road.

It was noted that the total cost of the Assessment was in the region of £20,000, with the agreed contribution by the Council being £8,000.

Resolved, "That particulars of the report and the Two-Chair Procedure, approving a contribution of £8,000 towards the combined Traffic Impact Assessment Report, be noted on the minutes."

***14. T.T. 2010 – Agreement with Department of Economic Development**

The Committee considered a joint written report by the Borough Engineer & Surveyor and the Assistant Chief Executive seeking approval of a one-year agreement for the use of the T.T. Grandstand, the campsite and associated areas of Noble's Park, by the Department of Economic Development for the 2010 T.T. Races.

Members recalled that, following the extremely wet conditions at the 2009 Manx Grand Prix races, there had been criticism of the infrastructure at Noble's Park. Although the Council had expressed support for investment into the T.T.-related areas of the Park, no budget was available for significant capital works and therefore it would be looking to the (then) Department of Tourism and Leisure (now the Department of Economic Development) to progress improvements.

By way of a contribution to improving Noble's Park for the T.T. Races, the Council proposed a long-term lease for the T.T.-related areas of the Park at a nominal rent in the region of £5,000 per annum. Members noted that a Heads of Agreement had been provided to the Department in October 2009 and expressed disappointment that, despite Council officers pursuing matters, formal feedback on the proposals had only been received on 16th April 2010. As further liaison was required with the Attorney General's Chambers, together with further negotiation with the Department, it was felt that the timescale was not such that it would be possible to finalise a long-term lease prior to the 2010 T.T. Races.

A meeting of political Members and officers from both the Council and the Government had subsequently taken place on 10th May 2010, at which it was stated that the Department of Economic Development was committed to a long-term lease for the area. It was noted that significant financial investment had already been made by the Department by way of works to create roads / accesses in the worst-affected areas of the campsite and paddock and these were now almost complete. A proposal was therefore put forward that a one-year agreement be entered into, at a fee of £5,000 to reflect this investment, with a view to finalising the long-term lease by 1st August 2010. It was noted that the one-year agreement would also include the provision for reinstatement of any damage incurred in relation to the 2010 T.T. Races.

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

(ii) That, in the light of the financial information provided by the Department of Economic Development, together with the capital works planned for the area and the commitment to sign a long-term agreement, approval be given to enter into a one-year agreement with the Department in respect of the use of the rear of the T.T. Grandstand, the car park, campsite, paddock and ancillary areas of Noble's Park for T.T. and motor-sport related purposes; and

(iii) That the 2010 agreement be based on previous years' agreements, but that it include a specified income of £5,000 to reflect the works undertaken to the area and the commitment by the Department of Economic Development to future investment."

Attendance

The Assistant Town Clerk joined the meeting at 2.45pm.

***15. Tynwald Garden Party**

The Committee considered a written report by the Chief Executive seeking the nomination of a Member or officer to attend the Tynwald Garden Party, which was to be held at The Nunnery on Sunday 4th July 2010.

It was noted that the Council had been invited to nominate someone to represent it at the function and the invitation was also extended to a guest of the nominated person. A separate invitation would automatically be extended to the Worshipful the Mayor and the Mayoress and it was preferred that the nominee had not attended previously, in order that as many people as possible had the opportunity to attend Tynwald functions.

Since the report had been circulated, it had been recalled that the Committee resolved in 2009 that Mr Councillor S C Cain be nominated to attend the 2010 event. Members therefore re-affirmed the nomination for the 2010 event and further nominated Mr Councillor D J Ashford to attend the 2011 event.

Resolved, "That particulars of the report be noted on the minutes and that it be re-affirmed that Mr Councillor S C Cain and a guest be nominated to represent the Council at the 2010 Tynwald Garden Party."

Further resolved, "That in order that a response could be given in good time to the Office of the Clerk of Tynwald next year, Mr Councillor D J Ashford and guest be nominated to attend the 2011 event."

***16. Twinning sub-Committee**

The Committee considered the minutes of the Twinning sub-Committee meeting held on Tuesday 6th April 2010.

Resolved, "That particulars of the Twinning sub-Committee minutes be noted."

***17. Douglas Golf Course sub-Committee**

The Committee considered the minutes of the Douglas Golf Course sub-Committee meeting held on Tuesday 13th April 2010.

Resolved, "That particulars of the Douglas Golf Course sub-Committee minutes be noted."

***18. Community Events sub-Committee**

The Committee considered the minutes of the Community Events sub-Committee meeting held on Monday 10th May 2010.

The Chairman reported on a request from the sub-Committee to seek funding in the sum of £3,000 in respect of a proposal by 3FM Radio to promote various Council events, including the Fun Day, the fireworks display, the Christmas lights switch-on and the Schools' Display competition. The total cost of the media support would amount to £8,676 – 3FM had proposed a contribution of £2,600 and had identified a third-party sponsor who would be willing to contribute £3,000, leaving the Council's contribution as £3,000. As the Council's contribution was dependent on other contributions, it was suggested that written confirmation from the other two parties should be obtained.

Members noted that tenders for this project had not been sought as the proposals were only being trialled for a one-year period. The success or otherwise of promoting the events would be considered and future proposals determined thereafter.

It was noted that concern had been raised by the Assistant Town Clerk with regard to the promotion of the fireworks display and the Christmas lights switch-on as, if even more people were to attend these events, it could create crowd safety problems. It was therefore proposed, rather than actively promoting these two events on 3FM, that for the fireworks display messages advising the public to avoid the Promenade and take an alternative route home be aired, and that 'Christmas messages' from various people be played in the run-up to the Christmas lights switch-on.

Resolved, "(i) That particulars of the Community Events sub-Committee minutes be noted;

(ii) That approval be given for funding up to a maximum of £3,000 in respect of the Council's contribution towards 3FM's event promotion proposal;

(iii) That the amount be funded from the Risk Management and Special Projects Fund;

(iv) That, as the Council's contribution was dependent on other contributions, written confirmation be obtained from the other two parties to the proposal; and

(v) That, due to concern expressed in relation to crowd safety issues, the Christmas lights switch-on event be not actively promoted on 3FM.”

***19. Hanover House, Lord Street, Douglas**

The Committee considered a written report by the Borough Engineer & Surveyor seeking approval to the Agreement for Sale, the Deed of Sale and the Lease of car parking spaces at Hanover House, Lord Street, Douglas.

Members noted that the property consisted of fifteen two-bedroom apartments and was operated by the Council’s Housing Service. It had been designed and progressed to tender stage by the then Department of Local Government and the Environment (DOLGE), with the project being taken over by the Council and the Council employing the contractor to progress to completion. Although the intention had been to vest the land to the Council, it had remained in the ownership of DOLGE, the delay in progressing this matter being due to damage caused to an adjacent Manx Electricity Authority (MEA) sub-station and subsequent insurance and third party claim difficulties.

It was noted that, although Council tenants had been allowed to occupy the premises, the formal completion of the agreements had not been approved by the Policy and Resources Committee, as required by the Council’s procedures, and, in order to progress the commencement of Phase 2 of the Hanover House project, the Isle of Man Treasury required all outstanding property issues to be resolved prior to consideration being given to the petition currently lodged with the Department of Infrastructure. If the petition did not progress immediately there was the very serious risk of the successful lowest tender reaching the expiry date.

In relation to the car park situated below the property, DOLGE had previously reached agreement with the Council, the MEA and other parties. It was noted that fifteen spaces were required for the planning conditions attached to the development, thirty were on a long-term lease to a private concern and the remaining twenty-two were required to be leased back to the Department of Infrastructure for use on a twenty-one year lease.

Resolved, “That particulars of the report be noted on the minutes and that the following be approved:-

- The Agreement for Sale of Hanover House, Lord Street, Douglas from the Department of Infrastructure to the Council;
- The Deed of Sale relating to the above; and
- The Lease between the Council and the Department of Infrastructure relating to the use of twenty-two car parking spaces in the premises at an annual peppercorn rental of £1 per annum.”

***20. Shaw’s Brow Car Park – Level One Access**

The Committee considered a written report by the Assistant Town Clerk in relation to a Member’s request for the Deputy Mayoress to be issued with a parking permit for use on Level One of Shaw’s Brow Car Park.

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

(ii) That the current policy of restriction of the use of the eighteen spaces reserved for Members of the Council be continued;

(iii) That in order to facilitate occasional solo attendance at functions in the Town Hall, the Deputy Mayoress for 2010 / 2011 be issued with a permit, without charge, for use of the public spaces on Levels Three and Four of Shaw’s Brow Car Park;

(iv) That for the sake of consistency, similar provision be made for the Mayoress for 2010 / 2011 on request; and

(v) That for clarity, it be confirmed that the arrangement continue for future years on request, in which either or both the Mayoress and Deputy Mayoress were not Members of the Council.”

***21. 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 Policy and Resources Committee.”

***22. Agenda Review**

The Committee undertook a full review of its agenda.

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

The Committee rose at 3.05pm.

POLICY AND RESOURCES COMMITTEE

POLICY AND RESOURCES COMMITTEE – Minutes of Meeting held on Friday, 28th May, 2010.

Members present: Mr. Councillor S.R. Pitts (Vice-Chairman), the Mayor, Councillor Mrs. G.G.S. Corkish, Mr. Councillor D.J. Ashford, Councillors Mesdames E.C. Quirk, D.M. Kinrade.

Apologies: Messrs Councillors D.W. Christian (Chairman), C.L.H. Cain.

In Attendance: Borough Treasurer, Borough Engineer and Surveyor, Assistant Chief Executive, Assistant Town Clerk.

REPORT

1. **Apologies for Absence**

Apologies for absence were submitted on behalf of Mr Councillor D W Christian, Mr Councillor C L H Cain and the Chief Executive.

*2. **Declarations of Interest**

No declarations of interest were submitted.

3. **Minutes**

Minutes of meeting held on Friday 14th May 2010 were approved and signed.

*4. **Matters Arising from Previous Minutes**

No matters arising from the previous minutes were identified.

*5. **Monthly Financial Review**

The Committee considered a written report by the Borough Treasurer setting out details of progress made compared to key performance indicators in relation to rates collected; the increase in direct debit take-up for the year; the percentage of net rent collected; gross rent arrears; the number of tenants owing over £500; and sundry debtors over three months old.

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

*6. **Tramways Infrastructure – Renewal of Springs**

The Committee considered a referral from the Leisure Services Committee meeting held on Thursday 20th May 2010 seeking approval for funding for the cost of manufacturing replacement springs, which formed part of the attachment system from the horse to the tram.

It was noted that a total of fifteen springs required replacement and that, as the manufacture was of a specialist nature, this could not be done on the Island. Two springs had already been produced and were currently being trialled, with the total cost being in the region of £2,000, comprising £120 per spring plus carriage.

Resolved, “That particulars of the referral be noted on the minutes and that authority be given for expenditure in the sum of £2,000 from the Tramways Renewals Fund for the purchase of fifteen new springs for the trams.”

*7. **Queen Street, Douglas – Creation of Three Bin Stores under Planted Area**

The Committee considered a written report by the Senior Engineering Manager seeking approval for the creation of three bin stores on Council-owned land.

Two companies had approached the Council seeking permission to create three covered, secure bin stores for storing 1100-litre commercial wheeled-bins in the planted area owned by the Council between Queen Street and Lord Street. If approved, it was proposed that the stores would be constructed to the Council’s specifications and would be let under licence to the companies concerned (and their successors) for a period of seven years for the sum of £1. No costs would fall on the Council for the creation of the facility, the proposal would remove a potential hazard from the highway and would also help to create a more aesthetically pleasing environment in the area.

It was noted, whilst one of the companies concerned did not have an area to store bins, the other company did already have a provision within their property, but this only housed 240-litre size bins.

Resolved, “That particulars of the report be noted on the minutes, that the recommendation be not supported and that approval be not given for the creation of three bin stores on Council-owned land between Queen Street and Lord Street.”

Further resolved, “That the Borough Engineer & Surveyor be requested to submit a further report setting out any alternative proposals possible to enable commercial bins to be removed from the highway in the Queen Street area.”

8. Adjournment and Resumption

The Committee adjourned at 3.50pm and resumed at 4.10pm, when the following Members were present: Mr Councillor S R Pitts (Vice Chairman), the Mayor, Councillor Mrs G G S Corkish, Mr Councillor D J Ashford, Councillor Mrs E C Quirk, Councillor Mrs D M Kinrade.

***9. 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 Policy and Resources Committee."

***10. Agenda Review**

The Committee undertook a full review of its agenda.

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

The Committee rose at 4.15pm.

VI(ii). – The Proceedings of the LEISURE SERVICES COMMITTEE as follows:

LEISURE SERVICES COMMITTEE

LEISURE SERVICES COMMITTEE – Minutes of Meeting held on Thursday, 20th May, 2010.

Members present: Mr. Councillor S.R. Pitts (Chairman), the Mayor, Councillor Mrs. R. Chatel, Mr. Councillor R.I. Kissack, Councillors Mesdames C.E. Malarkey, E.C. Quirk, Messrs Councillors J.R. Mitchell, S.C. Cain.

Declarations of Interest: Messrs Councillors R.I. Kissack and S.C. Cain declared an interest in Clause 9. Mr. Councillor J.R. Mitchell declared an interest in Clause 18.

REPORT

*1. Election of Vice-Chairman

Resolved unanimously “That Mr Councillor R I Kissack be appointed Vice-Chairman for the ensuing municipal year.”

2. Minutes

The minutes of the meeting held on Thursday 18th March, 2010 were approved and signed.

*3. Matters Arising – Hilary Park

A Member queried whether the Parks Department has a routine for cleaning benches in Hilary Park as, although the benches have recently been refurbished, they are often dirty due to bird droppings and mildew. The Superintendent of Public Parks and Gardens advised that no formal cleansing regime is in place but he would ask those members of staff working in the area to ensure the seats are clean.

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

*4. Matters Arising – Noble’s Park – BMX Track

A Member queried why the work on the BMX track has not progressed further, stating that, at present, it looks like there are just mounds of soil there. The Assistant Borough Engineer advised that there was a delay due to insufficient soil being on site at the commencement of the works, but a contractor has now been in and completed his work and the Parks Department staff would be shaping the mounds of earth shortly. The Superintendent of Public Parks and Gardens advised that this would take place in TT week. After the shaping has been completed, Colas has offered to surface the bends without charge, but would like to sponsor the track. Two other companies, CMI and G4S, have also expressed an interest in sponsorship. It is envisaged that the BMX track will be completed by the end of June.

Resolved, “That particulars of the matter arising be noted on the minutes and that Members be kept updated as to progress, with a report on potential sponsorship of the BMX track to be brought to the next meeting.”

*5. Matters Arising – Noble’s Park – Dog Exercise Area

A Member read a letter he received in relation to the dog exercise area, complaining that the grass had been cut, thus destroying many spring flowers and animal habitats. The Superintendent of Public Parks and Gardens advised that he has already responded to the letter and has spoken to the members of staff who cut the grass as he had not instructed the whole area to be cut; rather that sections be cut so that there were areas of shorter grass for use by smaller dogs.

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

*6. Matters Arising – Allotments

The Chairman expressed disappointment that there was no item on the agenda to allocate the new allotments. The Assistant Chief Executive advised that the allotments are not yet ready and that there is an item to appoint an Allotments Sub-Committee. It would be for this Sub-Committee to allocate the allotments and set the rules and charging structure.

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

*7. Matters Arising – Noble’s Park – Speed Limit

The Worshipful the Mayor expressed concern at the excessive speed at which he had witnessed Parks Department staff driving machinery in Noble’s Park. The Superintendent of Public Parks and Gardens agreed to remind staff that the speed limit in the Park is 5 miles per hour.

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

***8. Appointment of Library Sub-Committee**

Resolved unanimously, "That the Library Sub-Committee be reappointed for the 2010/11 municipal year and consist of the Chairman and Councillors Mesdames R Chatel and C E Malarkey."

***9. Appointment of Allotments Sub-Committee**

Resolved unanimously, "That an Allotments Sub-Committee be appointed for the 2010/11 municipal year and consist of the Chairman and Councillors Mesdames R Chatel, C E Malarkey and E C Quirk."

Further resolved, "That the first meeting of the Sub-Committee take place at 10.30am on Friday, 28th May, 2010."

***10. Isle of Man Bay Festival**

In answer to question, the Assistant Chief Executive confirmed that the charge for using Noble's Park has been paid by the Isle of Man Bay Festival organisers but that the bond is not yet in place.

Mr Jonathan Irving joined the meeting at 11.15am to update Members on arrangements for the Festival and opened by confirming that plans are going well, with the tent due to start being erected on 3rd June. With regard to traffic management he confirmed that Upper Dukes Road would be one way, there would be taxi drop-off points and Protours would be running regular coaches from different parts of the Island. It is hoped to discourage people from using their cars, although car parking will be available.

Mr Irving confirmed that the alcohol licence is in place and he just needs to sign off his event management plan with the relevant authorities.

On the Saturday of the Festival, he advised that family-friendly activities would be available, such as facepainting, to ensure the whole family is catered for in a safe environment.

Publicity for the event is continuing, with advertising taking place off-Island as well. In addition, Radio Lancashire will be broadcasting from the Festival site in the run up to the event and BBC North West will be making a fly-on-the-wall documentary. Radio Bolton and Radio One will be present as well, together with Manx Radio broadcasting live. A number of national newspapers are also sending representatives.

In answer to question, Mr Irving confirmed that residents living in the vicinity of Noble's Park have been written to, to keep them informed of what is happening, with another letter due to go out soon. Those nearest the site have been offered discounted tickets. Mr Irving confirmed that he has received no complaints from residents.

To continue advertising locally, Mr Irving asked if the Council has any sites where he could display banners or posters. The Committee agreed to consider this and let him know.

Mr Irving was thanked for his attendance and left the meeting at 11.40am.

11. Adjournment and Resumption

The meeting adjourned at 11.40am and resumed at 11.50am with the same Members present.

***12. Isle of Man Bay Festival**

The Committee considered sites that would be suitable for advertising banners or posters for the Isle of Man Bay Festival and suggested the Snake Pit, the field at the Cooil roundabout, the tram horse field on Blackberry Lane, the golf course perimeter, the Tramways buildings and the stone wall at Victoria Crescent. The Assistant Chief Executive agreed to inform Mr Irving of the Committee's suggestions.

Resolved, "That particulars of Mr Irving's presentation be noted on the minutes and that he be informed of the Committee's suggestions for advertising sites."

***13. Tramways Infrastructure – Renewal of Springs**

The Committee considered a report from the Assistant Chief Executive advising that a number of springs that are part of the attachment system from the horse to the tram require to be replaced. As the manufacture of the springs is of a specialist nature, this cannot be done on the Island. The Tested Spring Company Ltd has been identified as being a specialist spring manufacturer that has the skill for the task. Two springs have been produced and are being trialled. Fifteen new springs are required, at a cost of £2,000.00 including carriage.

Resolved, "That particulars of the report be noted on the minutes and approval given to the purchase of fifteen new springs from the Tested Spring Company Ltd at a total cost of £2,000.00."

Further resolved, "That the Policy and Resources Committee be requested to approve that the cost of manufacturing the replacement springs be funded from the Tramways Renewals Fund."

***14. Football Pitch Hire – Charity Event**

The Committee considered a report from the Superintendent of Public Parks and Gardens following a request received from Mr D Matheson at Shoprite requesting the use of a football pitch at a reduced

rate for a charity football match on 13th June, 2010 in aid of Breakthrough Breast Cancer. The report notes that a similar request was made last year and the Committee agreed to charge £50.00. The Superintendent of Public Parks and Gardens advised that one of the pitches at Pulrose will be available.

Resolved, "That particulars of the report be noted on the minutes and approval given for the Shoprite Group to hire a football pitch at Pulrose for a charity football match on 13th June, 2010 at a reduced rate of £50.00."

***15. Smoking in Children's Playgrounds**

The Committee considered a report from the Assistant Borough Engineer seeking views with regard to a suggestion that a no smoking policy be introduced in children's playgrounds. Although playgrounds do not fall within the remit of the Public Health (Tobacco) Act 2006 and the subsequent No Smoking Premises Regulations 2007, the objective of the Act is to reduce the risks to health from exposure to second hand smoke. Banning smoking in children's playgrounds would therefore be consistent with the objectives of the Act.

The report states that a new byelaw would be needed to enforce the ban, but in the meantime signs saying, for example, "Douglas Borough Council thanks you for not smoking in this playground" could be erected. The cost of this would be £1,500.00 and would be funded from the Playgrounds Revenue budget. The Superintendent of Public Parks and Gardens advised that he has been looking into putting signs in the playgrounds giving contact details for the Parks Department so he will co-ordinate the inclusion of this information on the warning signs.

Resolved, "That particulars of the report be noted on the minutes and approval given for a new byelaw to be created banning smoking in children's playgrounds, with initial signs to be erected at a cost of £1,500.00."

Further resolved, "That the Policy and Resources Committee be requested to consider publishing details of the number of fines and Fixed Penalty Notices issued through the Enforcement section."

***16. Roller Rink in Noble's Park**

The Committee considered a report from the Superintendent of Public Parks and Gardens following a request from Switched On Entertainment Ltd to operate a roller skating rink in Noble's Park during the summer season. The company operated a similar venture in the Park during the Easter holidays, which proved popular.

Members requested that the company not operate other attractions on site such as bouncy castles and children's rides as this would detract from the many Fun Days held in the Park over the summer.

At Easter, the rink was erected in the tennis courts above the Tot-Lot. Some concern was expressed that this had necessitated poles being driven into the ground, which then had to be reinstated. The Committee agreed that the method of erecting the rink on the tennis courts should be subject to approval from the Assistant Borough Engineer.

Resolved, "That (i) particulars of the report be noted on the minutes and approval given for Switched On Entertainment Ltd to operate a roller rink in Noble's Park on dates approved by the Parks Department;

(ii) a charge be made of £100.00 per day, which is the same as the company were charged at Easter; and

(iii) the method of erecting the rink on the tennis courts be subject to approval from the Assistant Borough Engineer."

17. Attendance

Mr Councillor J R Mitchell left the meeting at 12.22pm

***18. Request for Memorial Bench**

The Committee considered a report from the Superintendent of Public Parks and Gardens following a request for a memorial plaque to be placed on a bench in Hilary Park. The Superintendent of Public Parks and Gardens also seeks delegated powers to approve the siting of memorial benches and plaques in the parks and other open spaces. He further suggests that a period of 25 years be the maximum period during which the Council will remain responsible for the maintenance of the plaques and benches. During discussion, Members expressed concern at the £325.00 fee for providing a plaque and requested that they be provided with a breakdown of the cost.

Resolved, "That (i) particulars of the report be noted on the minutes and approval given for a memorial plaque to be placed on a bench in Hilary Park;

(ii) the Superintendent of Public Parks and Gardens be given delegated powers to approve the siting of memorial benches and plaques in the Borough's parks and other open spaces;

(iii) that a period of 25 years be set as the maximum period during which the Council will remain responsible for the maintenance of the plaques and benches; and

(iv) Members be provided with a breakdown of the £325.00 charge made for erecting a memorial plaque.”

***19. Manx National Youth Band – Floral Decorations**

The Committee considered a report from the Superintendent of Public Parks and Gardens detailing a request from the Manx National Youth Band for a reduction in the cost of providing floral decorations for their 40th anniversary Gala Concert at the Villa Marina on Saturday, 17th July, 2010, in accordance with requests made in previous years.

The report suggests that in lieu of, or in addition to, any fee charged, the Council could request that an advertisement for the Parks Department Floral Decorations Service be included in the event programme. Members further suggested that all floral displays provided by the Parks Department should include a sign saying that the display is being provided by the Council.

Resolved, “That particulars of the report be noted on the minutes and the Manx National Youth Band be charged £50.00 plus VAT for the provision of floral decorations at their Gala Concert, subject to a free advertisement for the Parks Department Floral Decorations Service being included in the event programme.”

***20. Items for Future Consideration by the Committee**

The Committee considered a report from the Chief Executive and Assistant Town Clerk regarding reports for future consideration by the Committee. The following reports are expected:

- Ballaughton Nurseries regeneration – June 2010
- Condition of Queen’s Garden perimeter wall – A briefing note is to be circulated
- Sponsorship of Tram Horses – June 2010
- Downloadable eBooks – A briefing note is to be circulated
- Tenders for Finch Hill pipes and pathways scheme - June 2010
- Library drop-off box – June 2010

In addition to these and other reports requested during the course of the meeting, Members also asked for reports on the following:

- The promotion of the Council’s glens
- Animal waste receptacles (a briefing note will be circulated)
- Hutchinson Square redevelopment

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

21. Attendance

Councillor Mrs R Chatel left the meeting at 12.50pm.

***22. Agenda Review**

The Committee undertook a review of the agenda to determine those items to be made public and those to remain private.

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

***23. Tenders for Children’s Playgrounds**

Tenders for equipment for a number of playgrounds were opened at the meeting. However, as further consideration of the tenders was required, the matter was deferred.

Resolved, “That a special meeting of the Committee be convened at 10.30am on Friday, 28th May, 2010 for the purpose of considering the tenders for playground equipment, with the Allotments Sub-Committee meeting to follow immediately after.”

The Committee rose at 1.08pm.

LEISURE SERVICES COMMITTEE

LEISURE SERVICES COMMITTEE – Minutes of special Meeting held on Friday, 28th May, 2010.
Members present: Mr. Councillor S.R. Pitts (Chairman), Mr. Councillor R.I. Kissack,
Councillors Mesdames C.E. Malarkey, E.C. Quirk, Mr. Councillor S.C. Cain.

Apologies: Councillor Mrs. R. Chatel, Mr. Councillor J.R. Mitchell.

REPORT

1. **Tenders Received for Play Equipment at Noble's Plot, Ballaughton Country Park, Willaston Play Area and Noble's Park**

The Committee considered a report from the Civil Engineering Technician regarding tenders received for play equipment at Noble's Plot, Ballaughton Country Park and Willaston playground, together with the provision of a kickabout area for Noble's Park.

Tenderers had been invited to make submissions as to what play equipment they could supply for the four playgrounds up to a sum of £253,000. This is broken down into £28,000 for Noble's Plot, £40,000 for the Noble's Park kickabout area, £55,000 for the Ballaughton Country Park and £130,000 for Willaston play area. The total budget for all of the schemes is £280,000, which includes the removal costs of the existing equipment in the Willaston playground and contingency sums.

Five companies submitted tenders. Members found the submission from Wicksteed Leisure Ltd to be the most appropriate but requested that Officers negotiate with the company to swap the rope swings for aerial slides and to use different colours for the surfacing of the Willaston playground. Members also requested that the play areas be squared off, and not be circular as shown in the plans.

Resolved, "That (i) particulars of the report be noted on the minutes and the submission from Wicksteed Leisure Ltd be accepted, subject to the amendments detailed above being negotiated with the company;

(ii) the Town Clerk and Chief Executive be authorised to petition the Department of Infrastructure for borrowing powers in the sum of £250,000, being the amount required to defray the cost of the works;

(iii) the Department of Infrastructure be advised that an assessment of the Council's reserve funds has been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source;

(iv) recommendation be made to the Policy and Resources Committee that the Capital Expenditure Programme be amended to include new playground provision for Noble's Plot in the amount of £30,000, to be met from a contribution from an adjacent developer as part of a Section 13 planning consent;

(v) the separate Capital Expenditure Programme playground scheme items of Willaston Estate (LS00031), Ballaughton Country Park (LS00051), Noble's Park kickabout area (LS00052) and Noble's Plot (originally LS00036 – 2009/10) be combined into one scheme;

(vi) the relocation of the Willaston play area be noted on the minutes and Members visit the play area at 10.00am on Thursday, 17th June, 2010 to confirm the new location;

(vii) the use of tarmac as opposed to play bark or grass at Ballaughton Country Park and the Willaston play area be approved."

The Committee rose at 11.00am.

VI(iii). – The Proceedings of the PUBLIC HEALTH AND HOUSING COMMITTEE as follows:

PUBLIC HEALTH AND HOUSING COMMITTEE

PUBLIC HEALTH AND HOUSING COMMITTEE – Minutes of Meeting held on Monday, 24th May, 2010. Members Present: Mr. Councillor C.L.H. Cain (Chairman), Councillor Mrs. S.D.A. Hackman, Mr. Councillor D.J. Ashford, Councillors Mesdames C.E. Malarkey, E.H. Callow, Mr. Councillor T.M. Gelling, Councillor Mrs. D.M. Kinrade.

Apologies: The Mayor.

In Attendance: Assistant Town Clerk, Acting Assistant Borough Surveyor, Assistant Borough Treasurer (Income Services) Committee Administrator, Customer Services Officer Housing (C. Yates), Customer Services Officer Housing (N. Barnes)

Declarations of Interest: Councillor Mrs. D.M. Kinrade declared that she is a tenant in sheltered housing.

REPORT

***1. Vice-Chairman 2010/2011**

Councillor Mrs D.M. Kinrade was elected Vice-Chairman to serve for the 2010/2011 municipal year.

***2. Minutes – 22nd March, 2010**

The minutes of the regular meeting held Monday, 22nd March, 2010 were approved and signed as a correct record of the meeting.

***3. Matters Arising – Minute 8 – Allocation of Apartments at 5-20 Edmund Chadwick Grove**

A Member asked about the measures included at the design stage of these properties to ensure they were particularly suitable for elderly persons. The Chairman advised that they were designed for elderly persons who were fully mobile. Another Member asked if a copy of the report on allocations which was considered by the previous committee be circulated to new members of the Committee.

Resolved, “That the comments be noted on the minutes.”

***4. Matters Arising – Minute 6 – Proposed Kitchen Framework Agreement**

A Member asked if any responses have been received from tenants in response to the leaflet sent out on the proposed kitchen framework agreement. The Housing Manager reported that the replies have been received, the responses are being collated and a report will be brought to a future meeting of the Committee.

Resolved, “That the discussion be noted on the minutes.”

***5. Matters Arising – Minute 3 – Condition Survey and Report on Westmoreland Rd / Circular Rd Properties**

A request was made that a copy of the Condition Survey and Report be circulated to new Members. The Chairman agreed.

Resolved, “That the discussion and the Committee’s directions be noted on the minutes.”

***6. Replacement of Broken Window Glass in Council Housing Properties**

The Committee considered a report submitted by the Assistant Borough Treasurer (Income Services) regarding the detail of the implementation of the new policy on replacement of window glass in Council housing properties. The report recommended that the policy should not be backdated, but should only apply from the date of Council approval, namely 14th March, 2010.

Resolved, “That the report and discussion be noted on the minutes and approval given for the start date of 14th March, 2010 for the policy wherein the Council will be responsible for the replacement of window glass when the breakage results from a criminal act and a crime number obtained.”

Further resolved, “That an exception be made for one property in Willaston, where the damage occurred prior to 14th March, 2010, and that the glass in that property be replaced at the Council’s expense.”

***7. Traditional Summer Market**

The Committee considered a report submitted by the Committee Administrator regarding a 'traditional summer market' being organised on the North Quay by the traders in Douglas Market to be held on Saturday, 24th July, 2010. A request has been received for a waiver of fees for 'guest traders' who may wish to use any vacant space within the Market building on that day.

Resolved, "That particulars of the report be noted on the minutes, and the request to waive fees for guest traders be declined; but that vacant space be made available free of charge for demonstrations or displays in support of the traditional summer market on Saturday, 24th July, 2010."

***8. Disposal Routes for Items Left in Vacant Housing Properties**

The Committee considered a report submitted by the Assistant Housing Manager (Maintenance) setting out the current procedure for removing items left in Council housing properties after they have been vacated. Currently items are removed from properties either by the Council's own direct labour force or by independent contractors as appropriate. The disposal routes for items which are not required by the prospective tenant were detailed as follows. Items which are deemed unsuitable for further use and that are suitable for incineration are taken to the Energy from Waste Plant. Metal items that are deemed unsuitable for use are taken for recycling. Items that are deemed unsuitable for use that are non-burnable or recyclable are taken for disposal to landfill. Items that are deemed suitable for future use are offered to charitable organisations. Records are kept of items that are required by the prospective tenant. No record is kept of the items removed and the manner of their disposal. There was discussion of the types of items which are removed, the way it is decided that items will be removed. The Committee was advised that additional requirements for record-keeping may well slow down the turnover of empty properties.

Resolved, "That the particulars of the report be noted on the minutes and approval be given for the current procedures subject to introduction of a procedure for recording all items removed and the disposal route taken for those items."

***9. Tenders – Annual Servicing, Safety Checks and Repairs of Gas Appliances in Council Domestic Dwellings**

The Committee considered a report on tenders received to carry out annual servicing, safety checks and on-going repairs to gas appliances in Council domestic dwellings. Tenders were received from five companies.

Resolved, "That particulars of the tenders be noted on the minutes and that of Waterworks Limited, being the lowest tender and good value for money, be accepted and the company be appointed for a term of three years in accordance with the terms and conditions of the *Standard Form of Measured Term Contract (1998 Edition)I* as amended by Manx Law."

***10. Tenders – Annual Servicing, Safety Checks and Repairs of Oil Appliances in Council Domestic Dwellings**

The Committee considered a report on tenders received to carry out annual servicing, safety checks and on-going repairs to oil appliances in Council domestic dwellings. Tenders were received from four companies.

Resolved, "That particulars of the tenders be noted on the minutes and that of Waterworks Limited, being the lowest tender and good value for money, be accepted and the company be appointed for a term of three years in accordance with the terms and conditions of the *Standard Form of Measured Term Contract (1998 Edition)I* as amended by Manx Law."

***11. Compensation Towards the Maintenance Cost of Privately Owned Central Heating System**

The Committee considered a request made by an MHK on behalf of a constituent living at Hillside Avenue seeking compensation for the cost of maintenance of a central heating system installed by the tenant.

Resolved, "That particulars of the report be noted on the minutes; that the request to be declined; and the current policy of not compensating tenants for improvements made to Council properties be reaffirmed."

12. Tenders – Replacement of Fourteen Fire Escapes at Rear of Coronation Terrace, Lord Street, Douglas

The Committee considered a report on tenders received to provide and install fourteen fire escapes at rear of Coronation Terrace, Lord Street, Douglas. Tenders were received from four companies.

The Assistant Borough Treasurer (Income Services) advised the Committee that these works had been scheduled in the capital programme to be done in the 2012/2013 financial year. A revision of the capital programme is required in order to carry out the works in the current financial year.

Resolved, "That the particulars of the tenders be noted on the minutes and approval given to the acceptance of that of Richardson Metalcraft Limited, subject to satisfactory arithmetical and financial checks."

Further resolved, "That the Town Clerk and Chief Executive be authorised to submit a petition to the Department of Infrastructure for borrowing powers in the amount of £62,876.31, being the amount required to defray the cost of the works."

Further resolved, "That the matter be referred to the Policy and Resources Committee for approval of the revision to the capital programme to bring forward these works into the current financial year."

***13. Upper Pulrose Development Phase 8**

The Committee considered the Design Team Interim Report and recommendations on the Stage 1 tender submissions for the Upper Pulrose (Phase 8) redevelopment.

Resolved, "That the report be noted on the minutes and approval be given for the Stage 1 tender submission and appointment of Dandara Commercial as contractor as detailed in the Design Team's tender report; and that authorisation is given for progression of the project to Stage 2 of the tender process."

***14. Capital Housing Planned Maintenance Programme**

The Committee considered a report submitted by the Planned Maintenance Officer setting out a capital housing planned maintenance programme amended in line with decisions made by the Committee at the February meeting. Attached to the report was a spreadsheet showing the planned timetable of works for 2010 – 2013 including the expected dates for the pre-construction and construction phases of each of the projects within the capital programme. Also attached to the report were details of the many elements of work which are included in the 'pre-construction phase'. The Assistant Borough Treasurer (Income Services) advised that whilst this report shows the timetabling of the different projects, as it does not include financial values, a further report will need to be brought back with that information.

It was noted in the report that this programme is subject to agreement with the Housing section within the Department of Social Care and petitions are subject to the approval of the Department of Infrastructure which has the responsibility of oversight of local authorities. There was discussion of the funding arrangements for local authority housing and discussion of the way in which priorities are determined. Query was raised as to the proposed start date of lift installation works for Lord Street flats. Whilst these are scheduled to begin July 2011, work to determine whether or not this is feasible still needs to be done.

Resolved, "That that particulars of the report and discussion be noted on the minutes and approval given to the amended capital housing planned maintenance programme which is subject to the Department of Social Care's agreement and the Department of Infrastructure approval of petition."

For: 6 – Against: 1

***15. Capital Housing Schemes**

The Committee considered a schedule setting out the monthly updated position on the capital housing schemes 2010/2011.

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

***16. Crematorium and Chapel Upgrades**

The Committee considered a report submitted by the Planned Maintenance Officer setting out the design fees for Phase 1 of the crematorium and chapel upgrades. Phase 1 of the work involves a full refurbishment of the chapel building including new disabled access facilities, toilets and waiting room, together with installation of mercury filtration abatement equipment to the cremator machines.

Resolved, "That the particulars of the report be noted on the minutes and the Design Team's fees be accepted subject to the concurrence of the Department of Infrastructure."

***17. Two Chairman Procedure – One Day Closure of Crematorium**

The Committee noted the decision made by the Chairman of the Policy and Resources Committee and the Chairman of the Public Health and Housing committee to close the crematorium on Friday, 9th July, 2010 in order to accommodate a road closure of Glencrutchery Road between the hours of 10:00am and 1:00pm for the Rally Isle of Man.

***18. Acceptance Criteria for Sheltered Housing Accommodation**

Councillor Mrs D.M. Kinrade declared an interest in this item and left the meeting whilst it was considered.

The Committee considered a report submitted by the Housing Manager seeking the views of Members on the acceptance criteria for sheltered accommodation as this is currently being reviewed by the Housing Managers in conjunction with the Department of Social Care Managers. The current policy is to allow anyone, from any area on the Island to apply for sheltered housing in any area, whether a home owner or not, provided that they have lived on the Island for a minimum period of ten years. The Committee was asked to consider whether any or all of these criteria should be changed and whether or not any additional criteria should form part of the policy. The report set out a number of possible changes for discussion.

Members asked about the availability of sheltered accommodation in the private sector and were advised that it is very limited although some is being built. A Member asked whether homeowners were obliged to sell their properties before being allocated sheltered accommodation. Question was raised about the demand for sheltered accommodation. The Housing Manager advised that there are currently fifty people on the waiting list for sheltered accommodation. Douglas has a points system for sheltered housing, whilst other sheltered housing authorities operate a 'first come, first served' system. In other parts of the Island sheltered housing is run by a separate sheltered housing board on behalf of several local authorities rather than being directly run by any one local authority. There was some discussion of the difference between sheltered housing and care homes. People moving into sheltered housing are elderly, mobile and able to look after themselves. Sheltered housing is divided into separate, individual flats with some communal facilities and the services of a warden on duty. Some of the reasons people wish to move into sheltered housing are that they want the additional security of a warden who will call in when needed; they no longer wish to look after a large house on their own; or they do not feel safe living on their own. Generally the minimum age for persons moving into sheltered housing is sixty, although in a few instances younger persons with severe physical disabilities have been accommodated.

Resolved, "That the report and discussion be noted on the minutes and approval given for the following recommendations to be passed to the next meeting of the Housing Managers and managers from the Department of Social Care:-

1. that acceptance on the list for sheltered housing be the same as for acceptance onto the general housing list, that is a minimum of five year's residence in the area;
2. that a points system be introduced for all public sector sheltered housing allocation in the Island;
3. that homeowners continue to be accepted onto the list;
4. that there be no introduction of means testing of home owners;
5. that for home owners applying for inclusion on the list, there be no introduction of maximum equity values of the house which they are selling."

19. **Adjournment and Resumption**

The meeting adjourned at 11:50am and resumed at noon with the same Members present and officers in attendance.

*20. **Contravention of Tenancy Agreement for Possession or Supply of Drugs**

The Committee considered a report submitted by the Housing Manager regarding enforcement of the terms of the Housing Tenancy agreement in relation to the possession and/or supply of drugs. The Tenancy Agreement states that "*Neither the Tenant, nor any person occupying the Property with the permission of the Tenant, shall possess or possess with intent to supply Class A, B, or C illegal controlled substances, as defined by under the Misuse of Drugs Act (1976) or any amendment thereof, or such other illegally controlled substances under the provision of the Misuse of Drugs Act (1976) or any amendment thereof.*" The report stated that there is a need for Douglas Corporation to develop and implement a policy regarding the actions to be taken where tenants are in breach of this section of the Tenancy Agreement.

Query was raised as to whether or not persons submitting a housing application have to disclose previous convictions for drugs offences. The Housing Manager replied that this information is not requested on the application form, but that there is regular liaison with the police who provide this information.

The report gave details of two recent cases where there have been convictions for drugs offences. In the first instance (Case 1), a tenant was convicted for possession of cannabis but was dealt with leniently by the Court because it was being grown for the tenant's own personal use for a recognised health problem. The tenant has agreed to all restrictions by the police and is complying with social services requests. In the second instance (Case 2), a tenant has been convicted of permitting the premises to be used for the supply of Class A drugs. The Housing Manager gave some further details regarding the personal circumstances of both tenants in order that an informed decision could be made by the Committee.

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

- i. that approval is given to the policy that the Council consider all cases relating to possession or supply of controlled drugs on their premises and takes action where appropriate; and
- ii. that a formal letter of warning be sent to the tenant in Case 1, indicating that any further contravention of the Tenancy Agreement may result in the instigation of possession proceedings; and
- iii. that immediate action be taken against the tenant in Case 2 for repossession of the property."

***21. Items for Future Consideration**

The Committee considered the report on items for future consideration.

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

***22. Agenda Review**

The Committee reviewed the Agenda and determined that all the minutes except those relating to specific tenancies should be included on the public Council agenda.

The Committee rose at 12.30pm.

VI(iv). – The proceedings of the PUBLIC WORKS COMMITTEE as follows:

PUBLIC WORKS COMMITTEE

PUBLIC WORKS COMMITTEE – Minutes of meeting held on Wednesday, 19th May, 2010. Members Present: Mr. Councillor D.J. Ashford (Chairman), the Mayor, Councillor Mrs. G.G.S. Corkish, Mr. Councillor R.I. Kissack, Councillor Mrs. E.C. Quirk, Mr. Councillor T.M. Gelling, Councillor Mrs. D.M. Kinrade.

Apologies: Mr. Councillor G.J. Faragher.

In Attendance: Assistant Town Clerk, Assistant Borough Engineer, Senior Accountancy Officer, Committee Administrator, Electrical Services Manager (Item 8 only)

REPORT

*1. **Election of Vice-Chairman**

The Committee unanimously elected Mr. Councillor G.J. Faragher to be the Vice-Chairman for the ensuing municipal year.

*2. **Appointment of Member to the Kerbside Recycling Group**

The Committee unanimously appointed the Chairman, Mr. Councillor D.J. Ashford to serve as the Council's representative on the Kerbside Recycling Group for the 2010-2012 municipal years.

*3. **Appointment of Member to the Richmond Hill (Incinerator) Consultative Committee**

The Committee unanimously appointed the Chairman, Mr. Councillor D.J. Ashford to serve as the Council's representative on the Richmond Hill (Incinerator) Consultative Committee for the 2010-2012 municipal years.

*4. **Minutes – 17th March, 2010**

Minutes of the meeting held on Wednesday, 17th March, 2010 were approved and signed.

*5. **Class 4 Column and Bracket Arm Replacement, Financial Year 2010 - 2011**

The Committee considered a report submitted by the Electrical Services Manager on the 2010/2011 budget for dealing with 'Class 4' lighting columns and bracket arm replacement.

The Borough's public lighting stock is inspected for structural strength and soundness by Standard Industries. The complete stock is inspected over a five year period with twenty per cent of columns inspected annually. The inspection grades the lighting columns from 1 to 5, where Class 5 columns require immediate replacement and Class 1 should not need to be repaired and/or replaced for many years. As this is a rolling programme of inspection and repair or replacement, the number of columns on which work has been done in one year is used to estimate the number which will need to be done in the following year. This mechanism was used to establish the figures for the 2010/2011 capital budget estimates.

There was discussion of what the designation 'Class 4' means when applied to a lighting column. There was discussion of the availability of information about lighting columns such as the age, condition and information as to past work that has been done. Members were of the view that this information would be of assistance when decisions are being made about replacing lighting columns. The Assistant Borough Engineer reported that much of this information was already on an electronic database. There was some further discussion as to what format this information could be made available to Members in meetings.

When the inspection report was received by the Electrical Services Manager in March 2010, it showed that none were in Class 5 (requiring immediate attention), and considerably fewer than expected columns were in Class 4 (requiring full strength repair or removal from service as soon as possible). As a result the revised estimate for Class 4 columns and bracket arm replacement for 2010/2011 is £105,000 which is lower than estimated.

There was discussion of the virement of the surplus funds to other capital schemes. It was suggested that some of the lighting columns on Douglas Promenade were in need of repainting and that some had been damaged by items affixed to the columns. The Committee directed that a report be brought back on painting of lighting columns on the Promenade.

Resolved, "That particulars of the report and discussion be noted on the minutes and approval given to the revised estimates for the 2010/2011 Class 4 columns and bracket arms public lighting scheme."

Further resolved, "That any virement of surplus funds be deferred pending a further report."

***6. Lifebuoys on Douglas Promenade**

The Committee considered a report submitted by the Assistant Borough Engineer on the inspection and maintenance of the lifebuoys along Douglas Promenade. The Committee requested the report following an incident when two lifebuoys were missing from the containers.

The maintenance and inspection regime and the location of the lifebuoys were reviewed. Advice was taken from the Coast Guard, the RNLI, the Fire and Rescue Service and the Health and Safety Officer in formulating the recommendations put forward. In response to query, the Assistant Borough Engineer advised that the Bye-laws officers would carry out more frequent, informal inspections in addition to the monthly full inspections. Attached to the report was a plan showing the proposed location of lifebuoys.

Resolved, "That the report be noted on the minutes and approval given to the recommendations in full, namely that:-

- i. Once monthly a full physical inspection of lifebuoys and ropes be carried out and written records kept detailing the date of the inspection, the person conducting the inspection, the location, the type of lifebuoy and box contents, the condition, any remedial action required and any further action required;
- ii. The number of lifebuoys to be reduced from twenty-eight to fourteen. The lifebuoys between the War Memorial and Summerland to be removed as the beach gradient does not exceed 1 in 12;
- iii. The remaining lifebuoys and housings to be retained and cleaned internally and externally and information / instructions within the boxes updated regarding contacts for emergency services;
- iv. The ropes to be renewed on all retained units with 25 metre long 11mm diameter stable, spun UV-stabilised, floating, non-kinking polypropylene rope.
- v. The Byelaws Inspectors be instructed to inspect the lifebuoys as part of their routine patrolling of the Promenade, in between the full monthly inspections"

***7. Surplus Equipment for Sale**

The Committee considered a report submitted by the Assistant Borough Engineer seeking authorisation for disposal of various surplus vehicles. It was suggested that the applied sweeper could be used at the Civic Amenity site to keep the site tidier. It was agreed that as this sweeper is not likely to command a high re-sale price, this may be a good re-use of this equipment.

Resolved, "That the report and discussion be noted on the minutes and approval given for the following surplus vehicles to be disposed of, in the first instance by auction with reserve prices set; and for any not disposed of in that manner to be disposed of via the tendering process:-

- i. DAF Merlin Mechanical Sweeper HMN 74D
- ii. Mercedes Atego Semat Refuse Vehicle HMN 83T
- iii. DAF Linktip GMN 822V
- iv. DAF Linktip HMN 347F"

Further resolved, "That Applied Sweeper GMN 312L be transferred to the Civic Amenity site instead of disposal as recommended in the officer's report."

***8. Proposed Main Road Capital Public Lighting Schemes Financial Year 2010/2011**

The Electrical Services Manager joined the meeting for consideration of this item.

The Committee considered a report submitted by the Electrical Services Manager setting out various options so that the Committee could identify exactly which capital lighting schemes will be progressed in 2010/2011.

In response to various queries, the Electrical Services Manager reported that the projected life of a lighting column is twenty to forty years and the projected lantern life is twenty-five to thirty years. He further reported that there are no structural issues with the columns on the Promenade. He also reported that whilst works have been carried out in Willaston in recent years, there are still necessary works to progress. Members for the area were of the view that lighting works were not a priority in the Estate and should be deferred until a future year. In Cronk Dreen there is a mix of column types; not all are aluminium which is generally more robust than steel.

Members discussed lighting in Victoria Street. The report included two different options for a lighting scheme in Victoria Street, one more simplified and the other using black lighting columns of the same style as on the Promenade. The Electrical Services Manager reported that four columns are leaning and will be replaced as part of the 'Class 4 Columns' scheme. He also reported that in this location there is a need to ensure that any lighting column is strong enough to support the infrastructure to be hung from it including banners, decorative lighting, etc. There was discussion of the Town Centre Regeneration

proposals and the need to ensure that any new lighting will be in keeping with any works carried out as part of the Regeneration. The Assistant Borough Engineer gave a brief overview of the timetable of in relation to the Regeneration. Lighting will not be addressed as part of the Regeneration until 2011 or 2012. It was agreed to defer capital lighting works in Victoria Street until a future year.

Members then considered the remaining options put forward by the Electrical Services Manager for capital public lighting schemes.

Resolved, "That particulars of the report and discussion be noted on the minutes and approval given to progress the following lighting schemes in 2010/2011:-

- i. Circular Road
- ii. Westmoreland Road
- iii. Windsor Road
- iv. Finch Road"

***9. Conference Attendance 2010/2011**

The Committee considered a report submitted by the Assistant Borough Engineer regarding attendance at two trade exhibitions in the current financial year.

Resolved, "That the report be noted on the minutes and approval given for the Chairman and one officer to attend the Recycling and Waste Management Exhibition on the 4th to 6th September, 2010 to be held at the National Exhibition Centre in Birmingham, and the Traffex, Parkex and Street Design Exhibition on the 29th to 31st March, 2011 also to be held at the National Exhibition Centre in Birmingham; and that reasonable travel and accommodation expenses to be met."

***10. Planning Application 10/00464/B – Site of Former Print Works, Market Street, Douglas**

The Committee considered planning application 10/00464/B seeking approval for the erection of an office building, with potential alternative use of lower floors as a public library on the site of the former Print Works, opposite Marks and Spencer on Market Street, Douglas. The site is currently being used as a temporary car park.

Resolved, "That the particulars of the application be noted on the minutes and no objection be raised."

***11. Schedule of Dilapidated, Ruinous, Neglected, or Dangerous Properties**

The Committee noted the schedule of dilapidated, ruinous, neglected or dangerous properties submitted by the Building Control Manager and voiced concerns about other specific properties.

***12. Items for Future Consideration**

The Committee noted the report setting out the items for future consideration.

The Committee rose at 12.15pm.