



## Borough of Douglas

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**MR COUNCILLOR JONATHAN JOUGHIN, JP  
MAYOR**

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Town Hall,

Douglas,

6<sup>th</sup> June, 2019

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 12th day of JUNE, 2019, 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 Pensions Committee;
- (iii) The Standards Committee;
- (iv) The Eastern District Civic Amenity Site Joint Committee;
- (v) Any other Joint Committee;
- (vi) The Housing Committee;
- (vii) The Regeneration and Community Committee;
- (viii) The Environmental Services Committee;

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

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

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

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

# AGENDA

III – Chief Executive to read minutes of the Annual Council Meeting held on Wednesday, 8<sup>th</sup> May, 2019.

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

## EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 24<sup>th</sup> May, 2019.

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

In Attendance: Chief Executive (Miss K J Rice), Director of Environment & Regeneration (Mrs D Eynon), Assistant Chief Officer (Finance) (Mr E P Pierce), Assistant Chief Officer (Housing & Property) (Mr G Atkin), Assistant Town Clerk (Mr P E Cowin) (for Clauses A1 to A7), Executive Officer (Mrs J M Keig) (taking minutes).

### REPORT

#### **PART A –**

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

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

Apologies for absence were submitted on behalf of Mr Councillor R H McNicholl and the Director of Finance.

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

Mr Councillor I J G Clague declared an interested in Clause A6, sub-Clause B2.

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

The minutes of the Special Meeting held on Friday 29<sup>th</sup> March 2019 together with the minutes of the scheduled meeting held on Friday 29<sup>th</sup> March 2019 were approved and signed.

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

There were no matters arising from the public minutes of the previous meetings.

##### **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 13<sup>th</sup> May 2019, and the reconvened meeting held on Wednesday 15<sup>th</sup> May 2019:

#### From 13<sup>th</sup> May 2019 -

Clause B9 – North Quay Christmas Lights Switch On Event: the Committee had considered a report by the Electrical Services Manager setting out an assessment of the electrical infrastructure that would be required for the proposed ceremony on North Quay. This included a breakdown of the costs, and a proposal to install the festoon lighting (removed from Douglas Promenade) along the water-side of the highway. It was noted that a Member of the Committee had expressed concern that, in their view, the festoon lighting was not in-keeping with the extensively-regenerated Quay-side area and should be removed following the Ceremony.

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

(ii) That funding in the sum of £52,650 be not approved in respect of the proposed Christmas Lights Switch-On Ceremony on North Quay and, instead, the matter referred back to the Environmental Services Committee with a request that a reduced scheme be drawn up and submitted; and

(iii) That the festoon lighting remain in situ following the ceremony.”

Clause B10 – Capital Out-turn 2018 / 2019: the Committee had considered a report by the Assistant Chief Officer (Finance) in relation to the financial year-end out-turn position on the Capital Programme; and had noted the values spent on all Capital schemes in 2018 / 2019, the variances to the revised estimates, and the amounts to be carried forward.

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

- (ii) That the recommendation of the Environmental Services Committee be endorsed, and that all unspent balances on projects where work was ongoing or retentions were payable, be approved to be carried forward to 2019 / 2020 accordingly.”

From 15<sup>th</sup> May 2019 -

Clause B10 – Scheme of Delegation for Planning Applications.

Resolved, “That consideration of this referral be deferred to the next meeting of the Executive Committee.”

**A6. Referrals from the Regeneration & Community Committee**

The Committee considered the following referrals from the minutes of the Regeneration and Community Committee meeting held on Tuesday 14<sup>th</sup> May 2019:

Clause B1 – Capital Out-turn 2018 / 2019: the Committee had considered a report by the Assistant Chief Officer (Finance) in relation to the financial year-end out-turn position on the Capital Programme; and had noted the values spent on all Capital schemes in 2018 / 2019, the variances to the revised estimates, and the amounts to be carried forward.

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

- (ii) That the resolution of the Regeneration & Community Committee be endorsed, and that all unspent balances on projects where work was ongoing or retentions were payable, be approved to be carried forward to 2019 / 2020.”

*Mr Councillor I J G Clague declared an interest in the below referral (Clause B2), and retired from the meeting during its consideration accordingly.*

Clause B2 – Noble’s Park Fun Day Enhancements: the Committee had considered a report by the Democratic Services Officer seeking additional funding for the 2019 event. This was in light of the postponement of the Douglas Carnival, and would enable additional attractions, such as all inflatable and fairground rides, to be provided free of charge.

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

- (ii) That funding in the sum of £3,500 be approved from General Revenue Reserves for the provision of additional free attractions at the 2019 Noble’s Park Fun Day event.”

Clause B3 – Douglas Borough Cemetery Cottage: the Committee had considered a report by the Head of Parks setting out four possible options for the future of the Cemetery Cottage now that it was surplus to requirements. Having considered the viability and costs for each option, the Committee had agreed with proceeding to demolish the building, and replacing it with a storage unit large enough to accommodate the Cemetery digger and other equipment.

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

- (ii) That the resolution of the Regeneration and Community Committee be endorsed, and that funding for the demolition of the Cemetery Cottage and the installation of replacement equipment storage be included in the Council’s 2020 / 2021 budget.”

*3 For. 1 Against. Mr Councillor D W Christian requested his vote against the resolution to be recorded on the minutes.*

**A7. Consultation Document: Climate Change Mitigation Strategy**

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

The deadline for the submission of responses had been fixed as Friday 17<sup>th</sup> May 2019, however, dispensation had been granted for an extension to allow consideration by the Executive Committee at its scheduled meeting of today’s date.

It was noted that the extensive consultation document included a very diverse range of questions on proposed measures. These were to be implemented as an Island-wide Strategy for the years 2020 to 2030, and were intended to have a major positive impact on the environment. The questions had been considered by officers who had, collaboratively, produced draft responses (appended to the written report). Members considered the proposed responses accordingly.

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

- (ii) That reference to the Isle of Man Government’s climate emergency strategy be built into the covering correspondence in submitting the Council’s response; and
- (iii) That the responses appended to the written report be amended as agreed during discussion, and then submitted to the Isle of Man Government as the Council’s response to the Climate Change Mitigation Strategy Consultation exercise.”

#### **A8. Service Plans and Performance Monitoring**

The Committee considered a written report by the Chief Executive providing an update on performance compared against measures set out in the Chief Executive's Department's Service Plans for 2017 - 2019.

The Council had adopted a new Corporate Plan for 2017 - 2021 in January 2017 and, following on from this, each Service had its own Service Plan to run for the two financial years 2017 - 2019.

Service Plans were an important part of the process to ensure that performance and standards were addressed and delivered, and Members accordingly noted the actions from the Service Plans, together with an update on performance as of the end of April 2019. It was also noted that new Service Plans were now in place for 2019 – 2021.

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

(ii) That the progress against planned actions and performance indicators also be noted."

#### **A9. Monthly Financial Review - March (End of Year) 2019**

The Committee considered a written report by the Director of Finance setting out monthly figures for various financial items during the 2018 / 2019 financial year. It was noted that the report was required to monitor progress against Service Plan actions, and to meet the objectives set out in the Corporate Plan 2017 - 2021.

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

#### **A10. Monthly Financial Review – April 2019**

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

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

#### **A11. Capital Out-turn Report 2018 / 2019**

The Committee considered a written report by the Assistant Chief Officer (Finance) in relation to the financial year-end out-turn position on the Capital Programme.

Members noted the values spent on all Capital schemes in 2018 / 2019, the variances to the revised estimates, and the amounts recommended to be carried forward.

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

(ii) That approval be given to carry forward to 2019 / 2020 all unspent balances on Environmental Services, Regeneration and Community, and Executive Committee projects, where work was on-going or retentions were payable."

#### **A12. Temporary Car Parking on Loch Promenade Walkway – Impact on Revenue**

The Committee considered a written report by the Assistant Chief Officer (Regeneration) advising on the impact that temporary car parking on the Loch Promenade Walkway had had on the Council in terms of loss of revenue.

The Department of Infrastructure had provided free disk parking for up to two hours on the Loch Promenade Walkway since the end of January 2019, this to replace on-street disk parking lost on the Loch Promenade during the Promenade Improvement Works. Members were advised, however, that the number of on-street spaces lost on Loch Promenade during the works had been minimal to the date of the report (10<sup>th</sup> May 2019). Only fifty spaces had been suspended on the seaward side of the road, with one-hundred-and-twenty-six spaces remaining in operation. These had been supplemented with approximately two-hundred free, short-stay (two-hour) spaces on the Loch Promenade Walkway, resulting in a net increase of approximately one-hundred-and-fifty free parking spaces, which had been heavily occupied.

During this same period, that the short-stay 'pay-and-display' spaces in the Drumgold Street and Chester Street Car Parks (which were operated by the Council under a licence agreement with the Department of Infrastructure) had seen very much reduced occupancy levels and a consequent loss of revenue - as had the spaces in the Bottleneck Car Park, which was owned by the Council. It was noted that the Shaw's Brow Car Park had been unaffected, as it served a different part of the Town Centre.

It was appreciated that the Department of Infrastructure's aim had been to limit the impact of the Promenade Improvement Works on the economy of Douglas Town Centre and the Promenade, however, the provision of more free spaces on the Walkway than had been suspended was affecting the Council's revenues. Members noted the shortfall in revenue from the three car parks during February, March, and April 2019 compared to the 2018 figures for the same months, and, as the situation had

continued into May, it was likely that there would be an under-achievement of revenue income during May as well.

Furthermore, it was understood that the Department also intended to provide a shuttle-bus to transport drivers from its proposed new car park at the former 'Summerland' site at the northern end of the Promenade to the Town Centre, and proposed to provide further short-stay spaces at the 'Castle Mona', and these had the potential to further impact on revenue levels from the Council's car parks.

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

- (ii) That it be agreed that the Council should seek recompense from the Department of Infrastructure by way of a rebate on the licence fee for the Drumgold Street Car Park and the Chester Street Car Park, equivalent to the losses incurred as a result of the free, short-stay car parking on the Loch Promenade Walkway, which had been provided in excess of the number of on-street spaces suspended during the Promenade Improvement Works;
- (iii) That the Department of Infrastructure be requested to limit the number of spaces provided on the Loch Promenade Walkway equivalent to the number suspended on the road at any particular time, by changing the length of the Walkway available to park on - this request being made in an attempt to stem further losses, and with an explanation that, if it was not taken up, the Council would continue to seek rebates to cover on-going losses; and
- (iv) That, once received, the Director of Environment and Regeneration advise the Committee on the Department of Infrastructure's response to the Council's request accordingly."

**A13. Urgent Business Procedure – Millmount House, Off New Castletown Road, Douglas (Planning Application 19/00215/B)**

The Committee considered a written report by the Dilapidation Enforcement Officer detailing a decision made under the Council's Urgent Business Procedure.

Members were advised that a request for a time extension to consider the planning application for the erection of four semi-detached dwellings with associated parking at Millmount House, off the New Castletown Road, Douglas, had been refused by the Planning Officer, and therefore, because of the time constraints imposed by planning legislation, the Council's Urgent Business Procedure had been implemented to consider the application during the April recess.

It was noted that the Urgent Business Procedure, objecting to the proposed development on the grounds that it would have an unacceptable effect on road safety and traffic, had been signed by the Chair of the Environmental Services Committee and the Leader of the Council.

Resolved, "That particulars of the report and the Urgent Business Procedure be noted on the minutes."

**A14. Isle of Man Municipal Association**

The Committee had been circulated with a number of documents received from the Isle of Man Municipal Association.

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

**A15. 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 4.40pm.

VI(ii) – The proceedings of the PENSIONS COMMITTEE as follows:

# PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 22<sup>nd</sup> May, 2019.

Members Present: Councillor Ms K. Angela (Chair), the Mayor, Councillor Mrs C.E. Malarkey, Mr Councillor F. Horning, Mr Councillor J.E. Skinner, Mr A. Thomas (Independent Member).

In Attendance: Mr M. Freeman, Scheme’s Investment Advisor – Hymans Robertson, Director of Finance (Mr A. Boyd), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Democratic Services Officer (Mrs D. Atkinson).

## REPORT

### **PART A –**

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

##### **A1 Apologies**

Mr Councillor C.L.H. Cain submitted apologies for absence.

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

There were no declarations of interest.

##### **A3 Minutes – 27<sup>th</sup> March 2019**

The minutes of the meeting held Wednesday, 27<sup>th</sup> March, 2019 were approved and signed.

##### **A4 Matters Arising**

*Clause A4 – Matters Arising* – In response to question, the Director of Finance advised that the Attorney General’s Chambers referred the Council to the Department of Infrastructure to request an update on the timescale envisaged for the progression of the Local Government (Miscellaneous Provision) Bill.

*Clause A4 – Matters Arising* - Members noted that the Department of Infrastructure had drafted terms of reference to initiate the proposed changes to scheme regulations and cost sharing. The draft document has been reviewed by Council officers and referred to Capita for comment.

*Clause A6 – The Pensions Advisory Service (TPAS) and Pensions Ombudsman* – The Director of Finance advised that no reply had been received from either entity in response to letters regarding the reinstatement of the TPAS service.

##### **A5 Review of Investment Manager’s Performance**

The Committee considered a report by Hymans Robertson to review the Investment Managers’ performance for the first quarter of 2019.

Mr Freeman presented the historic returns for world markets demonstrating a generally positive quarter. The fund outperformed the benchmark by 0.9% resulting in a £4.5m investment growth.

Mr Freeman provided a performance breakdown for each individual portfolio.

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

##### **Adjournment and Resumption**

The Committee adjourned at 12.47pm and resumed at 2.00pm.

The same Members and officers were present.

##### **A6 Training: Occupational Pensions Schemes Regulations (2018) – Investment Disclosure, Amendment and Modification**

The Committee considered a training presentation by Hymans Robertson to provide an update on the new UK Investment Regulations to be implemented from 1<sup>st</sup> October 2019.

Mr Freeman presented the new regulations to be implemented for defined benefits (IOMLGSS) and defined contributions pension schemes. It was noted that whilst the regulations were not directly applicable to the Isle of Man, given that the Scheme complies with UK regulations in respect of the Statement of Investment Principles (SIP), it was agreed that the Scheme’s SIP should reflect the new regulations.

There are three new regulations to be implemented for defined benefit schemes in relation to the SIP:

1. Record how financially material factors over the appropriate time horizon of investments, including, but not limited to, Environmental, Social and Governance (ESG) factors, are taken into account as part of the selection, retention and realisation of investments.
2. Record the extent (if at all) to which non-financial matters are taken into account in the selection, retention and realisation of investments.
3. Record the policies on stewardship of assets, including voting, engagement and monitoring.

Mr Freeman explained the distinction between financial and non-financial factors. Members noted that the active managers are expected to take into account financial factors when selecting investments, however non-financial factors must pass two tests before being taken into account: they should not involve a risk of significant financial detriment to the fund, and the Committee should be confident that all scheme members would share the same belief. It was agreed that it would be challenging for these two tests to be passed for the Scheme.

Members were presented with a spectrum of positions for schemes: Core, Active and Leader. The IOMLGSS has already adopted a Core position.

Mr Freeman finished with an explanation on passive vs active beliefs in action.

Resolved, "That particulars of the training presentation be noted on the minutes."

#### **A7 Review of Statement of Investment Principles (SIP)**

The Committee considered a report submitted by Hymans Robertson proposing updates to the SIP in order to ensure compliance with the new UK Investment Regulations.

Members were advised that in line with the Scheme's annual business plan the SIP has been reviewed by Hymans Robertson. Mr Freeman advised that proposed new wording had been added to the document however no other material changes had been made. Members were presented with the updated SIP for consideration.

Resolved, "That particulars of the report and discussion be noted on the minutes and the updated Isle of Man Local Government Superannuation Scheme Statement of Investment Principles be adopted and the Pensions Committee Chair and Director of Finance be authorised to sign the document."

#### **A8 Review of Structural Investment Decisions**

The Committee considered a report submitted by Hymans Robertson to update on the impact of structural investment decisions.

Mr Freeman reminded of the Committee's investment decisions since 2015 which included the introduction of index-tracking funds, a review of manager fees, the appointment of specialist managers for active managers to diversify manager risk, and a de-risking exercise undertaken in 2017 reducing equity investment by 5%. The strategy decisions demonstrated that the assets have evolved in accordance with the Committee's seven investment beliefs.

Members were presented with a table demonstrating the impact of the changes in relation to investment growth and manager fees to 31<sup>st</sup> March 2019. Members noted that the decisions had a generally positive impact however the previous active UK equities fund (managed by BlackRock), which had been replaced with the index-tracking fund (RLAM) had a negative impact on investment growth due to the BlackRock fund's outperformance of the index. Members noted that longer term it is not expected that the BlackRock UK equity fund will consistently outperform the index in this way. Mr Freeman reminded that the Isle of Man BlackRock office closed in October 2016 and therefore remaining in the BlackRock UK equity fund would not have been an option anyway.

Members noted that the changes to the global equity fund, diversified growth funds and corporate bonds had a positive net impact change to the fund's investment growth and reduction in manager fees. Mr Freeman explained that the de-risking exercise in 2017 also produced additional returns, saved manager fees and reduced the Scheme's risks.

Members concurred that the strategy decisions agreed and implemented were in line with the Scheme's investment beliefs and had a generally positive impact on the fund and were supportive to continue with the strategy going forward.

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

#### **A9 Items For Future Report**

The Committee considered a report submitted by the Democratic Services Officer setting out items that are to be considered at future meetings and to review any future training requirements.

Resolved, "That particulars of the items for future report be noted on the minutes."



**A10 Date and Time of Next Meeting**

Members noted that the next scheduled meeting was due to take place at 10.30am on Wednesday, 11<sup>th</sup> September, 2019.

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

***PART B –***

***Matters Requiring Executive Committee Approval***

There were no items requiring Executive Committee approval.

***PART C –***

***Matters Requiring Council Approval***

There were no items requiring Council approval.

*The Committee rose at 2.50pm*

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

# HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 15<sup>th</sup> May, 2019.

Members Present: Councillor Mrs C.L. Wells (Chair), Councillor Mrs C.E. Malarkey, Mr Councillor C.L.H. Cain, Mr Councillor J.E. Skinner, Councillor Mrs E.C. Quirk.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Housing and Property) (Mr G. Atkin), Assistant Chief Officer (Income) (Mrs C. Pulman), Housing Manager (Mr V. Zivave), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

## REPORT

### **PART A –**

#### ***Matters decided by the Committee***

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

Apologies for absence were submitted by the Mayor, who was away on Council business.

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

There were no declarations of interest.

##### **A3. Minutes – 20<sup>th</sup> March, 2019**

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

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

No issues were raised as arising from the minutes.

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

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

The Housing Manager advised that there are currently nine void properties awaiting attention. Because of cost, as there were more substantial works required to the property, it was intended to defer void works to No. 7 Spring Valley Road pending inclusion in the Refurbishment Scheme in that area.

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

##### **A6. Housing Request Refusals**

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) advising on two housing refusals in the previous month.

Appended to the report were anonymised details of both cases, together with a copy of the criteria for the allocation of properties. Members discussed the particulars of each refusal and unanimously agreed to apply the standard ten point deduction from each applicant.

Resolved, “That particulars of the report and discussion be noted on the minutes and that approval be given to the deduction of ten points to the two proposed housing request refusal as appended to the report, which complies with current Council policy and current Department of Infrastructure regulations and guidance.”

##### **A7. Capital Outturn 2018/19**

The Committee considered a report submitted by the Assistant Chief Officer (Finance) setting out the financial year end outturn position on the capital programme.

Appended to the report was a schedule listing the values spent on all capital schemes in 2018/2019, the totals for the Committee and reports on variances to the revised estimates. The amounts recommended for carry forward are also set out by scheme.

Members discussed the petition approval process. The Assistant Chief Officer (Income) suggested that the Council contact the Department of Infrastructure to advise that a prolonged approval period came at a cost to the Council as a consequence of delays to projects commencing on time.

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

- (i) Approval is given to the carry forward to 2019/20 of all unspent balances on projects where work is on-going or retentions are payable; and

- (ii) The level of Capital Expenditure in 2018/19 be noted.”

#### **A8. 2018 – 2019 Quarter Four Performance Monitoring**

The Committee considered a report to update on the performance made against measures as outlined in the Housing and Property Services Plans as relevant to the Housing Committee.

Appended to the report were the measures as outlined in each Service Plan together with an update on performance as at the end of quarter four 2018/19. A red, amber and green status had been applied to each measure.

The Committee noted that 41% of responsive repairs were completed on time during the year which was due to the lack of staff resource and the limited maintenance budget. The Assistant Chief Officer (Housing and Property) advised that 1365 responsive repairs were however completed during the quarter with priority given to those categorised as emergencies.

Resolved, “That particulars of the report and discussion be noted on the minutes and that the progress against performance indicators in the Service Plans for Quarter Four 2018/19 be noted.”

#### **A9. Housing Condition and Development Strategy 2019**

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) setting out the revised Housing Condition and Development Strategy 2019.

Members were reminded that the Housing Condition and Development Strategy had been approved by Committee in March, 2018. Appended to the report and reviewed by the Committee was the revised Strategy. The Assistant Chief Officer (Housing and Property) advised that the amendments mostly relate to section 17, priorities.

Members noted that progress on some of the major capital projects over the past twelve months has been significantly delayed due to the prolonged Government petition approval process.

The report advised that the Spring Valley refurbishment project, paths and fences replacement project, James Street fire detection and alarm system replacement project and the Bathroom framework are all anticipated to commence in 2019.

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

- (i) That the proposed updated Housing Condition and Development Strategy 2019 as shown at appendix one be approved; and
- (ii) Approval be given to officers to continue to discuss the Strategy with the Department of Infrastructure to obtain their concurrence to include the various projects in the capital programme.”

#### **A10. Willaston Front Garden Boundary Improvement Work**

The Committee considered a report submitted by the Assistant Housing Manager (Capital) to update on the Willaston Front Garden Boundary Improvement Work Scheme.

Members recalled that at the Committee meeting held on 19<sup>th</sup> December, 2019 the tender submitted by Paul Carey & Sons Limited had been accepted to undertake the contract works, the petition was subsequently submitted to the Department of Infrastructure for the necessary borrowing powers.

Members were advised that the petition approval notice was received on 21<sup>st</sup> March, 2019. Given this prolonged timescale Paul Carey & Sons have subsequently withdrawn their tender submission due to securing other contracts.

As a consequence, it is proposed to accept the second lowest tender submitted by NK Construction. So as not to delay the project further and to mitigate the requirement of re-tendering less work will be instructed under the contract to bring the total cost down the original petition sum.

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

- (i) The second lowest tender from NK Construction Limited be accepted; and
- (ii) Approval be given to the revised Capital Design Stage I3 Petition Report as shown at appendix one.”

#### **A11. Housing Stock Bathroom Framework Project**

The Committee considered a report submitted by the Assistant Housing Manager (Maintenance) seeking approval to progress with a capital framework agreement for the renewal and replacement of all existing bathrooms within the Council’s social housing stock.

Members noted that currently the reactive maintenance budget is used for minor repair works to bathrooms. Due to the frequency of the repairs required a capital framework agreement is required to

replace and modernise the bathroom suites. It was further noted that funding has been included in the Council's current Capital programme to progress the project through to tender with the aim of commencing on site in 2020.

Officers considered that the bathroom replacement project may be an ideal opportunity to reduce any condensation issues that may exist with the Council's social housing stock by the installation of Positive Input Ventilation (PIV) units and also to test the electrical installations to bring properties in line with the current electricity standards.

Appended to the report was the proposed Bathroom Framework business case. The Chair expressed concern over the lack of supporting evidence in the Business Case to suggest that every bathroom in the Council's Social Housing stock needed to be replaced. In response, the Housing Manager advised that the framework agreement is proposed over a ten year period and that a survey will be completed as works are progressing, with those properties most urgent being replaced as a priority and that any in a satisfactory condition would be left until the end of the contract.

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

- (i) That approval be given in principle to the Bathroom Framework Capital scheme; and
- (ii) Officers prepare a further report for consideration by the Committee in order to determine whether the PIV units and the Bathroom Framework agreement should be undertaken under the one contract or two separate contracts."

#### **A12. 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.

Members were advised that a Briefing Note on the review of criteria for transfers or from waiting lists with a view to standardising allocation would be issued in June 2019 following Tynwald approval.

It was agreed that reports on the following items be added to the schedule;

- a) Responsive repairs options report
- b) Further report on the Bathroom Framework Agreement
- c) Five year tenancy agreements options report

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

#### **A13. Date and Time of Next Meeting**

Members were reminded that the next scheduled meeting was due to take place at 10.30am on Wednesday, 19<sup>th</sup> June, 2019.

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

#### ***PART B –***

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

There were no matters requiring Executive Committee approval.

#### ***PART C –***

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

There were no matters requiring Council approval.

The meeting ended at 12.10pm.

VI(vii) – The proceedings of the REGENERATION AND COMMUNITY COMMITTEE as follows:

# REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Tuesday, 14<sup>th</sup> May, 2019.

Members Present: Mr Councillor S.R. Pitts (Chair), Councillor Mrs H. Callow, Councillor Mrs R. Chatel, Councillor Miss D.A.M. Pitts, Councillor Ms K. Angela.

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

## REPORT

### **PART A –**

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

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

Apologies for absence were submitted by the Mayor who was away on Council business.

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

There were no declarations of interest.

##### **A3. Minutes – 19<sup>th</sup> March 2019**

The minutes of the meeting held on Tuesday, 19<sup>th</sup> March, 2019, were approved and signed.

##### **A4. Matters Arising**

*Clause A5 – TT and Festival of Motorcycling Site Access* – In response to comments raised at the April Council Meeting, officers revisited the proposed direction of traffic in Noble’s Park during the festivals. In consultation with the Department of Enterprise and Highways, it was recommended that the direction remain anti-clockwise for the 2019 events. Members therefore reaffirmed their previous decision and agreed that the direction of traffic be reviewed after the 2019 festivals.

*Clause A4 – Matters Arising, Christmas Lights Ceremony* - Members were advised of a report considered by the Environmental Services Committee for one-off funding of £52,650 to install infrastructure and decorations at North Quay to enhance the features for the Christmas Lights Ceremony. The Environmental Services Committee supported the recommendations and referred the report to the Executive Committee to request funding from General Revenue Reserves.

It was noted that the Environmental Services Committee requested that the festoon lighting be removed after the Christmas period as it is not aesthetically suited to the area. The cost to dismantle the festoon lighting had been estimated at £6,000. The Chair suggested that the wiring remain in place and the bulbs removed to reduce the labour costs.

Members expressed concerns at the cost of the Christmas decorations, in particular the Christmas trees, and suggested that officers consider enhancing the fireworks display and introducing a laser show or a similar ancillary feature as part of the switch-on in place of the new infrastructure.

Resolved, “That the matters arising be noted on the minutes.”

##### **A5. Department of Environment and Regeneration Quarter Four Service Plan Performance Monitoring 2018/19**

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

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

During discussion the Assistant Chief Officer (Regeneration) agreed to update the Chair by e-mail on the progress of the Noble’s Park Traffic Management Plan which is currently with the Department of Infrastructure to review.

Resolved, "That particulars of the report and the progress against performance indicators in the Department and Regeneration Department Service Plans as relevant to the Regeneration and Community Committee be noted on the minutes."

**A6. Items for Future Report**

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

A report on the Lawn Tennis Club was added to the schedule.

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

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

Members were reminded that the next scheduled meeting was due to take place at 10.30am on Tuesday, 18<sup>th</sup> June, 2019.

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

**PART B –**

***Matters requiring Executive Committee approval***

**B8. Capital Outturn 2018/19**

The Committee considered a report submitted by the Assistant Chief Officer (Finance) to receive the financial year end outturn position on the capital programme.

The report listed the values spent on all capital schemes in 2018/19, the totals for the Committee and reports on variances to the revised estimates. The Revised Estimate for 2018/19 was £254,800 and £202,800 had been expended resulting in a £52,000 underspend.

Resolved, "That particulars of the report and discussion be noted on the minutes and the capital outturn for 2018/19 be referred to the Executive Committee with a recommendation that the under spend on projects where work is ongoing or retention is payable to be carried over the 2019/20 year."

**B9. Noble's Park Fun Day Enhancements**

The Committee considered a report submitted by the Democratic Services Officer requesting additional funding to enhance the Noble's Park Fun Day event.

In response to Member comments to consider enhancing the Fun Day in light of the Carnival postponement, officers have undertaken an exercise to provide additional free attractions for attendees. The report proposed providing all inflatable and fair ground rides for free in addition to other types of entertainment aimed at a variety of different age groups. Based on feedback from previous attendees, whilst the event has always been well received it can be an expensive day for families.

To provide free attractions, officers sought sponsorship for the event. The Council has accepted an event sponsorship offer from Isle of Man Steam Packet Company, the previous Douglas Carnival sponsor.

Whilst some of the costs to provide free attractions and entertainment can be funded through the public events budget and sponsorship, an additional £3,500 is required to cover the additional costs. The report recommended a referral the Executive Committee to request £3,500 from General Revenue Reserves.

Members noted that if the funding is approved, the number of attendees is likely to significantly increase and additional car parking will be required.

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

- (i) The Isle of Man Steam Packet Company sponsorship contribution be noted on the minutes;
- (ii) A request for £3,500 to provide additional free attractions at the Noble's Park Fun Day be referred to the Executive Committee for funding from General Revenue Reserves."

**B10. Douglas Borough Cemetery Cottage**

The Committee considered a report submitted by the Head of Parks, following a request from the Executive Committee, to look into alternative options for the future of Douglas Borough Cemetery Cottage.

Members noted that the cottage was historically used as a residential property for the Groundkeeper whilst employed to look after the grounds. More recently, the building had been adapted to provide welfare facilities and storage prior to purpose built facilities being provided. The new facilities include a canteen and toilets but there is no provision for equipment storage.

The Head of Parks advised that a review has been undertaken to consider possible options now that the cottage is surplus to requirements. Four options were presented to Members;

1. Demolition of the building with replacement of a storage unit for Parks service cemetery equipment;
2. Sell the building in its existing condition;
3. Refurbish the dwelling and either sell the premises or obtain a rental for the building;
4. Demolish the existing building and rebuild so as to either sell or rent the premises.

Members noted the viability and costs for each of the above options.

The report recommended proceeding with option 1, to demolish the building and replace with a storage unit of a similar size to a shipping container large enough to adequately and safely accommodate the cemetery digger and other equipment. The estimated cost for this option is £40,000. It was noted that if approved planning approval will be required.

Resolved, "That particulars of the report and discussion be noted on the minutes and the demolition of Douglas Borough Council Cemetery Cottage and the installation of a replacement equipment storage, be approved and referred to the Executive Committee to seek funding for inclusion in the Council's 2020/21 budget."

***PART C –***

***Matters requiring Council approval***

There were no items requiring Council approval.

The meeting ended at 11.43am.

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

# ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 13<sup>th</sup> May, 2019.

Members Present: Mr Councillor R.H. McNicholl (Chair), Mr Councillor A.J. Bentley, Mr Councillor F. Horning, Councillor Ms J. Thommeny.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Environment) (Mr A. Donnelly), Accountancy Manager (Mr M. Quayle), Electrical Services Manager (Mr D. Cullen) (Items A6 & B9), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

## REPORT

### **PART A –**

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

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

Apologies for absence were submitted by the Mayor, who was away on Council business and Councillor Miss N.A. Byron.

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

There were no declarations of interest.

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

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

##### **A4. Matters Arising**

*Clause A8 – Items for future consideration* – The Chair requested an update on the audit of signage on Council public lighting columns. In response, the Director of Environment and Regeneration advised that no further progress had been made since the Committee's last meeting in March, 2019.

Members were advised that the Director of Environment and Regeneration is scheduled to meet with both the Chief Executive of the Department of Infrastructure and the Director of Highways this week and that she intends to raise the matter as part of the agenda. Members expressed their frustration at the lack of progress made by the Department and welcomed an update following the meetings.

##### **A5. Request to place stickers on Council bins to help combat marine pollution**

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager on a request received from the Department of Environment, Food and Agriculture (the Department) on a campaign to help combat marine pollution.

The report advised that the Department is running a campaign about the impact of plastic waste on the Marine environment, working in partnership with various agencies under the new Marine Nature Reserve Network. The Department intended to run a competition with schools to design stickers that can be affixed to litter bins and has subsequently approached the Council seeking approval to install campaign stickers on selected litter bins situated at waterfront locations.

Members noted that it is proposed for the selected sticker to be designed by a Douglas school and, if accepted, the sticker will include the Council's crest as a partner to the initiative. It was further noted that the Department will accept responsibility for removing/replacing the stickers when they are no longer fit for purpose.

The Director of Environment and Regeneration advised that it is proposed to apply the stickers to eight litter bins on the promenade, including the harbour. Members were advised that the Council will not incur any cost for the design, installation, removal or maintenance of the stickers.

Members applauded the initiative noting that the campaign is consistent with the Council's objectives regarding environmental sustainability.

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

- (i) That the Marine Pollution Campaign be supported and the Council promotes itself as a partner to the initiative; and



- (ii) The Council asks that the Department (DEFA) ensures no planning permission is required to affix the stickers on litter bins.”

#### **A6. Heritage Style Lanterns**

The Committee considered a written report submitted by the Electrical Services Manager setting out a proposal for the planned replacement of Heritage Style Lanterns in Conservation and Non-Conservation areas, as part of the LED Lantern Replacement Scheme.

Members were reminded that the LED Lantern Replacement Scheme, at a total capital cost of £1,541,994.17, is for the replacement of all 3,846 Lanterns on a like for like basis. Following a financial review of the scheme officers had identified a potential saving in respect of the Heritage Style Lanterns.

Members were advised that it is proposed to replace all Council approved Heritage Style Lanterns with a Thorn ‘Legend’ Heritage Style Lantern at a cost of £700.00 per unit in both Conservation and Non-Conservation areas, and any Heritage Style lanterns that were adopted through housing and private developments be replaced with a Black Standard Thorn Road Lantern. If accepted, this would offer a purchase saving of £65,923.00 and an estimated energy saving of 30% by reducing the number of Heritage Style Lanterns to be replaced from 347 to 178 columns.

The Electrical Services Manager advised that the Council Heritage Style Lanterns can be distinguished by the curved bracket arm with the three legs of man motif. In response to question, the Electrical Services Manager advised that it is only the Lantern being replaced and not the column.

Appended to the report was a list of Conservation locations currently installed with standard LED lanterns, the proposed list of Conservation and Non-Conservation locations to retain Heritage style lanterns, the proposed list of locations to be replaced with standard black Thorn LED lanterns and a sample image of the Thorn ‘Legend’ Heritage Style LED lantern.

The Chair opined that the design of the proposed Thorn ‘Legend’ Heritage Style Lantern was not aesthetically pleasing and expressed dissatisfaction that the Committee had not been provided with a choice of Lantern.

The Director of Environment and Regeneration clarified that the original scheme, as approved by Committee in 2016, assumed the use of the Thorn ‘Legend’ Heritage Style Lantern.

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

- (i) The replacement of Douglas Borough Council Public Lighting capital scheme approved Heritage Style Lanterns with the Thorn ‘Legend’ Heritage Style Lantern in both Conservation and Non-Conservation areas be approved;
- (ii) The replacement of Heritage Style Lanterns that were adopted through housing and private developments with a Black Standard Thorn Road Lantern in both Conservation and Non-Conservation areas offering a potential purchase saving of £65,923.00 and an estimated annual energy saving of 30% be approved; and
- (iii) That any future installation or adoption of all Heritage and Decorative Style Lanterns be subject to Committee approval.”

For: 3 Against: 1

Councillor Mr R.H. McNicholl asked that his name be recorded as voting against the resolution.

#### **A7. Quarter Four Service Plan Performance Monitoring 2018/2019**

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

Appended to the officer’s report were the measures as outlined in the Services Plans for; Building Control, Car Parks, Dilapidated Properties, Electrical Services, Fleet Service, Planning, Warden and Waste Services, together with an update on the performance as at the end of quarter four 2018/19. A red, amber and green status had been applied to each measure.

Resolved, “That particulars of the report and discussion be noted on the minutes and that the progress made against performance indicators in Environment and Regeneration Service Plans for Quarter Four 2018/19 be noted.”

#### **A8. Planning Application – 19/00215/B – Millmount House**

The Committee noted planning application 19/00215/B for the erection of four semi-detached dwellings with associated parking at Millmount House, off the New Castletown Road, Douglas.

Members were advised that the planning application had been considered by the Leader of the Council and the Chair of the Environmental Services Committee at a meeting held on 29<sup>th</sup> March, 2019 under

Standing Order 125, Urgent Business Procedure due to time constraints imposed by planning legislation. The Committee noted that an objection had been raised to the planning application.

Appended to the officer's report was the original report detailing the proposal to erect four, three bedroomed semi-detached dwellings along with parking provision for eight vehicles, with associated landscaping and fencing at Millmount House. Access to the proposed development would be from Groves Lane.

In response to question, the Director of Environment and Regeneration advised that objection had been raised due to the development not addressing previous concerns raised by the Council over safe access and egress along Groves Lane and that the proposed development failed to meet General Policy 2 of the Isle of Man Strategic Plan 2016.

Resolved, "That particulars of the report and the objection to planning application 19/00215/B be noted on the minutes."

**PART B –**

***Matters requiring Executive Committee approval***

**Adjournment and Attendance**

The Committee adjourned its formal business at 10.35am for a site visit to North Quay and resumed at 11.10am with the same Members and officers present.

The Electrical Services Manager joined the meeting for discussion of the following item and Item A6.

**B9. North Quay Christmas Light Switch On Event**

The Committee considered a report submitted by the Electrical Services Manager setting out an assessment of the electrical infrastructure required for the proposed Christmas Lights switch-on ceremony on North Quay.

Members were reminded that the Regeneration and Community Committee had approved the relocation of the Christmas Lights switch-on event from Ridgeway Street to North Quay. As such, the Electrical Services Manager had carried out a feasibility study of the new location.

In an attempt to bring some Christmas lighting festivity to the Quay, it is proposed to install the removed festoon lighting from the promenade along the water side of the highway, replace 20% of the static lamps with flashing units and to install Christmas trees (similar to the red and silver trees in Strand Street). The display would be linear, running parallel to the water's edge due to the inability to install extra columns on the building side of the highway preventing the installation of catenary wire for overhead hanging features or lighting.

Set out within the officer's report was a breakdown of proposals costs, in the sum of £52,650.00. Members noted that these costs do not include the costs associated with staging the event which is estimated at £25,000.00.

A Member raised concern at the cost of the proposal and suggested that given the lack of electrical infrastructure even with the additional features the display could lead to disappointment given public expectation of the event.

The Chair suggested that lighting features could be put into windows of the buildings on the landside of the highway. The Electrical Services Manager advised that this was something officers could explore however Members should note that not all property owners may be agreeable to the proposal.

Members recognised that North Quay has not traditionally been a focus for Christmas lighting decoration and as such it was not an ideal location for the switch-on ceremony.

A Member expressed concern that festoon lighting was not in keeping with the extensive Regeneration of the area and opined that this type of lighting was outdated. In response to question, the Electrical Services Manager advised that it would cost approximately £6,000 to remove the festoon lighting after the event, which was not included within the costs provided in the report as it had been assumed the festoon lighting would remain in situ

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

- (i) That the cost of putting in place the necessary infrastructure and features to enable staging the Christmas Light switch-on on North Quay be noted;
- (ii) That funding of £52,650.00 from General Revenue Reserves be recommended to the Executive Committee for approval; and
- (iii) The Committee asks that the Executive Committee provide comment on how they would like the Quay to look, specifically whether the festoon lighting should remain in situ after the switch-on event."

The Electrical Services Manager was thanked for his attendance and left the meeting.

**B10. Capital Outturn 2018/19**

The Committee considered a report submitted by the Assistant Chief Officer (Finance) setting out the financial year end outturn position on the capital programme. Members noted the values spent on all capital schemes in 2018/2019, reports on variances to the revised estimates and amounts to be carried forward.

Members discussed the budget for the LED Lantern replacement programme. In response to question, the Assistant Chief Officer (Environment) advised that funding of the LED Replacement programme is petition approved and therefore any unspent balance cannot be used to fund another project.

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

- (i) The Committee recommend to Executive Committee the carry forward to 2019/2020 of all unspent balances on projects where work is on-going or retentions are payable; and
- (ii) The level of Capital Expenditure in 2018/2019 be noted."

**Adjournment and End of Meeting**

The Committee adjourned at 1.00pm. Following apologies from Councillor Ms J. Thommeny from 3.00pm and from the Chair from 2.00pm, it was noted that the meeting would therefore be inquorate and there were still six items to consider. Members agreed to reconvene at 2.00pm on Wednesday, 15<sup>th</sup> May, 2019.

***PART C –***

***Matters requiring Council approval***

There were no matters requiring Council approval.

The meeting ended at 1.00pm.

## ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Wednesday, 15<sup>th</sup> May, 2019.

Members Present: Mr Councillor R.H. McNicholl (Chair), Mr Councillor A.J. Bentley, Mr Councillor F. Horning, Councillor Ms J. Thommeny.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Environment) (Mr A. Donnelly), Dilapidation Enforcement Officer (Mr S. Salter), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Miss C. Cullen).

### REPORT

#### **PART A –**

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

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

Apologies for absence were submitted by the Mayor, who was away on Council business and Councillor Miss N.A. Byron.

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

There were no declarations of interest.

##### **A3. Planning Application 19/00271/B - 7 Marina Road**

The Committee considered planning application 19/00271/B for the alterations and erection of a rear extension to provide a ground floor retail unit (class 1) with three residential apartments above at 7 Marina Road, Douglas.

Members were advised that the proposed extension will provide additional three, one bedroom residential units, an additional class 1 retail unit together with a separate bin and bicycle store for eight bikes. It was noted that the bicycle storage room will be within an area separated from the waste storage by a partition wall with a separate lockable door providing access.

Members noted that plans for both the bin and bicycle stores have been amended by the applicant to ensure they are sufficient in size following suggestion by some Members of the Committee during the consultation period.

A Member raised concern that the bin store is proposed as being used for both domestic and retail waste. In response, the Director of Environment and Regeneration advised that this was not unusual occurrence and trade bins can be fitted with gravity locks. It was noted that the situation will be monitored by the Council's Waste Services section.

Members discussed the enforcement of legislation in regard to providing three section kitchen bins for recycling. The Assistant Chief Officer (Regeneration) advised that he was currently undertaking a review of the guidance on waste storage and a report would be prepared for consideration by Committee. He felt it prudent for Members to note that the Council cannot make something mandatory unless legislation permits enforcing it.

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

- (i) The Council supports planning application 19/00271/B;
- (ii) It be noted that support of the application is based upon the amended plans submitted by the architect demonstrating that there will be eight bicycle stores;
- (iii) The Council asks that the applicant gives consideration to providing adequate space for three section kitchen bins for recycling provision as recommended in the Affordable Housing Standards Design Guide (2016); and
- (iv) The Council suggests comment is received from the Fire Service and Environmental Health on the adequacy of pram storage at the entrance."

##### **A4. Planning Application 19/00324/B – 1 and 2 Church Road Marina**

The Committee considered planning application 19/00324/B for the conversion of a guest house to provide ten residential apartments at 1 and 2 Church Road Marina, Douglas.

The report advised that the application site incorporates two properties, the former Pitcairn and Wyndham guesthouses. Members noted that both of these buildings are currently on the Council's list of dilapidated properties.

The proposal includes alterations to the door and window of the ground floor to provide access, along with the creation of a refuse store. The Dilapidation Enforcement Officer advised that the plans make little change to the aesthetics of the buildings.

The report recommended support of the application and proposed that the applicant be requested to give consideration to adding receptacles for the recycling of waste materials along with providing a means to ensure that all waste receptacles are kept securely and safely within the curtilage of the property to meet the standard requirements of the Council.

Members raised concerns over the adequacy of the bin store, particularly in respect of the space for recycling provision and opined that an objection should be raised on these grounds.

Resolved, "That particulars of the report and discussion be noted on the minutes and that an objection be raised to planning application 19/00324/B on the grounds that the application does not comply with Waste Policy 1, General Policy 2(h), General Policy 2(m), Housing Policy 17(a) and Transport Policy (7)."

#### **A5. Planning Applications 19/00424/B and 19/00425/D – Villiers Square**

The Committee considered planning application 19/00424/B for the installation of cladding to the existing hoardings, the repair and repositioning of seating, installation of additional seating, planting and bin stores, together with planning application 19/00425/D for the installation of non-illuminated signage at Villiers Square, Douglas.

The Committee noted that the proposal is to tidy the site with the intention of providing suitable space for events and initiatives. It was noted that a total of thirteen uncovered bicycle racks will be installed to accommodate up to twenty-six bicycles.

The report advised that it is proposed to create an enclosed bin storage area which is to be clad with rough sawn timber and stained black to match the boards on the hoardings. It was noted that the design of the new bin stores will significantly improve the visual appearance of the existing storage area.

The Committee expressed its appreciation of the developers who sought to improve an area that had been of concern to Council for some time.

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

- (i) That the Council supports planning applications 19/00424/B and 19/00425/D; and
- (ii) The Council asks that the applicant give consideration to entering into an agreement with the DOI for the installation of additional public cycle storage units to provide secure sheltered public storage within the curtilage of the site."

#### **A6. Planning Application – 19/00416/GB – Kings Guest House**

The Committee considered planning application 19/00416/GB for the alterations to vehicle access to create additional off road parking and to change the use from a guest house to three residential units (in association with PA19/00417/CON) at Kings Guest House, Queens Promenade, Douglas.

The Dilapidation Enforcement Officer felt it prudent for Members to note that the property is a Registered Listed Building within a conservation area.

The proposal is to convert the fourteen bedroom guest house into three luxury apartments. The alteration includes widening the existing gated entrance by approximately 1m to provide off street parking for two vehicles.

The report advised that although officers believe that the development complies with many of the key policies considered, there are some areas of concern relating to the storage of waste receptacles for general refuse and recycling along with concerns over the lack of an area for the storage of bicycles.

It was noted that officers have requested that the applicant request a written submission from the DOI to establish a view on whether they have concerns relating to vehicles exiting the off-street parking onto the Promenade.

Resolved, "That particulars of the report and discussion be noted on the minutes and that an objection be raised to application 19/00416/GB on the grounds that;

- (i) There is a lack of suitable bin storage and recycling receptacles;
- (ii) There is a lack of suitable cycle storage with no details on where bicycles will be stored and secured showing ease of access and manoeuvrability;
- (iii) No supporting Traffic Statement from the DOI regarding the off-street parking and traffic safety along the Promenade has been submitted; and
- (iv) That the application does not appear to comply with Environment Policy 35 and 42, Strategic Policy 10(a), SP12 (8.1.3), Housing Policy 17(a), Transport Policy 7 and Waste Policy 1."

**A7. Schedule of Neglected, Dilapidated, Ruinous and Dangerous Properties**

The Committee noted the schedule of neglected, dilapidated, ruinous and dangerous properties being dealt with on behalf of the Council.

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

**A8. Items for Future Consideration**

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

The Chair requested that the date that reports were originally requested be added to the schedule.

Members noted that a report on bicycle storage in Shaw's Brow Car Park would be presented to the June Committee meeting.

Following an approach made to the Council, the Director of Environment and Regeneration sought the Committee's views on whether to bring a report forward on advertising on Council vehicles. Members were reminded of the standing resolution to not advertise on Council vehicles meaning the Committee would need to give consent to considering such a proposal. It was agreed that a report be brought to a future meeting.

Resolved, "That particulars of the matters for future consideration and discussion 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 Monday, 17<sup>th</sup> June, 2019.

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

***PART B –***

***Matters requiring Executive Committee approval***

**B10. Scheme of Delegation for Planning Applications**

The Committee considered a report submitted by the Director of Environment and Regeneration seeking comment on the proposed revised Scheme of Delegation for Planning.

Members were reminded that following a request made by the Chair, the Director of Environment and Regeneration undertook a review of the Scheme of Delegation which was presented to and unanimously approved by the Executive Committee at its meeting held on 1<sup>st</sup> March, 2019. Members recalled that following consideration by Council on 13<sup>th</sup> March, 2019 the Chair of the Executive Committee agreed to refer the matter to the Environmental Services Committee to allow the Committee further time to comment on the suggested changes.

Members were reminded that the Director of Environment and Regeneration had sought the views of the Environmental Services Committee in order that any submission could be fed into the review of the Scheme of Delegation. Appended to the officer's report was the proposed revised Scheme of Delegation, the one Member submission to the request for comments to inform the review and the original report considered by Executive Committee on 1<sup>st</sup> March, 2019.

The Director of Environment and Regeneration drew Members attention to appendix one of the report, the proposed revised scheme of delegation and ran through the categories listed for applications that are to be considered by the Environmental Services Committee.

There was discussion on situations where a Member is lobbied in respect of a planning application. For clarification the Director of Environment and Regeneration advised should any Member find themselves in such a situation they can direct the request to her so that officers can ensure that any applications are being considered on legitimate planning grounds.

Members discussed the proposed Scheme of Delegation at length and the following comments were made;

- a) Although the Chair agreed that a Scheme of Delegation was necessary, he expressed dissatisfaction with the current and revised scheme and that officers of the Council determine which planning applications are considered by the Committee and suggested that this should be a political decision;
- b) The Chair expressed dissatisfaction with officers making recommendations in their reports on planning applications;
- c) The Chair expressed dissatisfaction with Members being required to provide planning reasons for wishing to call an application into Committee;

- d) Two Members confirmed that they were satisfied with the proposed Scheme of Delegation as they did not agree that the Committee should receive every planning application and trusted officers to undertake their role;
- e) A Member confirmed that they were satisfied with the proposed Scheme of Delegation.

Resolved, “That particulars of the report and discussion be noted on the minutes and that the Committee notes the revised Scheme of Delegation and the comments of the Members be referred to the Executive Committee for consideration.”

***PART C –***

***Matters requiring Council approval***

There were no matters requiring Council approval.

The meeting ended at 4.20pm.