



Borough of Douglas

**MRS RAINA CHATEL, JP
MAYOR**

Town Hall,

Douglas,

3rd December, 2021

Dear Sir or Madam,

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

I am,

Yours faithfully

Town Clerk & Chief Executive

Order of Agenda

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

II - Any statutory business.

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

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

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

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

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

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

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

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

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

AGENDA

III – Chief Executive to read minutes of the Council Meeting held on Wednesday, 10th November, 2021.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 26th November, 2021.

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

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr A.J.T. Boyd), Director of Environment and Regeneration (Mrs D. Eynon), Director of Housing and Property (Mr D. Looney), Executive Officer (Mrs J.M. Keig) (taking minutes).

REPORT

PART A –

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

A1. Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Ms J. Thommeny (and on behalf of Mr Councillor S. Crellin, Vice-Chair of Housing and Property Committee, who was subsequently unable to deputise for the Chair).

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes

The minutes of the meeting held on Friday 29th October 2021 were approved and signed.

A4. Matters Arising From Previous Minutes

There were no matters arising from the previous minutes.

A5. Referrals from the Environmental Services Committee

There were no referrals from the public minutes of the Environmental Services Committee meeting held on Monday 15th November 2021.

A6. Referrals from the Regeneration and Community Committee

There were no referrals from the minutes of the Regeneration and Community Committee meeting held on Tuesday 16th November 2021.

A7. Referrals from the Housing and Property Committee

The Committee considered the following referral from the public minutes of the Housing and Property Committee meeting held on Wednesday 17th November 2021:

Clause B12 - Department of Infrastructure Social Housing Rent-Setting Consultation 2022 / 2023: the Committee had previously resolved to recommend a 2.3% rent increase for 2022 / 2023, based upon published figures for the Manx Consumer Price Index (CPI) at July 2021. However, revised figures now released for that month showed CPI at 4.5% and, in order to mitigate the adverse impact on the Housing Maintenance Fund and the rate-borne deficiency, Members had proposed a 4% increase (compared with Manx CPI of 4.4% as at October 2021) and, accordingly, sought the Executive Committee's consideration of this recommendation.

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

(ii) That the resolution of the Housing and Property Committee - to recommend to the Department of Infrastructure a 4% rent increase for 2022 / 2023 - be noted and endorsed accordingly."

A8. Chief Executive's Department Service Plans - Performance Report

The Committee considered a written report by the Chief Executive providing an update on performance compared against measures outlined in the Chief Executive's Department's Service Plans for 2019 - 2021.

In January 2017, the Council had adopted a new Corporate Plan for the years 2017 - 2021 and, following on from this, each Service had its own Service Plan to run for the financial years 2017 – 2019 and 2019 - 2021. 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 at November 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. Flag Day Street Collections 2022

The Committee considered a written report by the Town Centre Manager seeking approval of the proposed schedule of flag day street collections for 2022.

It was noted that a press release had been issued in September 2021, inviting charities to apply for a date in 2022. Additionally, all charities that had held flag days in 2021 had been similarly invited directly by email to apply for 2022 dates. Thirteen responses had been received and, in accordance with the Committee's previous instructions that collections should preferably not be held on consecutive days, all of the dates proposed for 2022 had been accommodated as such.

As in previous years, any applications received after the approval of the schedule by the Committee would be considered by officers, up to a maximum of twenty-eight.

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

(ii) That the schedule of flag day street collections for 2022 (as appended to the written report) be approved; and

(iii) That a copy of the schedule be circulated to all Members of Council for information."

A10. Lower Church Street Pedestrianisation

The Committee considered a written report by the Assistant Chief Officer (Regeneration) seeking approval to commence the process of applying for the temporary pedestrianisation of Lower Church Street.

By way of background to this proposal, Members were advised that the 'Rovers Return' public house had operated a pavement café in Lower Church Street for many years without the requisite Highway Licence. During these years, the pavement café furniture had prevented the passage of vehicular traffic along Lower Church Street; and it appeared to have been accepted that the lane was unsuited to use by vehicles because of its narrowness.

In January 2020, after much negotiation and the submission of several invalid or unsuitable Highway Licence applications, a proposal had been received from the Rovers Return that was acceptable to the Council and, following the normal consultation process, a Highways Licence had been issued. Despite receiving the licence, however, the conditions in relation to the use of upgraded furniture and the relocation of the furniture had not been complied with. After repeated warnings, the licence was terminated (as the pavement café was unlawful) and a Notice issued under Section 45 of the Highways Act 1986 giving three days' notice to remove the furniture.

A further application had been submitted in September 2021. Although this was identical to that for which a licence had been issued in January 2020, the Department of Infrastructure had, during the consultation process, raised an objection on the grounds that '*the creation of the pavement café would obstruct vehicular access along the road, which can be used for servicing and access to the businesses*'. It was noted that the Department had not objected to the licence issued in January 2020, and Council officers had progressed the application at that time in the knowledge that vehicular traffic could not, and had not for many years been able to pass down Lower Church Street due to its narrowness and the presence of the unlicensed pavement café.

The Council was therefore in the position of having to refuse the licence unless measures were taken that would permit the Department to withdraw its objection. The measure suggested by the Department was for the Council to apply for a road closure for Lower Church Street, prohibiting use by vehicles and effectively pedestrianising it.

While a permanent road closure application could take in the region of three months to achieve, a temporary road closure application could be processed in twenty-eight days. It was therefore recommended that application be made for both a temporary closure and the permanent closure to run in tandem.

It was made clear that the reason for the Council seeking the road closure application was not centred solely on the Rovers Return; and that informal consultation would take place with the other businesses located in Lower Church Street to seek their views prior to submitting the applications, which would necessitate formal consultation.

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

- (ii) That subject to positive feedback being received from businesses in Lower Church Street -
- Officers be authorised to apply for a temporary road closure of Lower Church Street (from the junction with John Street and Barrack Street to the junction with Lord Street) prohibiting vehicular traffic, to commence as soon as possible until 1st April 2022; and
 - Officers be authorised to apply for a permanent road closure of Lower Church Street (from the junction with John Street and Barrack Street to the junction with Lord Street) prohibiting vehicular traffic, to commence on 1st April 2022."

A11. 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."

A12. Items for Future Report

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

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

A13. Time and Date of Next Meeting

The time and date of the next meeting was confirmed as 2.00pm on Thursday 16th December 2021.

PART C –

Matters subject to Council approval

C14. Enforcement Policy - Pavement Café Licences

The Committee considered a written report by the Community and Enforcement Manager proposing an enforcement approach in relation to un-licenced pavement cafés and breaches of pavement café licence conditions.

Under Section 78 of the Highways Act 1986, the Council had powers to license the operation of cafés and kiosks on highways for a maximum period of three years. The Council could include such conditions it considered appropriate, and breach of any of the licence conditions would result in enforcement action under Section 45 and 45A of the Highways Act 1986.

In order to streamline how un-licenced pavement cafés and breaches of pavement café licence conditions were processed, a Pavement Café Enforcement Policy had been developed. The policy had been designed to ensure a fair and consistent procedure for all incidents; and created a standard working policy for the Council to employ, in a format in line with other enforcement policies that had been produced over the previous two years.

The standard practice in all suitable cases would be to encourage those operating without a licence to obtain a licence; and those operators with a valid licence but who were in breach of the conditions, to remedy the breach themselves.

It was noted that the proposed Pavement Café Enforcement Policy had been drafted to accord fully with Sections 45, 45A, and 78 of the Highways Act 1986.

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

- (ii) That it be recommended to Council that the proposed policy (as appended to the written report) be approved and implemented with immediate effect."

C15. Application for City Status for Douglas

The Committee considered a written report by the Chief Executive in relation to an application for City Status for Douglas.

Members were advised that a Civic Honours Competition was currently taking place across the United Kingdom (to celebrate Her Majesty The Queen's Platinum Jubilee in 2022) to grant the prestigious and rare civic honour of city status to a select number of worthy towns in the UK.

For the first time, the competition was also open to applications from the Crown Dependencies and Overseas Territories. Applications, which could only be made by a local authority, were due to close on 8th December 2021.

City status was rarely granted and the competitions did not happen very often, usually being held to mark important Royal occasions – the previous competition was held in 2012 to mark the Diamond Jubilee. The Council had made a previous application in 2016 (to coincide with The Queen’s 90th birthday celebrations) however, the response from the Cabinet Office (UK) on behalf of the Lord Chancellor, was that there were no plans for a city status / civic honours competition at that time.

Many new cities had seen benefits, with studies suggesting that a successful bid could bring further investment and employment opportunities; as well as boosting tourism. Douglas had much to be proud of as a town, and this was a perfect opportunity to showcase it. As there were currently no cities in the Crown Dependencies, officers believed that the Borough was uniquely placed to put in a bid.

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

- (ii) That it be recommended to Council that approval be given for the Council to make application in the forthcoming Civic Honours Competition for city status.”

The Committee rose at 4.05pm.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 24th November, 2021.

Members Present: Mr Councillor J.E. Skinner (Chair), Mr Councillor S.R. Crellin, Mr Councillor F. Horning, Councillor Ms J. Thommeny.

In Attendance: Director of Finance (Mr A. Boyd), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Democratic Services Officer (Miss C. Cullen), Assistant Democratic Services Officer (Mr M. Peach). Mr M. Freeman (Hymans Robertson), Mr P. Ashby (Hymans Robertson, via video-link) (Items A6 – A8). Mr D. Long, Mr M. Seaward, and Mr G. Easton of Capital International (Item A9).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Apologies

Apologies for absence were submitted by the Worshipful the Mayor and Mr A. Thomas (Independent Member).

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes of Meeting held on Wednesday, 27th October, 2021

The Minutes of the meeting held Wednesday, 27th October, 2021 were approved and signed.

A4. Matters Arising from the Minutes

There were no matters arising from the previous Minutes.

A5. Training – Setting an Investment Strategy

The Committee received a training presentation from Mr M. Freeman covering three topics; the Scheme's investment objectives, investment risks for pension schemes and the importance of setting an investment strategy.

Mr Freeman began by explaining that the Committee must set investment objectives to ensure that future pension payments are met. It was noted that these objectives should be linked to the liability assumptions set by the actuary. Mr Freeman advised that it was appropriate for the Committee to review the strategy alongside the next actuarial valuation, as at 31st March, 2022.

Mr Freeman provided an explanation of risk relative to pension liabilities, advising that the Scheme needed to invest in assets that will generate growth in order to help close the funding deficit. It was noted that the higher the allocation to growth assets, the higher the funding level risk. Mr Freeman advised that the last asset review had been carried out in 2019 to ensure that the Scheme had a good split between liability-matching assets, e.g. bonds, and growth assets, e.g. equities and property.

Mr Freeman finished by advising that asset allocation dominates risk and how much is allocated into growth and liability-matching assets remains the Committee's main investment decision.

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

A6. Annual Review of Investment Managers

Mr Peter Ashby joined the meeting via video conference for discussion of the item.

The Committee considered a report submitted by Hymans Robertson to compare the performance of the Scheme's investment managers with their benchmarks and peer groups over the last 12 months to 30th September 2021.

Members considered the results of each individual manager.

Capital International's absolute return fund returns had been impressive over all time periods and have produced above median returns when compared with their peer group. It was noted that the fund has consistently delivered positive absolute and relative outperformance over the longer time periods since inception and is well ahead of its performance target. Hymans Robertson remain supportive of Capital for the Scheme's absolute return fund.

The BlackRock Property Fund (held via Canaccord) has been slightly below benchmark across all time periods and returns have been slightly lower than the median and benchmark over the last 12 months (due mainly to the fund's overweight position in alternatives, which included student housing, and which had not performed well), but slightly above median over longer time periods. Hymans Robertson remain supportive of BlackRock as the manager of the Scheme's property fund.

Members were advised that Hymans Robertson has not reviewed performance of Canaccord's bond portfolio as the mandate was fully redeemed in July 2021 and replaced with an ESG fixed income mandate managed by Capital International. It was noted that this portfolio would be included in next year's annual review.

The five index-tracking funds held with Canaccord have performed in line with their respective benchmarks. Hymans Robertson remain supportive of continuing with all the funds.

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

A7. Quarterly Review of Investment Managers' Performance

The Committee considered a report submitted by Hymans Robertson to review the Investment Managers' performance for the third quarter of 2021.

Mr Ashby presented the executive summary for the quarter. The Scheme returned 1.2% over the quarter, with a relative return of +0.1% against its benchmark. All funds remain comfortably within their rebalancing ranges.

Mr Ashby advised that over the quarter, the value of the scheme's assets increased by £1.2m. The allocation to growth assets increased by £1.4m and protection assets decreased by £0.2m. This was due to positive performance across equity and property markets and an increase in nominal interest rates. The Scheme's corporate bond mandate had been switched to a fund focussed on Environmental, Social and Governance (ESG) factors with Capital International in July 2021.

Mr Ashby moved on to the market background during the period. The pace of growth in the major advanced economies is forecast to remain strong over the next couple of years, with consensus forecasts global growth of 5.7% in 2021 and 4.4% in 2022. Global investment-grade spreads were little changed in quarter three and global developed market speculative-grade spreads rose 0.3%. UK 10-year gilt yields rose 0.3% over the quarter.

Mr Ashby finished with a presentation on individual Manager performance and analysis. The Blackrock Property mandate returned 3.7% over the quarter, underperforming the benchmark by 0.8%. Over the quarter, the Absolute Return mandate produced a positive absolute performance but underperformed the benchmark by 0.2%, but with a strong relative outperformance over all longer time periods.

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

A8. Incorporating ESG in the Scheme's Equity Holdings

The Committee considered a report prepared by Hymans Robertson to provide an update on incorporating Environmental, Social and Governance (ESG) factors in the selection of the Scheme's Equity holdings.

Mr Freeman confirmed the position that since the Committee meeting held on 9th September 2021, Hymans Robertson had been advised by Royal London that the proposed update to the UK Equity Fund, that would have seen the integration of the manager's ESG insights, had not been approved by shareholders. The proposed changes had therefore not been implemented; Council having been verbally informed of this at its meeting in October. Subsequently, the fund remained a purely market-capitalisation-based fund.

In relation to Global Equities, Hymans Robertson had been advised that the Scheme is not eligible to invest in the LGIM Future World ESG Developed Index Fund. It was noted that switching to an ESG focused global equity fund may lead to the exclusion of emerging markets from the Scheme's portfolio, though that would not represent any change to the current position as the current global equity holding did not include emerging markets.

Detailed within the report was an example of a UK ESG specific fund that the Scheme could switch to. Mr Freeman advised that if the Committee wanted to include ESG in the Scheme's global equities, then there are a limited number of ESG specific funds available on the Canaccord platform. As the Scheme's current global equity holdings are invested in developed markets only, Hymans Robertson advised that the Committee should maintain this developed market focus in the event of a switch to an ESG specific fund.

Contained within the report was a chart illustrating the different sector allocations within the ESG specific fund relative to the current global equity holdings. It was noted that the chart showed that the ESG specific fund contains no notable biases towards particular countries as all over/underweights are less than 1% in magnitude. Therefore, Hymans Robertson are comfortable that a switch of the Scheme's

global equity holdings to a more ESG focused fund would not cause a material deviation from the returns currently expected from the portfolio.

Due to the limited number of ESG specific funds available with Canaccord, Mr Freeman advised that if the Committee were minded to explore this area further it would be beneficial to undertake a full Manager selection exercise for a passive ESG fund in relation to the Scheme's UK and Global Equities. The split between UK and global equities should be reviewed at the same time also.

The Assistant Chief Officer (Finance) advised that he felt it prudent, if it was the desire of the Committee, to explore ESG funds ahead of the valuation report as at March 2022 being received, so that this information could form part of the Committee's investment strategy.

Resolved, "That particulars of the report and discussion be noted on the minutes and that Hymans Robertson research into ESG-tilted funds available from Isle of Man Managers, and also the Fund's UK and global equity split, for report back to the Committee in May 2022 in order to facilitate implementation in line with the Committee's Investment Strategy within the next statutory valuation exercise."

Mr P. Ashby (Hymans Robertson) was thanked for his attendance and left the meeting.

A9. Manager Reporting: Capital International

Mr D. Long, Mr M. Seaward, and Mr G. Easton joined the meeting for discussion of the item.

Mr Long began by presenting the absolute return portfolio's returns to date. The portfolio gained 0.71% over the quarter with a further 4.2% since quarter end. Mr Long advised that over the past year it had gained 23.3% against a benchmark return of 3.5% and the total value now exceeding £20m.

Mr Long presented the asset allocation for the quarter. Members were advised that the value of the allocation to equities had continued to increase over the quarter, reaching a peak of 52%. Mr Long explained that in October, equity exposure had been reduced to approximately 46% by taking profits.

Mr Long explained that as the portfolio remained underweight in bonds, Capital International had been looking at funds to balance this. Members were advised that Capital had added some gilts towards the end of the period as the 10 year yield rose above 1%, and topped up the gold and silver and added BH Macro, an absolute return fund. Mr Long undertook to send the Committee detail on the strategy for the BH Macro absolute return fund.

The ESG Bond portfolio fell 2.2% over the period, slightly behind the benchmark return, mainly due to transaction costs being incurred for establishing the portfolio. The portfolio is now fully invested with a current yield of 2.8% for an average duration of just over seven years. Inflationary pressures, which were proving stronger and more persistent than had been previously envisaged, were restricting bond yields.

Mr Easton concluded the presentation with an update from the United Nations Climate Change Conference, COP26.

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

Mr Long, Mr Seaward and Mr Easton were thanked for their attendance and left the meeting.

A10. Adjournment and Resumption

The meeting adjourned at 1.05pm and resumed at 2.10pm.

A11. Plan of Activities for 2022

The Committee considered a report submitted by the Assistant Chief Officer (Finance) to plan the matters to be considered by the Committee during the coming year.

Members had in front of them two activity schedules submitted by Hymans Robertson and Capita and two additional appendices demonstrating the Committee's training log and individual training needs analyses.

In response to question, the Director of Finance undertook to provide training on the Isle of Man Government's Government Unified Scheme (GUS) model, possibly at a special meeting of Committee during 2022.

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

- (i) That the two-year training plan be approved;
- (ii) That a copy of each training presentation be circulated for information by email to Councillors who are not members of the Pensions Committee after each Committee meeting; and
- (iii) That the 2022 Investment and Administration Plans of Activities be approved."

A12. Items for Future Report

The Committee considered a report submitted by the Democratic Services Officer setting out items to be considered at future meetings.

Members noted it was intended to report to Committee in May 2022 with the outcome of Hymans Robertson research into ESG tilted funds available from Isle of Man Managers.

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

A13. Date and Time of Next Meeting

Members were reminded that the next Pensions Committee Meeting was due to take place on Wednesday 23rd February, 2022 at 10.30am.

The Committee rose at 2.30pm.

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

HOUSING AND PROPERTY COMMITTEE

HOUSING AND PROPERTY COMMITTEE – Minutes of Meeting held on Wednesday, 17th November, 2021.

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

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

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies for Absence

Apologies for absence were submitted by Mr Councillor J.E. Skinner.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 20th October, 2021

The minutes of the meeting held on Wednesday, 20th October, 2021, were approved and signed.

A4. Vacant Properties Update

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

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

The Assistant Chief Officer (Housing and Property) advised that as of the week commencing 8th November 2021, there were seven vacant properties outstanding. Since that time, a further four properties had been returned by tenants. In response to question, the Assistant Chief Officer (Housing and Property) advised that three of these properties were awaiting inspection by the Housing Maintenance Officer to determine the level of works required to bring them up to Void Plus Standard.

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

A5. Housing Rent Arrears

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

Members were presented with a table setting out the rent arrears statistics for September and October 2021, it was noted that as at the 31st October, 2021 the level of rent arrears was £155,074.95 which was a decrease of £4,269.16 from the previous month. The Director of Housing and Property advised that an issue with the online payments system, may have contributed to the higher level of rent arrears in September, 2021.

Members were reminded that this report had first been presented to the Committee in December 2020 in response to the rise in the level of rent arrears due to the effects of the coronavirus pandemic. The Director of Housing and Property advised that officers intend to change the way in which this information is presented, currently tenants in arrears of under £500 are included in the statistics, he explained that due to the frequency of payments there is a constant fluctuation of tenants in this category and as such the figures can be significantly affected depending upon the time of month that the report information is collected.

Members were advised that going forward, the report would be adapted to focus more on the risk to tenants rather than the rent arrears amount which Members noted, can sometimes be misleading.

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

A6. 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.

It was noted that the report on the ten-year plan for future housing projects will be presented to Committee in February 2022.

Resolved, "That particulars of the report and schedule 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 10.00am on Wednesday, 15th December, 2021.

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

PART B –

Matters requiring Executive Committee approval

B8. Matters Arising from the Minutes of Meeting held on Wednesday, 18th August, 2021

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

Members were reminded that in response to the Department of Infrastructure's Social Housing Rent Setting Consultation, the Committee had resolved to recommend to the Department a 2.3% rent increase for 2022/23 which had been based upon the published Manx CPI figure as at July, 2021.

The Assistant Chief Officer (Income) reported that the Cabinet Office had subsequently revised the CPI figure for that month to 4.5%. As such, it is proposed that the Committee revisit that recommendation and increase it in line with Manx CPI as at October 2021, noted as 4.4%.

Members discussed the proposal and expressed dissatisfaction at the incorrectly published figures. The Committee were cognisant that the Council needed to highlight the need for rental inflation to keep up with the cost of inflation in order to mitigate the adverse impact on the Housing Maintenance Fund and the Rate borne deficiency.

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

- (i) That the Council formally responds to the Department recommending a 4% rent increase for 2022/23; and
- (ii) That the matter be referred to the Executive Committee for consideration because of the potential impact upon budgets."

The meeting ended at 10.55am.

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, 16th November, 2021.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon) Director of Finance (Mr A.J.T. Boyd), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Head of Parks (Mr D. Hewes), Borough Librarian (Item A8) (Mrs J. McCartney), Assistant Town Clerk (Mr P. Cowin), Assistant Democratic Services Officer (Mr M. Peach).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

No apologies for absence were received.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 19th October, 2021

The minutes of the meeting held Tuesday, 19th October, 2021 were approved and signed.

A4. Matters Arising

No issues were raised as arising from the previous minutes.

A5. Presentation of Promenade Improvement Group Work

The Committee received a presentation providing an update on the Promenade Improvement Group Work by the Assistant Chief Officer (Regeneration), which showed a number of slides detailing the proposed changes to various areas of the Promenade. The presentation had previously been delivered to the Executive Committee where funding had been approved and during the presentation to the Regeneration and Community Committee, the Assistant Chief Officer (Regeneration) advised on those elements that had been approved or not approved by the Executive Committee.

In response to Members highlighting Castletown's successful application for lottery funding towards their skate park, the Assistant Chief Officer (Regeneration) advised that all funding possibilities would be looked at.

The Assistant Chief Officer (Regeneration) advised that the Executive Committee had agreed £75,000 from reserves for improvements in the 2021/22 financial year which included alterations in the vicinity of the Jubilee Kiosk, new social style benching and the first tranche of sensory planting in Garden No Two. Members considered having an area on the prom paying tribute to Manx stars and heroes, something akin to a walk of fame, the Assistant Chief Officer (Regeneration) advised this could be relatively affordable.

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

A6. Queen's Green Canopy

Members considered a report submitted by the Head of Parks detailing the proposals to create a green canopy in celebration of Her Majesty Queen Elizabeth's Platinum Jubilee in June 2022. Members were reminded that 'The Queen's Green Canopy' had been approved by Committee in June 2021 and subsequently the Executive Committee had agreed to £10,000 funding for the scheme.

The report's appendices detailed examples of the several different types of trees that are intended to be planted along the route as well as detailing the route that the trees will go, adjacent to the new cycle path along the edge of Pulrose Golf Course.

The report stated that the aim is to commence planting the trees on Monday 7th February 2021, the day after the 70th anniversary of the accession of the Queen. Local schoolchildren will be involved in the planting of the trees, furthering the community feel of the event.

Members were enthused that the Queen's Green Canopy would add to the appeal of the cycle path encouraging people to cycle.

In response to a question, the Head of Parks advised that during periods of heavy leaf fall, maintenance would be done on the route of the Queen's Green Canopy to help prevent cyclists slipping on wet leaves.

Resolved, "That Members approve the creation of the Green Canopy with planting of 70 trees to commence during February 2022."

A7. Promenade Beach Hut Proposal

The Committee considered a report by the Assistant Chief Officer (Regeneration) to inform the Committee of the proposal by Little Manx Beach Huts to erect and operate four beach huts on Queen's Promenade Gardens.

The Assistant Chief Officer (Regeneration) advised that he had not seen a site plan for this proposal yet, and planning would likely be needed; the report at this stage is to generally seek feedback from the Committee.

The Assistant Chief Officer (Regeneration) advised that the current proposed location in Queens Gardens, adjacent to the former underground toilets, would help encourage the businesses opposite that area, as well as amenities nearby such as public toilets and a pedestrian crossing

In response to question, the Assistant Chief Officer (Regeneration) advised the rent for the beach huts would be £40 a day, with business hours being 10am to 6pm.

Members commented that having the huts on the beach would be preferable and this was to be communicated to the proposer. Members showed optimism towards encouraging the owner on communicating with local businesses to seek feedback to see how the beach huts could potentially help support their businesses and vice versa.

Members suggested an alternative location toward the Summerhill end of Queens Promenade, and the Assistant Chief Officer (Regeneration) explained he would discuss this with the proposer.

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

- (i) The proposal by Little Manx Beach Huts to erect and operate four beach huts on Queens Promenade Gardens, subject to planning approval be approved in principle; and
- (ii) Officers be authorised to enter into negotiations with the company regarding the details of their proposal including the licence fee payable prior to seeking the final approval of the Committee."

A8. Adjournment and Resumption of Meeting

The Meeting adjourned at 11.09am and resumed at 11.13am at which time the Borough Librarian joined the meeting.

A9. Quarter Two Henry Bloom Noble Library Service Plan Performance Monitoring 2021/22

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

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

It was noted that the number of new members had increased by almost 60% in Quarter Two of 2021/22, the report stated that the Summer Reading Challenge always brings a positive impact on the number of new members.

Also noted was the increase of almost 17% in PC users, despite the PC's being cordoned off for social distancing.

The Borough Librarian explained that the only amber measure contained in the report was in relation to the Library Working Group, as they are waiting for published government findings before meeting up and discussing them.

Resolved, "That particulars of the report and discussion be noted on the minutes, and that the progress made against performance indicators in the Library Service Plan be noted."

A10. Items for Future Report

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

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

A11. Date and Time of Next Meeting

The next scheduled meeting was due to take place at 10.00am on Tuesday, 14th December, 2021.

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

The meeting ended at 11.51 am.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 15th November, 2021.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Accountancy Manager (Mr M. Quayle) (Items A1 to A4), Dilapidation Enforcement Officer (Mr S. Salter) (Items A5 to A7), Assistant Town Clerk (Mr P.E. Cowin), Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

There were no apologies for absence submitted.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 18th October, 2021

The minutes of the meeting held on Monday, 18th October, 2021 were approved and signed.

A4. Matters Arising

Clause A6 – Capital Scheme for Public Lighting in Lanes - In response to question, the Director of Environment and Regeneration advised that if the Council were to receive a formal request for lighting an area within the Borough then a report would be presented to the Committee to make a determination on the request. It was noted that this had always been the Council's approach prior to a Motion approved in April 2021 to bring forward a scheme to light all adopted lanes and highways. Officers answered many enquiries about lighting in areas but these did not all lead to formal requests to light.

It was noted that a Member intended to bring a Motion to the December, 2021 Council meeting to rescind the previously approved Council Motion for the scheme to light all adopted lanes and highways, which had not been supported by the Committee at the October, 2021 meeting. The Director of Environment and Regeneration was requested to make all Council Members aware of the previous process for street lighting requests.

A5. Planning Application 21/01119/B – 1, 1A and 2 Marina Road

The Dilapidation Enforcement Officer joined the meeting for discussion of items A5 to A7.

The Committee considered an appraisal submitted by the Dilapidation Enforcement Officer of planning application 21/01119/B for a mixed use retail and residential development consisting of five new apartments with retail units on the ground floor at 1, 1A and 2 Marina Road, Douglas.

It was noted that the proposed development will involve the demolition of a large property currently divided into two retail units, which are in an unsightly condition. In response to question, the Dilapidation Enforcement Officer advised that hoardings would be erected around the development to ensure that the neighbouring properties / businesses were not adversely impacted by the demolition works.

Members were advised that following concerns raised by Highway Services in relation to the bin store door opening out onto the highway, the applicant had submitted amended plans showing a change to a shutter door. It was noted that officers had concerns over the size of the bin store, particularly in regard to the limited space between the bins and usability of the area but that any issues relating to this could be addressed by implementing a waste management strategy. It was noted that officers consider it important that the proposed bin storage area can accommodate any future tenant.

Members welcomed the proposals, particularly the proposed sedum roof and modern energy saving elements such as the air source heat pumps and potential solar panels, noting that if approved, the development would improve the existing housing stock and convert underutilised space above commercial premises.

The report had recommended to support the application with conditions relating to lighting in the rear lane and waste storage and management. The Chair suggested that in order to keep a consistent approach on consideration of planning applications, an objection be raised on the grounds that the waste storage was insufficient but that officers withdraw the objection under the scheme of delegation should the applicant address these concerns.

Resolved, “That an objection be raised to planning application 21/01119/B on the grounds that the bin store does not meet the standards required by the Council.”

2 For. 2 Against.

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

Motion carried.

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

A6. Planning Application 21/00970/A – Trevelyan – Refusal Notice

The Committee considered a report submitted by the Dilapidation Enforcement Officer to determine if the Council should lodge an appeal against the refusal of planning application 21/00970/A. Members were reminded that during consideration of the planning application at the October, 2021 Committee meeting, Members had resolved to raise no objection.

Members were reminded that the application was for approval in principle, to maintain the front façade of the hotel and demolish and develop the building into apartments at the Trevelyan, 18-19 Palace Terrace, Queens Promenade, Douglas. It was noted that the Planning Authority had subsequently refused the application on the grounds that the applicant had not provided enough information to demonstrate how the front elevation of the building could be retained which would contravene Environment Policy 35.

Members discussed the refusal notice noting other instances where planning approval had been granted for applications where the front façade should have been retained but was subsequently demolished due to lack of maintenance. A Member expressed the view that as the Committee had neither supported nor objected to the application in the first instance the Council should not lodge an appeal.

Resolved, “That particulars of the report and discussion be noted on the minutes and that no appeal be lodged against the Planning Authority’s decision to refuse planning application 21/00970/A.”

3 For. 1 Against.

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

A7. Schedule of Dilapidated, Ruinous or Dangerous Properties

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

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

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

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

A8. Items for Future Report

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

The Director of Environment and Regeneration advised that item 5, Bicycle Storage Guidance, will be removed from the schedule as it had been dealt with by way of briefing note.

The Committee discussed a site visit to Ballacottier Service Centre, it was agreed that the visit should be arranged for a Thursday afternoon on a non-Council or Committee meeting week. It was further agreed that the Committee go on the visit first before extending the invitation out to other Council Members.

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

A9. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting of the Environmental Services Committee was due to take place at 10.00am on Monday, 13th December, 2021. Mr Councillor J.E. Skinner tendered his apologies for the meeting.

The meeting ended at 11.58am.

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

MOTIONS

1. Councillor Miss N.A. Byron to move:

“That the Council install a memorial to the animals of war, within the vicinity of the War Memorial on Harris Promenade.”

On being moved and seconded, under Standing Order 30 the Motion will stand referred to the Executive Committee for consideration and report to the Council by 9th March, 2022.