



Borough of Douglas

Town Hall,

Douglas,

12th July, 2023

At a MEETING of the COUNCIL of the BOROUGH OF DOUGLAS, duly convened and holden at 2.30 p.m. on WEDNESDAY, the 12th day of JULY, 2023, in the COUNCIL CHAMBER, within the TOWN HALL, at which Meeting the following Members were present, that is to say: -

The Mayor

COUNCILLOR MRS NATALIE BYRON-TEARE, JP

Councillors

Mr S.R. Pitts

Mr J.E. Skinner

Mr A.J. Bentley

Mr I.J.G. Clague, MBE

Mr D.R. Watson

Mrs C.L. Wells

Mr F. Horning

Ms J. Thommeny

The Director of Environment and Regeneration as acting Chief Executive, the Director of Finance and the Director of Housing and Property were in attendance.

Apologies for absence were submitted by Mr Councillor S.R. Crellin, Mr Councillor F. Schuengel, Mr Councillor P.J. Washington and the Chief Executive.

1. **Minutes – 14th June, 2023**

The minutes of the monthly Council meeting held on Wednesday, 14th June 2023, were approved and signed.

2. **Standing Order 39 – Question – Mr Councillor J.E. Skinner**

Mr Councillor J.E. Skinner asked the Leader of the Council:

- 1.1 *Following the death of a close family member what support is in place for members of staff and or their families?*
- 1.2 *In the event of a staff member suffering illness, long term illness or bereavement who ultimately determines if that person is capable of returning to work following what process?*

Reply by the Leader of the Council:

- 1.1 *Under the Isle of Man Employment Rights Act 2006 there is no entitlement to time off for Compassionate/Dependent Care however, Douglas Borough Council as a caring employer takes reasonable steps to ensure adequate support is available for employees with responsibilities for children and dependents.*

The Council has in place a 'Compassionate/Dependent Care Leave' policy, as agreed with and adopted by the Unions, which provides guidance in terms of what support can be offered/provided to employees leading up to or during a period of bereavement.

COMPASSIONATE LEAVE:

Bereavement: *Time off with pay is granted to employees at times of family bereavement. Each case is judged in accordance with the particular circumstances. The usual policy would be to allow up to 5 days compassionate leave plus time to attend the funeral.*

To attend a funeral: *Paid time off is also normally allowed to attend funerals of immediate family/relatives (e.g., Spouse/Partner; Mother/Father and Mother-in-Law/Father-in-Law; Brother/Sister and Brother-in-Law/Sister-in-Law; Children; Grandparents or Grandchildren). Additional leave may be granted where circumstances dictate the necessity for a longer period of absence. Employees can request an extended period of leave which can be covered by annual leave or be unpaid where appropriate.*

DEPENDENT CARE LEAVE:

Unexpected Interruption in Normal Care Arrangements: *A reasonable amount of time off with pay is allowed where there is an unexpected interruption in normal care arrangements for a dependent.*

OTHER ARRANGEMENTS:

In addition to the above Heads of Department can give consideration to providing as much flexibility as is reasonable where individuals are dealing with particularly difficult domestic situations (e.g., compassionate leave may be supplemented by some unpaid or annual leave, or an extended period of unpaid leave where there are significant, ongoing caring responsibilities for a very sick parent, partner or child). Work patterns may also be adjusted temporarily to assist the individual to meet such responsibilities.

A number of measures have been implemented within the Council with the aim of improving employee's overall well-being, satisfaction and work-life balance including:

- *Career Break policy*
- *Casual Friday and Dress Down Days*
- *Flexible Working policy*
- *Flexitime policy*
- *Training*
- *Wellbeing Group set up*
- *Wellbeing initiatives integrated into day to day activities to create and support a healthy work environment*
- *Wellbeing embedded into day to day management practices*
- *Mental health awareness training provided to line managers*

1.2 **ILLNESS, LONG TERM ILLNESS & BEREAVEMENT:**

The Council has in place a 'Sickness Absence' policy and managers are required to monitor, report, support, manage and, if necessary, take appropriate action for sickness absence (informal/formal).

In the event of persistent or unauthorised absence it is the relevant manager's responsibility to ensure that appropriate action is taken e.g.:

- *Return to Work meeting*
- *Informal: Capability Stage 1*
- *Formal: Capability Stage 2 or 3*
- *Disciplinary Action*

Support is also provided to employees in terms of paid time off to attend counselling support sessions.

Decisions are made based on information held, the employee's record of attendance, medical evidence (if provided by the employee), support provided by the Council, and what that may/may not achieve, which can include a referral to Occupational Health where an absence period hits a trigger point or where it is determined a referral to Occupational Health may be of benefit.

Depending on the circumstances of the individual case (each case is considered on its individual merit) it may be:

- *the employee themselves who determine they are not capable of returning to the workplace*
- *the manager who determines that due to insufficient improvement the contract is terminated in accordance with stage 3 of the capability process*
- *Occupational Health who advises that the employee is not capable of making a return*

The ultimate aim is always to encourage and assist the employee to return to the work place however if a return proves unlikely/not possible then a termination of contract may occur. Recommendations put forward by Occupational Health, where possible, are always accommodated.

3. **Standing Order 39 – Question – Mr Councillor J.E. Skinner**

Mr Councillor J.E. Skinner asked the Chair of the Environmental Services Committee:

How often are the Council's public toilets inspected by an officer to ensure cleaning standards, as set out in the Cleaning Contract, are maintained and that the toilets are kept to a high standard of cleanliness?

Reply by the Chair of the Environmental Services Committee:

Public toilets are cleaned twice daily as a minimum. Some toilet blocks are cleaned more frequently at certain times of the year and depending on footfall. There are various means by which they are inspected and by several different officers depending on their location: the Community and Enforcement team inspect some, staff from cleansing and parks services inspect others. They are usually inspected daily but not at a fixed time; they are inspected around other work taking place within that location.

4. **Standing Order 39 – Question – Mr Councillor J.E. Skinner**

Mr Councillor J.E. Skinner asked the Chair of the Environmental Services Committee:

Since the delivery of green bins to householders and the introduction of the Green Waste Service, how many requests have been received for green bins to be taken back to the Council's Waste Services Department?

Reply by the Chair of the Environmental Services Committee:

There have been one or two requests to return garden waste bins once requested, due to circumstances changing within the household. There have been less than a dozen incidents of bins being delivered to the wrong address or duplication of deliveries, which have then been collected for correct delivery. In total, nearly 3,800 bins have been delivered to date.

5. **Standing Order 39 – Question – Mr Councillor J.E. Skinner**

Mr Councillor J.E. Skinner asked the Chair of the Regeneration and Community Committee:

Following the response to a question by the Chair of the Regeneration and Community Committee on January 10th 2023, what progress is being made to investigate the merits and issues surrounding voluntary / community groups assisting in tending of the Council's gardens, parks and squares?

Reply by the Chair of the Regeneration and Community Committee:

A report is due to be taken to the Regeneration and Community Committee in December 2023.

6. Standing Order 39 – Question – Mr Councillor J.E. Skinner

Mr Councillor J.E. Skinner asked the Chair of the Regeneration and Community Committee:

Following the responses to questions in Council on 9th June 2021 and 9th March 2022, when is it now expected that the remedial works in the Council's Centenary Gardens (Queens Park) likely to be commenced?

Reply by the Chair of the Regeneration and Community Committee:

A tender for the required works has been issued twice with no returns on each occasion. The works for five gardens are to be split up into smaller tenders and re-tendered in an attempt to garner contractor interest. Therefore, until a contractor can be secured, a timeframe for completion of the works cannot be provided.

7. Executive Committee – 29th June, 2023

Motion moved by Councillor Mrs C.L. Wells, seconded by Mr Councillor I.J.G. Clague, "That the minutes of proceedings of the Executive Committee, as contained in report of meeting held on Thursday, 29th June, 2023, be received by the Council."

Question put on Motion, a vote was taken electronically, and there voted **For** the Motion, Councillors: Mr I.J.G. Clague, Mr A.J. Bentley, Mr D.R. Watson, Mrs C.L. Wells, Mr F. Horning, Ms J. Thommeny – **6**

Against, Councillors: Mr S.R. Pitts, Mr J.E. Skinner, the Mayor – **3**

Motion carried.

8. Housing and Property Committee – 21st June, 2023

Motion moved by Mr Councillor D.R. Watson, seconded by Councillor Ms J. Thommeny, "That the minutes of proceedings of the Housing and Property Committee, as contained in report of meeting held on Wednesday, 21st June, 2023, be received by the Council."

Question put on Motion, a vote was taken electronically, and the Motion was carried unanimously.

9. Regeneration and Community and Environmental Services Joint Committee – 20th June, 2023

Under the provisions of the Local Government Act 1985, Councillor Ms J. Thommeny declared an interest in the item and retired whilst it was considered.

Motion moved by Mr Councillor A.J. Bentley, seconded by Mr Councillor F. Horning, "That the minutes of proceedings of the Regeneration and Community Committee and the Environmental Services Committee, as contained in report of joint meeting held on Tuesday, 20th June, 2023, be received by the Council."

Question put on Motion, a vote was taken electronically, and there voted **For** the Motion, Councillors: Mr J.E. Skinner, Mr I.J.G. Clague, Mr A.J. Bentley, Mr D.R. Watson, Mrs C.L. Wells, Mr F. Horning, the Mayor – **7**

Against: Mr Councillor S.R. Pitts – **1**

Motion carried.

10. Regeneration and Community Committee – 20th June, 2023

Motion moved by Mr Councillor A.J. Bentley, seconded by Mr Councillor J.E. Skinner, "That the minutes of proceedings of the Regeneration and Community Committee, as contained in report of meeting held on Tuesday, 20th June, 2023, be received by the Council."

Question put on Motion, a vote was taken electronically, and the Motion was carried unanimously.

11. Environmental Services Committee – 19th June, 2023 – Clauses A1 to B12

Motion moved by Mr Councillor F. Horning, seconded by Councillor Ms J. Thommeny, "That the minutes of proceedings of the Environmental Services Committee, as contained in Clauses A1 to B12 inclusive of report of meeting held on Monday, 19th June, 2023, be received by the Council."

Question put on Motion, a vote was taken electronically, and there voted **For** the Motion, Councillors: Mrs C.L. Wells, Mr F. Horning – **2**

Against, Councillors: Mr S.R. Pitts, Mr J.E. Skinner, Mr I.J.G. Clague, Mr A.J. Bentley, Mr D.R. Watson, Ms J. Thommeny, the Mayor – **7**

Motion fell.

12. Environmental Services Committee – 19th June, 2023 – Clause C13

Motion moved by Mr Councillor F. Horning, seconded by Councillor Ms J. Thommeny, "That the minutes of proceedings of the Environmental Services Committee, as contained in Clause C13 of report of meeting held on Monday, 19th June, 2023, be received, approved and adopted by the Council."

Question put on Motion; a vote was taken electronically, and the Motion was carried unanimously.

13. **Adjournment and Resumption**

The meeting adjourned at 4.00pm and resumed at 4.20pm with the same Members and officers present.

IN PRIVATE

14. **Executive Committee – 25th May, 2023 – Clause C1**

The Council's external advocate, Mrs K. Clough and the Council's Advocate, Ms L. Rothwell joined the meeting for discussion of the item.

Motion moved by Councillor Mrs C.L. Wells, seconded by Mr Councillor I.J.G. Clague, "That the minutes of proceedings of the Executive Committee, as contained in Clause C1 of private report of meeting held on Thursday, 25th May, 2023, be received, approved and adopted by the Council."

Further Motion moved by Mr Councillor D.R. Watson, "That under Standing Order 33 (1), Motions without Notice, **that the debate be adjourned**. Before the further Motion was seconded, the Mayor adjourned the meeting in order to clarify procedure. The meeting adjourned at 4.25pm and resumed at 5.00pm with the same Members and officers present.

On resumption of proceedings in Council:

Further Motion moved by Mr Councillor D.R. Watson, seconded by Councillor Ms J. Thommeny, "That under Standing Order 105, Standing Order 30 be suspended, in order to invoke Standing Order 33 (1) to adjourn the debate."

Question put on Motion to suspend Standing Order 30, a vote was taken electronically and there voted **For** the Motion, Councillors; Mr S.R. Pitts, Mr A.J. Bentley, Mr D.R. Watson, Ms J. Thommeny, the Mayor - **5**

Against, Councillors: Mr J.E. Skinner, Mr I.J.G. Clague, Mr F. Horning, Mrs C.L. Wells - **4**

Having not obtained a two-thirds majority vote of the Members present, the Motion fell.

Question put on substantive Motion, a vote was taken electronically and there voted **For** the Motion, Councillors: Mr S.R. Pitts, Mr D.R. Watson – **2**

Against, Councillors: Mr J.E. Skinner, Mr I.J.G. Clague, Mr A.J. Bentley, Mrs C.L. Wells, Mr F. Horning, Ms J. Thommeny, the Mayor – **7**

Motion fell.

15. **Executive Committee – 29th June, 2023 – Clause A1**

Motion moved by Councillor C.L. Wells, seconded by Mr Councillor I.J.G. Clague, "That the minutes of proceedings of the Executive Committee, as contained in Clause A1 of private report of meeting held on Thursday, 29th June, 2023, be received by the Council."

Question put on Motion, a vote was taken electronically, and the Motion was carried unanimously.

16. **Executive Committee – 29th June, 2023 – Clause C2**

As the Motion at item 10 fell, Clause C2 of the Executive Committee was withdrawn.

17. **Executive Committee – 29th June, 2023 – Clause C3**

Motion moved by Councillor C.L. Wells, seconded by Mr Councillor I.J.G. Clague, "That the minutes of proceedings of the Executive Committee, as contained in Clause C3 of private report of meeting held on Thursday, 29th June, 2023, be received, approved and adopted by the Council."

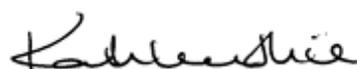
Question put on Motion, a vote was taken electronically, and the Motion was carried unanimously.

18. **Housing and Property Committee – 21st June, 2023**

Motion moved by Mr Councillor D.R. Watson, seconded Councillor Ms J. Thommeny, "That the minutes of proceedings of the Housing and Property Committee, as contained in private report of meeting held on Wednesday, 21st June, 2023, be received by the Council."

Question put on Motion, a vote was taken electronically, and the Motion was carried unanimously.

The Council rose at 5.20pm.



Town Clerk & Chief Executive