



## **Borough of Douglas**

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**MR COUNCILLOR DAVID JOHN ASHFORD, J.P.  
MAYOR**

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Town Hall,  
Douglas,  
7<sup>th</sup> December, 2012

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 12th day of DECEMBER, 2012, 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 Civic Amenity Site Joint Committee;
- (v) Any other Joint Committee;

VII - Consideration of the report of each Lead Member in the following order:

- (i) Housing and Property;
- (ii) Regeneration and Community;
- (iii) Environmental Services;

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, 14<sup>th</sup> November, 2012.

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

## EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 30<sup>th</sup> November, 2012.

Members Present: Mr Councillor D.W. Christian (Chair), the Mayor, Mr Councillor S.R. Pitts, Councillor Mrs C.E. Malarkey, Messrs Councillors E.A. Joyce, R.H. McNicholl.

In Attendance: Chief Executive, Borough Treasurer, Borough Engineer & Surveyor, Assistant Chief Officer (Corporate & Development) (from 2.00pm to 2.40pm), Assistant Town Clerk (from 2.40pm to 3.20pm).

### REPORT

#### **PART A –**

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

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

No apologies for absence were submitted.

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

No declarations of interest were submitted.

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

The minutes of the meeting held on Tuesday 30<sup>th</sup> October 2012 were approved and signed.

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

No matters arising from the previous minutes were identified.

##### **A5. Minutes and Referrals of the Environmental Services Advisory Committee**

The Committee considered the minutes of the Environmental Services Advisory Committee meeting held on Monday 19<sup>th</sup> November 2012. It was noted that there were no specific items referred to the Executive Committee.

Resolved, "That particulars of the minutes of the Environmental Services Advisory Committee be noted."

##### **A6. Minutes and Referrals of the Housing and Property Advisory Committee**

The Committee considered the minutes of the Housing and Property Advisory Committee meeting held on Wednesday 21<sup>st</sup> November 2012. It was noted that there were no specific items referred to the Executive Committee.

Resolved, "That particulars of the minutes of the Housing and Property Advisory Committee be noted."

##### **A7. 'Purple Flag' Accreditation**

The Committee considered a written report by the Assistant Chief Officer (Corporate & Development) seeking support for the principles of 'Purple Flag' accreditation.

Members noted that Purple Flag was an accreditation scheme operated by the Association of Town Centre Management (ATCM) and was awarded to towns and cities that were safe, vibrant, appealing, well-managed and offered a positive experience to consumers during the evening and night-time.

The accreditation assessed the overall quality of the location's evening offer under a number of categories, including safety and cleanliness; secure pattern of arrival, circulation and departure; and mix of entertainment and activity. The location must also have a policy supported by a range of partners, which provided a clear aim and a common purpose.

The benefits to a town with a well-managed evening economy included a raised profile and improved public image; wider patronage; increased expenditure; lower crime and anti-social behaviour; and a more successful mixed-use economy. Additionally, specifically for Douglas, aiming for Purple Flag accreditation could also be an incentive for investment; improve the experience of tourists; encourage greater expenditure by Manx residents; and inject some fun back in to the Town.

The Assistant Chief Officer (Corporate & Development) reported that the recent 'Fright Fest' event, staged to coincide with Hop Tu Naa, had been very successful, with a large number of people being in the town centre and on the North Quay from the afternoon through to the evening. A number of businesses on North Quay had confirmed increased patronage as a result of the event.

If the Committee was supportive of the initiative, the next stage would be to secure the support of stakeholders such as the Douglas Community Safety Partnership, the police, the evening economy businesses, and Government Departments. A working group would then be needed, involving representatives from senior stakeholders to drive the initiative forward. It was noted that the Douglas Development Partnership Board was very supportive of the concept. Members were advised, however, while Douglas might score highly in certain areas, such as safety and security, the areas where it was weak might require some considerable political will to make the necessary changes and / or private sector investment into facilities, all of which might take several years.

Members noted the initial staffing implications associated with the proposal and requested, as part of a future update following approaches to potential partners, that a report be included on the amount of officer time likely to be required to subscribe to the scheme.

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

(ii) That the principles of 'Purple Flag' accreditation be supported;

(iii) That approval be given for officers to approach potential project partners, with a view to establishing a Purple Flag bid for Douglas; and

(iv) That, as part of the future update following approaches to potential partners, information be included detailing the amount of officer time likely to be required to subscribe to the scheme."

#### **A8. Registration of Council Chamber for Civil Marriages and Partnerships**

The Committee considered a written report by the Assistant Chief Executive seeking approval for the Council Chamber to be registered as a venue in which to hold marriages and civil partnership ceremonies.

Since 2011 it had been possible for marriages and civil partnership ceremonies to take place in venues other than a place of worship or in the Registrar's office. Couples could apply on a one-off basis to hold a wedding in any location with the approval of the owner as long as necessary criteria were met. It was suggested, in registering the Council Chamber as an alternative venue, this would give couples the option of holding their ceremony in a historic building; would provide good public relations for the Council; and could assist with marketing the Council Chamber as an events venue.

It was noted that the cost for a three-year registration of the Council Chamber would be £1,500. Members were reminded of the current fee for hiring out the Council Chamber but noted that there was no set charge for weekend hire. It was anticipated, however, that should an application for weekend use be received, then an appropriate fee would be negotiated, dependent on the applicant's requirements, to cover the Council's cost

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

(ii) That approval be given to register the Council Chamber as a place for the solemnisation of civil marriages and the formation of civil partnerships, on the basis of a three-year registration at a fee of £1,500; and

(iii) That it be agreed that the Council charges a fee of £250 over and above the hire fee for the Council Chamber per ceremony on weekdays; with appropriate fees being negotiated for any weekend use."

#### **A9. Consultation Document – Smoke-Free Legislation in the Isle of Man**

The Committee considered a written report by the Assistant Town Clerk on a consultation document received from the Department of Health.

The consultation was based on concerns related to second-hand smoke being linked to a number of health issues. The Island was already subject to the No-Smoking Premises Regulations 2007, and the new regulations being proposed would prohibit smoking in vehicles, ban tobacco vending machines, and restrict promotion of tobacco products. Reference was also made within the document to the distraction caused by smoking while driving, and proposed a ban similar to mobile phone use. It was suggested that the aim of any new legislation should be to protect the vulnerable, while maintaining the rights of the individual.

The consultation document contained a questionnaire and Members considered draft responses to the specific questions, which were appended to the written report.

Discussion took place with regard to smoking in private vehicles. Members' view was that smoking should be banned in order to reduce exposure to second-hand smoke within vehicles (e.g., private cars and vans) (Question 6), and accordingly therefore within vehicles carrying children (Question 7).

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

(ii) That the draft responses to the consultation document be approved for submission to the Department of Health, subject to the following amendments in respect of private vehicles:

- Question 6: response to read, 'Yes, by completely banning smoking in private cars and vans';
- Question 7: response to read, 'Yes, by completely banning smoking in private cars and vans'; and

(iii) That an observation also be submitted to the Department that the questionnaire did not fully cover all those elements of concern in the consultation document."

#### A10. Monthly Financial Review (October 2012)

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

Members were reminded that, in order to be able to lend money out to earn interest for the Council on surplus funds, money would be lent to institutions on the Approved Lending List with a credit rating from Fitch of F1. The previous requirement was F1+, although all of the banks on the Approved Lending List were now rated F1 (F1 being defined as '*highest short-term credit quality. Indicates the strongest intrinsic capacity for timely payment of financial commitments; may have an added '+' to denote any exceptionally strong credit feature*'). Standard and Poor's were now rating The Royal Bank of Scotland Group PLC as A-2, which was below the A-1 required credit rating for addition to the Approved Lending List. While A-2 was described as having '*satisfactory capacity to meet its financial commitments, it is somewhat more susceptible to the effects of changes in circumstances and economic conditions than obligors in the highest rating category*'. It was therefore noted that surplus funds remaining with The Isle of Man Bank (which was part of The Royal Bank of Scotland Group) would be minimised.

Discussion took place with regard to the information provided in relation to gross rent arrears. It was suggested that it would be useful if the amount owed was shown in percentage terms as compared to the debit amount for the year. It was also agreed that a press release should be issued, after the year-end, publicising the amount of rent collected.

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

(ii) That, in future, the information provided in relation to gross rent arrears to show the amount owed in percentage terms as compared to the debit amount for the year; and

(iii) That a press release be issued, after the year-end, publicising the amount of rent collected accordingly."

#### A11. Capital Programme Budget Monitoring for the Six Months to September 2012

The Committee considered a written report by the Assistant Chief Officer (Finance) setting out the Capital Programme budget monitoring position to the end of September 2012, compared to the Revised Estimates for 2012 / 2013.

The Accounts and Audit Regulations 2007 required local authorities to put in place suitable arrangements to ensure the proper conduct of their financial affairs and to monitor the adequacy and effectiveness of those arrangements. Adequate budgetary controls needed to be in place, including a mid-term report on the Council's performance against the approved Capital Programme estimates.

The original estimate for the Capital Programme stood at £14,924,000, and a reduction of £1,073,000 had been made to give a revised position of £13,851,000. This was mainly due to changes in project expenditure profiling across years, and the deferral of a number of items in line with current expectations. The schedule, for the period to 30<sup>th</sup> September 2012 (appended to the written report), presented an overall expenditure of £3,779,000, leaving a balance remaining to be spent of £10,072,000. This level of expenditure represented 27% of the Revised Estimates and 25% of the Original Capital Programme for the year.

Members noted that the two largest areas of capital expenditure were the Pulrose Redevelopment and the Cambrian Place Development.

Members were advised that it was not feasible to profile the budget for capital expenditure items across months within the financial year, as the timing of expenditure depended upon a number of factors, such as the tender and petition processes. It was not, therefore, appropriate to consider the budget monitoring in terms of adverse or favourable variances, unless a project was actually complete, and any remaining unspent amounts on projects that were not completed by the end of the financial year would need to be carried forward into the new financial year.

It was noted that Capital Programme monitoring was reported to the Extended Chief Officers' Management Team and budget managers on a quarterly basis. Project managers also received expenditure updates for their projects.

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

(ii) That the £3,779,000 expenditure incurred on capital projects up to the end of September 2012, leaving a remaining balance of £10,072,000 to be spent compared to the Revised Estimates, also be noted.”

#### **A12. Revenue Budget Monitoring for the Six Months to September 2012**

The Committee considered a written report by the Assistant Chief Officer (Finance) setting out the revenue monitoring schedule for the six month period to 30<sup>th</sup> September 2012

The Accounts and Audit Regulations 2007 required local authorities to put in place suitable arrangements to ensure the proper conduct of their financial affairs and to monitor the adequacy and effectiveness of those arrangements. Adequate budgetary controls needed to be in place, including a mid-term report on the Council’s performance against the approved Revenue budgets.

The revenue monitoring schedule (as appended to the written report) highlighted an overall net favourable variance of over £533,000 when compared to the profiled budget figures, representing 19% of the profiled approved budget. It was noted that the six months expenditure figure had been adjusted to account for the pay rise that was due to apply from April 2012 (although negotiations were still underway). Within the overall favourable variance so far, there were considerable variations across individual services and brief explanations for any significant variations from budget had been provided.

The budget performance data contained within the report only represented the first six months of the financial year and there was therefore still scope for the positions to change considerably between now and the 31<sup>st</sup> March 2013 (in particular, the capital financing charges figures were not calculated until after the year-end).

In recent years, lower capital charges had helped to produce a more favourable out-turn position than the in-year budget monitoring position had suggested. Although there was no guarantee of the same position in this year given the current low-level of capital expenditure when compared to the original Capital Programme estimates, the lower than estimated borrowing would increase the favourable revenue position at the year-end out-turn. It was not, however, possible at this stage to make any firm prediction about the likely level of under- or over-spend at the end of the financial year.

It was clear that some genuine savings would be achieved, but further work was required to identify any budget profiling issues and further commitments which would have the effect of reducing down the current favourable position. Any additional budget commitments agreed by Committee for funding from the General Revenue Reserve during the current year would also have to be borne in mind, as this would have the effect of reducing down any favourable variance come the end of the financial year.

It was noted that revenue budget monitoring was reported to the Extended Chief Officers’ Management Team on a quarterly basis and to budget managers on a monthly basis. The Assistant Chief Officers were working with their respective budget managers on an on-going basis to identify any actions that needed to be taken in respect of any adverse budget variance that had been accruing during the year to date.

There remained some services within the same management or operational areas where there were compensating and linked budget variances, and the use of virements was being reviewed in these cases to ensure that no individual service had an adverse variance as a result of making effective use of the workforce and fleet.

The Housing Repairs position was showing a net expenditure of over £32,000 higher than the profiled budget and this unfavourable position was not unexpected, given the nature of the Housing Repairs budgetary pressures experienced this year arising from the impact of the reduction in deficiency grant level awarded by the Department of Social Care. This budget would, however, require close scrutiny as the year progressed, as the Council’s Housing Repairs Reserve had been depleted in recent years.

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

(ii) That officers be requested to continue to investigate the reasons behind potential adverse variances against the budget, identifying ways to minimise any actual adverse variances before the end of the financial year, by seeking virements or additional funding, as appropriate; and

(iii) That for those Services that currently had favourable variances against the profiled estimate, budget managers be asked to identify any savings resulting.”

#### **A13. Funding for Lighting Installations – Wellington Street, Douglas**

The Committee considered a joint written report by the Borough Treasurer and Borough Engineer & Surveyor seeking approval for a change in finance to purchase an initial four lighting installations in Wellington Street (in advance of the submission of the capital lighting petition in respect of the main capital regeneration lighting scheme).

The regeneration works were currently being progressed under the auspices of the Douglas Regeneration Committee, which was constituted with representatives from the Council, the Isle of Man

Chamber of Commerce and the Council of Ministers. The Council's commitment to the scheme contained an initiative to upgrade highway and festive lighting to a standard which was functional, but also conformed with the approved design standard of the project.

In the first phase of the scheme (Phase 0), in Nelson Street, a bespoke lighting fitting had been developed and installed and, although this was generally considered to be a positive step, it had been agreed by the Douglas Regeneration Committee that the alternative 'Modullum' column would be more appropriate and in keeping with the design concept for the regeneration area, and therefore 'Modullum' columns had initially been requested for installation in Wellington Street.

Members were advised that the item in the Capital Programme had been held back from being petitioned for, as it had not been possible to provide the detail of the columns and lamps and hence the total cost. As the 'Modullum' columns had now been agreed upon, the full petition for the remainder of the Town Centre Regeneration lighting scheme could be progressed.

In order to keep to the timescales required for the progression of the works in Wellington Street, it was recommended that urgent funding be provided from Revenue Reserves.

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

(ii) That approval be given for initial capital expenditure of £31,200, to be funded from Revenue Reserves, for the installation of four 'Modullum' lighting columns in Wellington Street."

#### A14. Attendance at Work Report 2011 / 2012

The Committee considered a written report by the Assistant Chief Officer (Human Resources) setting out details of the Attendance at Work Report for 2011 / 2012, which shows:

- The comparison with the previous year (2010 / 2011), and shows a decrease in the overall number of days' absence recorded for both NJC staff (672 days for 2011 / 2012, compared with 957 days for 2010 / 2011); and Whitley Council staff (2,110.5 days for 2011 / 2012, compared with 2,372 days for 2010 / 2011);
- The comparison with the average level of sickness absence for Local Government as per the CIPD (Chartered Institute of Personnel and Development) Report (July 2011);
- CIPD:
  - Average non-manual employees days lost = 7.8 (Douglas Borough Council non-manual employees average days lost = 6.5 days (down from 10 days in 2010 / 2011));
  - Average manual workers days lost = 6.4 days (Douglas Borough Council manual workers average days lost = 12 days (down from 13 days in 2010 / 2011));
  - The average level of sickness absence for all Douglas Borough Council employees is 10 days per employee, with the average for all employees in Local Government as per the CIPD (2011) Survey being 9.6 days per employee.

Members were advised that the Council continued to:

- Develop and improve on a systematic approach to reviewing absence issues;
- Focus attention and resources on areas of greatest need;
- Treat fairly, consistently and sensitively those employees' absent from work due to sickness;
- Provide a reasonable and safe working environment; and
- Be committed to supporting the health of its workforce.

In order to achieve a consistent approach to dealing with sickness absence, line managers and supervisors would continue to ensure that the Absence Reporting Procedure was adhered to and that any issues were taken up and actioned when necessary. The aim of the absence policy was to minimise absence levels across the Authority but, while providing reasonable support to those absent for genuine reasons, had the aim of assisting their return to work at the earliest opportunity.

It was realised that sickness absence from work was often unavoidable. When it was unduly prolonged, however, it was wasteful and damaging, not only to the individuals concerned, but also their colleagues who had to provide cover in their absence and to the organisation and there was an awareness of the requirement to balance the needs of the employee with the needs of the Council when dealing with the management of ill health. To this end, there was a written absence / attendance management framework in place, which all line managers and supervisors were familiar with.

Employee absence rates and the causes of absence were recorded on the 'TeamSeer' system. The collection of data alone was not, however, sufficient, and targeted action across the organisation was required to address specific issues and to assist in bringing about an early return to work, with different methods being utilised for dealing with short-term and long-term absences.

Effective procedures at the recruitment and induction stages did assist with minimising the risk of importing individual absence problems, although there was a number of factors likely to influence absence levels, including work and role; workload and stress; culture; medical factors; persistent or recurrent conditions; and domestic commitments. A non-attendance / absence report was updated on a monthly basis by Human Resources, which showed a running total of absences recorded. Monitoring procedures also allowed an objective analysis of sickness absence, so that trends and problems in respect of individual employee's sickness records could be identified.

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

(ii) That all Line Managers and Supervisors continue to:

- ensure all policies and procedures concerning absence were communicated clearly to all employees;
- apply the procedures fairly and consistently; and
- undertake Return to Work Interviews with employees on their return from each and every absence regardless of duration; and

(iii) That Human Resources continue to:

- maintain records based on information received from line managers, which should indicate the duration of the absence and the reason for it, with this information being used to monitor absence levels and to indicate where further action might be needed;
- provide support to line managers to ensure consistency in dealing with absence and any related issues and to advise on how individual absence issues should be handled; and
- where appropriate, seek advice or guidance from Occupational Health."

#### 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."

#### A16. **Date of Next Meeting**

Members noted that the next meeting was scheduled to take place at 2.00pm on Thursday 3<sup>rd</sup> January 2013.

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

### ***PART B –***

#### ***Matters subject to Council approval***

#### B17. **Standing Orders – Update / Amendment**

The Committee considered a written report by the Assistant Town Clerk listing proposed amendments to Standing Orders.

Since the introduction of the Council's Constitution in May 2012, which included updated Standing Orders, a number of minor amendments had been identified. Members accordingly considered a schedule of proposed amendments to Standing Orders (appended to the written report).

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

(ii) That the Standing Orders detailed below be amended as proposed:

- 56A (new) (it was agreed that the use of electronic equipment within a Council meeting should not be acceptable, and that this included Committee meetings);
- 10 - Notice of Meeting (it was agreed that the option to facilitate the delivery of summonses electronically be approved);
- 26 – Notices of Motion (it was agreed that the use of technology should also be embraced for the receipt of motions);
- 30 – Reference of Motions to Committees (it was agreed that there should be provision to facilitate decisions by the Committees in areas within their delegated authority);
- 38 – Private Business (it was agreed that, on a motion being made to transfer an item from private business to public, the Member be given an opportunity to put to Council the reason for it being in private);



- 39 – Questions – Written (it was agreed (i) that there should be provision to facilitate questions being submitted in electronic form; and (ii) that additional wording be inserted to read *‘the Chief Executive or such officer acting on his / her behalf’*);
  - 76 – Mayor’s ex-officio Membership of Committees (it was agreed that the Mayor should not take part in the proceedings of the Standards Committee in order to preserve the impartiality of the Office);
  - 77 – Appointment of Committees (it was agreed to include additional wording to formalise the appointment of Independent Members);
  - 80 – Portfolios (the wording be amended to rectify the omission of the Chair of the Standards Committee from the Membership of the Executive Committee, as had previously been agreed by Council);
  - 84 – Quorum of Committee (it was agreed (i) that specific reference should be made to the Standards Committee and the Pensions Committee for the clarification of the Independent Member counting towards the quorum of a Committee; and (ii) to dispense with the redundant reference to sub-Committees);
  - 93 – Notice of Meetings (it was agreed (i) to provide some flexibility to the rigid five working days’ notice period and allow for electronic communication; and (ii) to dispense with the redundant reference to sub-Committees);
  - 103 – Privilege (it was agreed (i) that the first sentence be not deleted as suggested; and (ii) that the circumstances when privilege could be invoked should be clarified to read *‘with the advance consent of the Mayor’*; and *‘where no other recourse is open to the Member concerned’*);
  - 104 – Procedure of Privilege (it was agreed that the wording be clarified as suggested); and
- (iii) That the above amendments be recommended to Council for adoption.”

#### **B18. Constitution of the Council – Electronic Communication**

The Committee considered a written report by the Assistant Town Clerk in relation to the wish of Members that the Constitution contains provision for electronic communication.

Clause B17 of these minutes (above) approved the use of electronic communications, particularly in respect of the submission of Motions and Written Questions. It was therefore proposed to insert in Part 5 (C) of the Constitution (at the end of the Member Support Protocol), paragraphs dealing with ‘Communication’ and ‘Members’ Enquiries’.

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

(ii) That the amendments to the Council’s Constitution (as set out in the written report) be approved and adopted, subject to approval by the Council.”

The Committee rose at 5.50pm.

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

# PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 28<sup>th</sup> November, 2012.

Members Present: Mr Councillor C.L.H. Cain (Chairman), the Mayor, Messrs Councillors C.C. Thomas, J. Joughin, R.H. McNicholl, Mr A.E. Thomas (Independent Member).

In Attendance: Borough Treasurer, Assistant Chief Officer (Finance), Mr Mark Freeman – Hymans Robertson, Mr David Chatel – BlackRock.

Apologies: Mr Councillor A.V. Quirk.

## REPORT

### *Part A –*

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

##### **A1. Minutes – 25<sup>th</sup> July 2012**

Minutes of meeting held on Wednesday, 25<sup>th</sup> July, 2012, were approved for signature.

##### **A2. Minutes – 31<sup>st</sup> October 2012**

Minutes of the meeting held on Wednesday, 31<sup>st</sup> October, 2012, were approved for signature.

##### **A3. Matters Arising**

The independent member asked whether he was covered by the Council's public liability insurance. The Borough Treasurer undertook to research this matter and confirm the situation to the Committee. Previously there were independent observers rather than an independent member with voting rights.

##### **A4. Quarterly Monitoring Report**

Mr Freeman of Hymans Robertson presented the quarterly monitoring report on the Investment Manager's performance for the third quarter of 2012.

Members noted in the quarter good returns were seen in most regions apart from Japan. Index-linked gilts have performed less well than conventional gilts. Very good returns were achieved from corporate bonds.

Shares are currently quite volatile. BlackRock are overweight international equities and underweight bonds. Overweight means they are holding a higher proportion of that asset class than the target benchmark. The mandate for the scheme allows the fund manager flexibility to hold above or below the target proportions within pre-defined parameters. BlackRock are complying with these requirements.

Blackrock underperformed the benchmark by achieving 3.1% against 3.3% for the benchmark for the quarter. Over the last 12 months they underperformed the benchmark by returning 12.4% against 13.1% for the benchmark. Although BlackRock's overall asset allocation detracted value in the third quarter, they believe that their overweight holding of equities will add value to the fund in the long term.

Capital International's performance is not included in this July-September report because this mandate was not funded until October.

BlackRock's underperformance in recent years is mainly attributed to poor stock selection in international equities.

A member asked why there was 8.5% in Cash holdings at 30 June 2013, which was relatively high compared to the target allocation of zero. BlackRock explained that they had chosen to hold a significant amount in Cash at that time, as other classes were decreasing in value, thereby protecting the value of the fund to a degree.

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

##### **A5. Asset Allocation and Overseas Equities**

Mark Goodwin and Colin Graham of BlackRock joined the meeting for this item. It was explained that BlackRock had been reluctant to invest funds whilst they were aware that £4.4m needed to be transferred to Capital International imminently which resulted in a high Cash balance at the end of Quarter 2.

BlackRock believed that Sterling would weaken. Given Quantitative Easing, austerity and European economic problems BlackRock believed Sterling was in a difficult position. The announcement of the Governor of European Central Bank (ECB) stating that they would do whatever was necessary to prevent European banks from going bankrupt did have some impact. However, BlackRock still believe

Sterling will weaken. Capital flows were strong into Sterling because Sterling was seen as a safe haven currency so high demand for it increased Sterling's value.

For the year to end of September the main cause of BlackRock underperforming the benchmark was the returns on international equities, particularly exposure to Italy, Japan and Russia.

It was noted the fund currently holds 41% in international equities (as at 19 November). The maximum exposure limit is 44%.

The yield on corporate bonds is 5.0-5.5% on average. BlackRock only invests in investment grade corporate bonds.

During quarter 3 there was a reduction in Cash and an increase in allocation to international equities. They added to Russia, US Healthcare and Brazil Small Cap and the ASEAN Leaders Fund. Brazil Small Cap refers to companies in Brazil that have smaller capitalisation, i.e. the second tier of public Brazilian companies that are effectively not global companies. The ASEAN fund was originally purchased in August. ASEAN stands for Association of South East Asian Nations and comprises The Philippines, Malaysia, Brunei, Indonesia, Singapore, Thailand, Myanmar, Laos, Cambodia and Vietnam.

The BlackRock view is that global growth is going to recover; the concern about European banks becoming insolvent has been removed due to ECB guaranteeing them. Therefore they are now looking for assets that will give growth and those that are undervalued.

US Gross Domestic Product (GDP) is growing at 3%. Without the support measures in place at the moment it would be 2%. The US housing market is picking up, partly helped by US Federal Bank activity. BlackRock are now interested in US regional banks who would benefit from this by being able to issue more mortgages. The fund holds interests in US regional banks by a combination of shares in a general US Exchange Traded Fund (ETF) and they have recently added a holding in a US regional bank ETF. Following a member request BlackRock undertook to provide a statement which shows the balance of asset allocation for another more recent date.

Chinese growth has reduced from 10% to 7%. BlackRock still view this as very high growth. South East Asia is benefitting from Chinese growth and has developed financial structures. These countries have large populations, are in their first phase of development and are benefitting from relocation of manufacturing from China to them.

BlackRock has invested in ASEAN Financials. The financial crisis affected US, British and European banks, not those in South East Asia. BlackRock therefore have 40% of the ASEAN investments in Financials.

BlackRock undertook to provide an analysis as at the quarter end to show the breakdown by country and another breakdown by sector compared to benchmark.

There is a restriction of 35% maximum investment in BlackRock in-house funds. Currently holdings amount to 31%. This restriction on the IOMLGSS is an issue for the Fund, as BlackRock manages a large proportion of total assets (90%). Most English local government pension funds are larger and invest across a number of specialist managers, and therefore the limit of 35% with a single manager is not an issue. BlackRock find this 35% limit very inhibiting.

BlackRock asked whether property could be exempt from the limit because it is a long term investment. Alternatively, investing in an external manager's property fund could be an option, as this allocation would not be part of BlackRock's 35% limit. However, Committee have resolved previously to only invest in property through the BlackRock UK Property Fund. The Borough Treasurer would want the Committee to have advice from Hymans Robertson before changing this approach.

BlackRock undertook to provide further breakdown on the long term international equities return.

In response to question on Exchange Traded Funds, BlackRock explained that most of the funds held for the IOMLGSS are replicated by actual holdings in the underlying assets. Some are represented by swaps with Deutsche Bank as the counterparty. This approach reduces cost for the fund.

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

#### A6. **BlackRock UK Property Fund**

Rebecca Wyld of BlackRock joined the meeting for this item to explain about the BlackRock UK Property Fund (BUKPF).

It was noted that BUKPF net asset value is £2 billion with a historic yield of 4.2% p.a. income. It is split between 76% of the fund being directly owned, 12% controlled/managed investments, 4% in third party managed funds and the balance in cash.

BUKPF recently sold Tower 42 in London. This led to transaction costs and cash drag, i.e. the low returns available from Cash reduced the average return of the fund overall until the money was invested in new additions.

Recently purchased large properties such as office buildings in Marlborough Street and City Road, London and retail parks in Enfield and Orpington for good prices due to being able to move quickly and having cash available.

BUKPF seek properties that are neglected and so undervalued where BlackRock can introduce an asset management plan to increase value.

BlackRock believe better value is available outside City of London offices, e.g. London and Southeast and industrials. Leisure and Healthcare properties continue to perform well. Cash peaked at 11.8% during the quarter. Cash was held to ensure that it was available to invest when good opportunities arose.

BlackRock undertook to send members the yields on each investment highlighted in the report.

All recent disposals were for more than originally purchased for.

Vacancy levels were 2.2% in September. This compares favourably to 10.2% per the IPD Index – a national UK measure of property voids.

BUKPF is currently engaged in acquiring the RREEF UK Core Property Fund (RREEF). They expect to complete on 14 December. RREEF had been struggling for some time. BlackRock tendered to absorb this fund. A large amount of due diligence has been done on the merger. The fund of 26 assets will be absorbed into the BlackRock UK Property Fund to manage. They believe it adds to performance and the challenging assets will yield return. BUKPF believe the valuation of £326m agreed for the fund represents good value for money. RREEF didn't have the money to improve the assets or to incentivise tenants to take on leases. RREEF used to be nearly as large as BUKPF but has declined a great deal in recent years. BUKPF are confident they can achieve a good return relative to the price paid. RREEF's 30% void rate will increase BUKPF's average void rate to 6.2%. The merger will increase the BUKPF net asset value by 15%. RREEF have already sold some assets that BUKPF said they did not want to take on.

The BUKPF is valued on a quarterly rolling basis to ensure the portfolio value is kept up to date.

Resolved, "That the presentation and discussion be noted on the minutes."

#### **A7. Capital Markets Service Report**

Mark Freeman of Hymans Robertson presented the capital markets service report on investment markets for the third quarter of 2012. Their view is that gilts are currently expensive. They have a cautious attitude to equities. Hymans Robertson only consider Cash attractive. Hymans Robertson do not recommend any change to the benchmarks set for BlackRock.

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

#### **A8. Adjournment and Resumption**

The Committee adjourned at 12.30pm and resumed at 1.15pm. The same Members were present. BlackRock provided a tour of their offices during the lunch break.

#### **A9. Review Plan of Activities for 2013**

The Committee considered a report submitted by the Borough Treasurer and Hymans Robertson on a suggested plan of activity for 2013 incorporating issues for annual review.

Question was raised about whether the Committee should consider the scheme deficit annually. The Borough Treasurer believes the FRS17 valuations which are produced for accounting purposes should not be used to influence contribution levels, remaining firmly of the view that triennial valuations are sufficient to review the contributions.

Resolved, "That the Committee adopts the plan of investment and actuarial activities for 2013 and receives a report on the administrative activities at the February meeting."

#### **A10. UK Equities**

Adam Avigdori of BlackRock joined the meeting to consider the item on UK equities.

It was noted there were two major problem holdings in 2011. An insurance company's shares halved in price in a four week period.

Q3 performance was 0.2% better than benchmark. Q4 to date is 0.4% better than benchmark.

The risk that is taken is on stock picking. BlackRock have picked some poor stocks that have delivered poor returns. Mr Avigdori also detailed some that are doing very well. It was explained that although one holding has performed poorly in recent years BlackRock believe a recent change in Chief Executive Officer will lead to improvements.

The recent sales were noted together with the recent purchases.

Beta is a measurement of shares' risks versus the market. It is measured by looking at data for the last three years. Very little Beta risk is taken by BlackRock. Trying to get an equal contribution to risk from about 30-50 shareholdings.

The Tate and Lyle holding is performing very well. BlackRock believe it is undervalued. It was noted that 3% of the Isle of Man Local Government Superannuation Scheme is invested in Tate and Lyle.

BlackRock expect high market volatility in the short term due to the United States of America Government debates over the "fiscal cliff".

They expect low developed world GDP growth for many years to come.

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

#### A11. **Fixed Interest - Gilts**

David Parsons and Adam Grimsley of BlackRock joined the meeting to consider this item.

The Committee considered a presentation on fixed interest gilts.

It was noted that the fixed interest gilts element of the fund has consistently outperformed the benchmark. Short dated UK gilts are yielding just about nil. Long term gilt yields are at an all-time low, e.g. 1.4% p.a. on 10 year gilts.

Opportunities exist when the market is disrupted by Government bond auctions. BlackRock increase their activity in these windows to maximise return. They expect low yields for some time to come. BlackRock believe yields will rise in years ahead.

More Euro turbulence is expected next year.

BlackRock favours longer dated securities. They consider intermediate and short dated gilts less attractive.

The Fund includes some very high quality Government Guaranteed Institutions.

The portfolio asset allocation to fixed interest (gilts and corporate bonds) is 28% (before the asset transfer to Capital International). BlackRock have a sub-division between government and corporate bonds managed by the fixed interest team and Corporate Bonds managed by the Asset Allocation team.

BlackRock expect the new Governor of the Bank of England is less likely to pursue more quantitative easing and will maintain a low base rate.

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

#### A12. **Market Outlook/Questions and Answers**

Fergus Argyle and Chris Moore of BlackRock joined the meeting to present Market Outlook and Questions and Answers.

Despite a volatile world political situation the markets have performed well. Growth is beginning to recover, although still at low levels. Shares have performed well in recent months.

BlackRock identified the following Fiscal Cliff risks:

- 1) Uncertainty over the Healthcare Bill impacts related US and European healthcare share prices;
- 2) US GDP may reduce by 1.0 – 1.5%.

Capital Expenditure in the US is expected to increase, BlackRock therefore favour US industrial companies.

They do not anticipate significant US inflation pressure.

Within Europe unit labour costs are converging, i.e. costs are decreasing in the peripheral nations and increasing in the stronger European countries.

They expect to expand European share holdings next year.

Growth in the economies of Brazil, India and China has been based on fixed asset investment and exports. The long term continuation of growth there is expected to be dependent on their ability to lessen the reliance on fixed asset investment and exports.

BlackRock expect base rates to stay very low for the next couple of years. They believe equities offer very good value at the moment apart from Latin American, and the US to a lesser extent.

A good quarter one of 2013 is expected if the US resolves the fiscal cliff issues.

BlackRock has been underweight in China. There is a significant imbalance between the interior China and the coastal cities which may cause domestic unrest.

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

**A13. Market Opportunities New Themes**

Members agreed market opportunity new themes had been covered through the course of the presentations.

Resolved, "That the Borough Treasurer write to BlackRock to remind them that the mandate no longer stipulates asset class sub-divisions."

**A14. Items for Future Report**

The Committee considered a report submitted by the Borough Treasurer setting out items that are to be considered at future meetings and to review any future training requirements. Where there has been a delay in reporting, the reason for this is outlined.

A Member requested a report on administration activities.

It was agreed a report would come forward to the February meeting on training for the Council and employers.

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

**A15. Scheme Actuary**

The Borough Treasurer had issued a briefing note on the Scheme Actuary position. There is an urgent case that needs scheme actuarial advice. A letter has been received from the Department of Infrastructure on the matter today. The Borough Treasurer agreed to discuss this with the Chairman and Chief Executive. Members were informed there may be a need to call an emergency meeting of the Pensions Committee.

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

***Part B –***

***Matters requiring Executive Committee approval***

**B16. Draft Estimates for Pension Fund Administration Costs 2013/14**

The Committee considered a report submitted by the Assistant Chief Officer (Finance) on the draft estimates for 2013/14 pension fund administration costs.

A Member queried whether the Pensions Committee Chairman should sit on Executive Committee. It was explained that the Pensions Committee was not an advisory Committee but a standing committee of the Council to look after the fund for all Manx local authorities.

A Member asked for a breakdown of BlackRock fees. The Borough Treasurer undertook to provide an analysis of invoices.

Hymans Robertson were asked to provide a comparison of BlackRock to other fund managers.

It was noted that the investment manager has to be registered with the Isle of Man Financial Supervision Commission.

Resolved, "That particulars of the discussion be noted on the minutes and the draft budget for the Pensions Fund Administration Costs for 2013/14 be recommended to the Executive Committee for approval."

***Part C –***

***Matters requiring Council approval***

There were no matters requiring Council approval.

The Committee rose at 4.25pm.

VI(iv) - The proceedings of the EASTERN CIVIC AMENITY SITE JOINT COMMITTEE as follows:

# EASTERN CIVIC AMENITY SITE JOINT COMMITTEE

EASTERN CIVIC AMENITY SITE JOINT COMMITTEE – Minutes of Meeting held on Monday, 18<sup>th</sup> June, 2012.

Present: For Douglas Borough Council - Mr Councillor W.M. Malarkey (Member), Mr I.J.G. Clague (Borough Engineer & Surveyor). For Onchan District Commissioners - Mrs J. Kelly (Member), Mr P.M. Hulme (Chief Executive/Clerk). For Laxey Village Commissioners - Mr A. Moore (Member). For Braddan Parish Commissioners - Mr C. Slinn (Member). For Lonan Parish Commissioners - Mr N. Dobson (Member). For Santon Parish Commissioners - Mr N. Kelly (Member).

Apologies: Contractor's Representative - Mr A.J. Donnelly.

In Attendance: Secretary - Mr P.E. Cowin. Department of Infrastructure Representative - Mr J. Wrigley.

## REPORT

### **PART A –**

#### ***Matters within the Scope of the Committee's Delegated Authority***

##### **A1. Election of Chairman**

Two nominations were made for the election of Chairman for the ensuing year: Mrs Kelly was nominated by herself and seconded by Mr Kelly, and Mr Councillor Malarkey was nominated by himself and seconded by Mr Dobson.

On a vote being taken three Members voted in favour of each nomination.

The Secretary advised that as an Ordinary resolution according to the Joint Committee Agreement, a majority of 70% was required, calculated according to the weighting for each authority set out in the agreement.

Mrs Kelly received the votes of Onchan, Laxey and Santon, which amounted to 22.52%, and Mr Councillor Malarkey received the votes of Douglas, Braddan and Lonan, totalling 77.48%.

Mr Councillor Malarkey was therefore elected Chairman for the ensuing year.

##### **A2. Election of Vice-Chairman**

On the nomination of the Chairman, seconded by Mr Kelly, Mrs Kelly was unanimously elected Vice-Chairman for the ensuing year.

##### **A3. Minutes – 6<sup>th</sup> February, 2012**

The minutes of the meeting held on Monday 6<sup>th</sup> February, 2012, were approved for signature as a correct record.

##### **A4. Matters Arising from the Minutes**

Mr Clague advised that arrangements had not yet been made for a visit to the Northern Civic Amenity Site to view the vehicle registration plate recognition system and asked Members for guidance on a suitable date.

**It was agreed: that the next meeting of the Joint Committee be held at 3.00pm on Monday 17<sup>th</sup> September, 2012, at the Northern Civic Amenity Site, and that the first item of business be to examine the use of vehicle licence plate recognition system in use at that site.**

##### **A5. Operational Issues**

Mr Clague apologised for the absence of Mr Donnelly, who was ill. He was however able to report that no major operational issues had arisen at the Site since the last meeting.

Copies had been circulated of schedules showing the amounts of the various types of waste being dealt with at the Site. Mr Clague advised that the quantity of "builder's" waste, in the form of rubble and hardcore, was becoming a concern. He suggested that it could be due to an increase in householders carrying out their own works rather than engaging contractors because of the economic climate. There had not been a noticeable increase in the number of vans using the Site.

The situation was being monitored and checks were continuing to be made on commercial vehicles using the Site.

Mr Wrigley suggested that the ratio of builder's waste to general waste was out of proportion to other sites, possibly due to contractors. It could be resolved by use of a vehicle licence plate recognition system and Members had already agreed to view the system in place at the Northern Civic Amenity Site to determine its effectiveness.

**It was agreed: that monitoring of usage of the Site continue and that a decision be made in due course on the proposed installation of vehicle licence plate recognition system.**

#### A6. Funding

In response to a question from Mr Hulme, Mr Clague advised that funding of the operation of the Site was subject to the proportions set out in the Agreement, based on the rateable value of each area. Mr Hulme also asked if all the authorities could be issued with a breakdown of the estimated costs and Mr Clague confirmed that would be done.

There was some discussion of whether the ratios should be changed to reflect changing rateable values and it was noted that the Agreement provided for review on request by any of the constituent authorities in December of any year.

Mr Wrigley advised that as the Site was now seven years old, some infrastructure works may be required on an ongoing basis, and that those costs should be identified and included in a site improvement plan, for which he would provide a template.

**It was agreed: that details of the estimated costs of operation of the Site for the current year be circulated.**

#### A7. Site Visit

In order to familiarise new Members of the Committee with the layout and operation of the Site it was agreed that a Site visit would be useful.

**It was agreed: that a Site visit by Members of the Joint Committee take place at 2.30pm on Monday 30<sup>th</sup> July, 2012.**

#### A8. Recycling of Textiles

A report had been circulated in relation to the clothing and textile banks at the Site, which were provided and emptied free of charge by a Contractor. The recommendations of the report included termination of the current arrangement and the provision instead of banks operated by the Site Contractor, with the materials collected being bulked up and recycled to produce an income to the Committee.

Mr Clague reaffirmed that there was no formal agreement in place with the current clothing banks operator, which Mr Wrigley advised provides the service throughout the Island. Mr Wrigley had reservations about the Eastern Civic Amenity site withdrawing from the arrangement as it might adversely affect the viability of the operation and ultimately lead to it being withdrawn. There were further concerns about where material could be stored pending shipment.

It was noted that the current clothing bins on the Site were branded by charities, and Members wished to ascertain the nature and amount of charitable donations generated.

**It was agreed: that the matter be deferred and that Mr Clague and Mr Wrigley review the current arrangements, and seek the views of the charities concerned to report back to the next meeting of the Committee.**

#### A9. Recycling of Fridges and Freezers

The Committee considered a report on the recycling of fridges and freezers with particular reference to the cost of disposal and recommending that a charge be introduced to users. Currently no charge was levied to the user, with the participating authorities bearing the costs in the agreed proportions.

Mr Wrigley confirmed that the current disposal contractor was nominated by the Department of Infrastructure to service all Civic Amenity Sites with the costs being charged back to the operating authorities: the northern, western and southern sites all charged for disposal of fridges and freezers according to a scale related to size of each unit accepted. The minimum charge was £11.00 for a small fridge unit. He would support standardisation across all sites.

Members had some concerns about the potential increase in fly tipping if a charge was introduced, and Mr Wrigley advised that charging in other areas had not led to significant increases in such activity. Members accepted that as long as any charge was reasonable then responsible users would continue to use the site for disposal of such items.



Mr Clague advised that even if the Committee approved the proposal to introduce charges, it could not be acted upon immediately as a mechanism needed to be set up. It was proposed that a card reader be installed at the site to enable users to pay directly.

**It was agreed: that with effect from 1<sup>st</sup> September, the charges for disposal of fridges and freezers applied at the Northern, Western and Southern Civic Amenity Sites be adopted and applied at the Eastern Site, with appropriate notice being given to users in advance of the implementation date.**

#### A10. Green Waste Disposal

The Committee considered a report on the proposed amendment of the Site's Waste Disposal Licence to enable some processing of green waste. In discussion with the Waste Management Section of the Department of the Environment, advice had been received that no amendment would be permitted because of the proximity of residential property to the Site.

It was therefore recommended that the proposal for partial processing of green waste at the Site proceed no further, but that further research be undertaken into alternatives to disposal at Ballanevin because of the costs involved.

**It was agreed: that no further action be taken on the proposal but that further research be undertaken into alternative disposal methods.**

#### A11. Cardboard Disposal

The Committee considered a report on the proposed separation and recycling of cardboard at the Site. Currently cardboard was simply included in the general incinerable waste so no reliable data was available on quantities. Buck Recycling had offered to place two containers on site for cardboard and to empty them free of charge. It was recognised that although this would provide no income, it would reduce the amount sent to the Energy from Waste Plant and therefore reduce costs.

**It was agreed: that an agreement be entered into with Buck Recycling, terminable by one month's notice, to place two containers on Site for the separation of cardboard, to be emptied free of charge, subject to there being no identification or advertising on the containers.**

#### A12. Small Electrical Goods

The Committee considered a report on the continuing trial separation of small electrical goods, which was being monitored by the Department of Infrastructure to assess the quantity of such items and the potential recycling value.

**It was agreed: that the trial continue and the outcome be reviewed by the Committee in due course.**

### ***PART B –***

#### ***Matters Requiring the Participating Authorities' Approval***

#### B13. Future Operation of the Site

The Committee considered the future operation of the Site on the expiry of the current operational contract between the Committee and Douglas Borough Council on 31<sup>st</sup> March, 2013.

Mr Clague advised that there were options to extend the current contract or to seek tenders in order to demonstrate best value. Should the latter option be chosen, the Secretary would oversee the drafting of a detailed specification on which tenders would be based.

All the Members present concurred with the view that the current operation by Douglas Borough Council was satisfactory and it was suggested during discussion that best value could be determined by means other than tendering.

A motion that the current contract for operation of the Site be extended until 31<sup>st</sup> March 2015 was carried unanimously, with the proviso that a tender specification be drawn up during the current year so that by 31<sup>st</sup> March 2013 the Committee could be in a position to consider inviting tenders.

**It was agreed: that the current operational contract be extended until 31<sup>st</sup> March 2015, and that the Secretary prepare a tender specification for consideration by the Committee in preparation for tendering for the contract thereafter.**

Mr Wrigley commented that he was fully supportive of that course of action.

The meeting ended at 5.25pm.

# EASTERN CIVIC AMENITY SITE JOINT COMMITTEE

EASTERN CIVIC AMENITY SITE JOINT COMMITTEE – Minutes of Meeting held on Monday, 8<sup>th</sup> October, 2012.

Members Present: For Douglas Borough Council - Mr Councillor W.M. Malarkey (Member), Mr I.J.G. Clague (Borough Engineer & Surveyor). For Onchan District Commissioners - Mrs J. Kelly (Member), Mr P.M. Hulme (Chief Executive/Clerk). For Braddan Parish Commissioners - Mr C. Slinn (Member), Mr J.C. Whiteway (Clerk). For Lonan Parish Commissioners - Mr N. Dobson (Member). For Santon Parish Commissioners - Mr N. Kelly (Member).

Apologies: Department of Infrastructure Representative - Mr J. Wrigley.

In Attendance: Secretary - Mr P.E. Cowin. Department of Infrastructure Representative - Mr J. Quayle. Contractor's Representatives - Mr A.J. Donnelly, Mr P.G. Higgins, Mr P. Macken.

## REPORT

### *PART A –*

#### *Matters within the Scope of the Committee's Delegated Authority*

##### **A1. Minutes – 18<sup>th</sup> June, 2012**

Minutes of the meeting held on Monday 18<sup>th</sup> June, 2012 had been circulated. It was clarified that in Clause B13, the contract was extended until 31<sup>st</sup> March 2015, and that Mr Clague had undertaken that any cost increases would be limited to inflation and wage increases.

Mrs Kelly asked for it to be noted that Onchan Commissioners had been opposed to the implementation of charging from fridges and freezers disposal, as it was contrary to the Board's policy. However it was recognised that the matter was within the Joint Committee's authority under the agreement.

**It was agreed: that the minutes be signed as a correct record.**

##### **A2. Visit to Northern Civic Amenity Site – 17<sup>th</sup> September 2012**

The Chairman advised that the meeting convened on 17<sup>th</sup> September at the northern civic amenity site had been inquorate, as several Members could not attend for various reasons. However he and Mr Slinn had found the operation of the automatic number plate recognition system of interest, particularly in identifying frequent users of the site.

Mr Wrigley had stated that the control unit could monitor all four civic amenity sites, identifying users who used different sites to evade detection. At present it was monitoring only the northern site but the costs of linking additional sites would only be for installation of a camera and ongoing line rentals, estimated at £500 although detailed costings were not yet available and Mr Quayle undertook to remind Mr Wrigley that they were required.

The Secretary pointed out that apart from the prevention of misuse, the system could generate data in respect of normal usage, such as the number of vehicles entering the site at various times and days, which would be useful management information for planning staffing etc.

Mrs Kelly was concerned that if the system were implemented there should be protocols in place for protection of staff against abuse from users turned away because of having visited too frequently raising the suspicion of commercial operation. The Joint Committee recognised that there were already procedures in place although they may merit review.

**It was agreed: that in principle, the expenditure of £500 to link with the automatic number plate recognition system be approved, subject to further discussion of how and where the main control unit is to be situated and monitored.**

##### **A3. Operational Issues**

Mr Donnelly joined the meeting at 3.25pm with Mr Higgins and Mr Macken. He introduced Mr Higgins as the Council's Waste Services Manager who had been instrumental in establishing the Council's operation of the site but was due to retire on 1<sup>st</sup> December, and Mr Macken who would be taking over management of the Site.

A number of operational matters were discussed:

Fridges and Freezers: Mr Donnelly clarified that the card reader at the Site could accept debit cards but not credit cards, on the grounds that the charges for credit card use were excessive. Mr Higgins observed that the number of fridges and freezers being bought to the site had dropped markedly since

introduction of the charges. Fly-tipping throughout Douglas was being monitored to identify any increase in those being disposed of illegally.

Operational Statistics: Mr Higgins advised that there had been a delay in producing the operational statistics but that they would be circulated by e-mail shortly.

Hazardous Waste Disposal: Mr Donnelly advised that on the occasion of a recent fire at Riverside Industrial Estate, the Fire Service and Coastguard had asked for the site to accept a quantity of liquid waste, principally oil, but had been refused as the Site has no disposal route for unidentified hazardous waste. Mr Donnelly suggested that there should be a formalised disposal route for use in emergencies and that he had offered to discuss it with the services involved. Mr Quayle stated that SITA could accept such waste for shipment and asked Mr Donnelly to provide details of the incident to Mr Wrigley. The Chairman undertook to raise the issue through the Richmond Hill Consultative Committee.

Builders Waste: Mr Donnelly stated that the amount of builders' waste arising at the Site was increasing. He was aware that the Southern Site limited users to six bags of such material, and felt there should be some consistency in policies across all sites.

Re-use – Sale of Items: Mr Donnelly advised of a complaint that items taken from the re-use facility were being sold via internet auction sites. Members of the Joint Committee were satisfied that no policies were being contravened, and saw it as a good example of recycling, in that it was disposing of waste goods at no cost.

Scrap Metal: Mr Donnelly advised that although good prices were being obtained for scrap metals, the possibility was being explored of shipping it directly to the UK rather than going through a local merchant. A report would be brought to the Joint committee in due course if appropriate.

**It was agreed: that Mr Donnelly, Mr Higgins and Mr Macken be thanked for their information which be noted.**

#### A4. Review of Site Visit, 30<sup>th</sup> July, 2012

Those members who had been present at the site visit on 30th July raised a number of issues that they had observed.

There was comment that some of the site signage was unclear and mismatched; the cardboard bin was awkwardly placed; and some line painting and cleaning was required.

Mr Higgins stated that the 1100l bin for cardboard was provided by Buck Recycling, who emptied it three times per week free of charge. It needed to be kept dry so there was a possibility of moving it temporarily into the recycling shed, but Mr Donnelly was currently investigating in-house baling and disposal of cardboard as an alternative which might produce some revenue. Mr Donnelly confirmed that regular cleaning, particularly of drains and gutters, was now taking place, and that the line marking had been done.

**It was agreed: that the matters raised and actions taken be noted.**

#### A5. Site Infrastructure

Mr Higgins stated that some of the skips in use at the Site were falling into poor condition. He had investigated the possibility of refurbishing them, which cost approximately £2,000 per unit against the cost of new units at £2,900.

Given the differential in cost, there was a preference for the purchase of new skips on a rolling programme. Mr Donnelly suggested that some of the income derived from scrap metals could be used for funding, and Mr Higgins stated that since April 2012 an amount of £35,000 had accrued.

Mr Higgins cautioned that the prices for new skips might be revised as the quotations he had were time-expired, but he would be seeking fresh prices.

**It was agreed: that a maximum of £14,000 from the accrued income from scrap metal be applied to the purchase of four new skips, and that a further £1,000 from the same source be allocated to installation of the automatic number plate recognition system.**

#### A6. Fridges and Freezers – Charges

The Joint Committee considered the effect of the implementation of charges for the disposal of fridges and freezers. Charges of £14.34 and £19.14 for disposal of small and large units respectively had been implemented on 1<sup>st</sup> September as directed. The Secretary advised of having received one complaint, related to the lack of prior notice. It was noted that the Southern Site charged £15 and £20 respectively, but Mr Quayle confirmed that the Northern and Western sites were all charging the same, related to the actual cost to the authorities. Disappointment was expressed that one site should be out of step with the others, as consistency across all sites would be ideal.

There was further discussion over the acceptance of payment by card, and Mr Donnelly undertook to bring further information to the next meeting on debit and credit card charges.

**It was agreed that the matter be kept under review.**

**A7. Bank Holiday Opening**

The Committee considered its position on Bank Holiday opening. Attention had been drawn to the closure of the Southern Site on Bank Holidays, with the consequent added pressure on those sites that remained open, including the Eastern. Members took the view that the Site should be open on Bank Holidays as that is when users' need of the service is greatest. There was a perception that users from the south of the Island were increasing the throughput at the Eastern site on those occasions due to their own site being closed.

As with the charging for fridges and freezers, it was felt that there should be uniformity across all four Sites. Mr Quayle stated that the Northern and Eastern Sites were broadly in line, but the Western and Southern Sites tended to close on more Bank Holidays. He recognised that uniformity was desirable but the Department was unable to impose it, as it was a matter for the respective Boards operating those Sites. He undertook to discuss the matter with them.

**It was agreed: that the Eastern Civic Amenity site continue to be open on Bank Holidays except New Year's Day, Tynwald Day, Christmas Day and Boxing Day, and that support be given to the principle of standardising opening at all four sites.**

**A8. Waste Disposal Licence for the Site**

The Secretary sought guidance in relation to the Waste Licence for the Eastern Civic Amenity Site; it was currently in the name of the Department of Infrastructure and a decision was required as to whether it should be held by Douglas Borough Council as Contractor or as Administrator on behalf of the Joint Committee.

**It was agreed: that the Administrator seek the transfer of the Licence into the name of Douglas Borough Council, acting as Administrator for the Joint Committee.**

**A9. Composting of Green Waste**

In response to a question by the Chairman, Mr Donnelly advised that a site at Richmond Hill, close to the Energy from Waste Plant, had been identified as suitable for composting; it was owned by the Dandara Group and already had a waste licence but not for green waste composting. From initial discussions, the owner was willing to seek an amendment.

The compound adjacent to the existing Eastern Civic Amenity site had been discounted on the grounds of costs.

**It was agreed: that the ongoing discussion and investigations be noted and that the Department of Infrastructure also be consulted about the possibility of some land at the former Ballakennish Nurseries.**

**A10. Date and Time of Next Meeting**

The Joint Committee considered the date and time of its next meeting.

**It was agreed: that the next meeting of the Joint Committee be arranged at 3.00pm on Monday 3<sup>rd</sup> December, 2012, at the Strathallan Suite.**

**A11. WEEE Goods**

Mr Quayle advised that the Department was currently seeking tenders for the disposal of waste subject to the WEEE Directive. It was known that prices were falling and so there might be savings to be made. The tender was likely to apply from 1<sup>st</sup> April 2013.

**Noted.**

**A12. Mr P.G. Higgins**

The Chairman referred to the retirement of Mr P.G. Higgins, the Council's Waste Services Manager, with effect from 1<sup>st</sup> December, 2012, and thanked him for his services. The Joint Committee joined in wishing Mr Higgins a long and happy retirement.

The meeting ended at 5.00pm.

VII(i) – The Proceedings of the HOUSING AND PROPERTY ADVISORY COMMITTEE as follows:

# HOUSING AND PROPERTY ADVISORY COMMITTEE

HOUSING AND PROPERTY ADVISORY COMMITTEE – Minutes of Meeting held on Wednesday, 21<sup>st</sup> November, 2012.

Members Present: Councillor Mrs C.E. Malarkey (Chairman), the Mayor, Messrs Councillors J. Joughin, J.E. Skinner, Councillor Ms K. Angela, Mr Councillor S.C. Cain.

In Attendance: Assistant Town Clerk, Assistant Chief Officer (Housing and Property), Senior Accountancy Officer, Housing Manager, Democratic Services Officer.

## REPORT

### **PART A –**

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

##### **A1. Minutes 17<sup>th</sup> October, 2012**

The minutes of the meeting held Wednesday, 17<sup>th</sup> October, 2012 were approved and signed as a correct record of the meeting. It was noted that the Council had at its meeting on 14<sup>th</sup> November, 2012 referred minute C10 back to the Committee for further consideration.

##### **A2. Matters for Future Consideration**

The Committee considered the report on matters for future consideration and asked for reports to be brought back for consideration by the Committee.

The Committee requested information on the work that is done on void properties.

There was a brief discussion on the reasons that consultants are engaged on capital projects. The Committee requested more information on the issue.

Members asked for clarification as to which Committee is responsible for the buildings in Nobles Park.

There was a brief discussion on a possible meeting with the Minister responsible for public housing.

Resolved, "That the report 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***

##### **C3. Upper Pulrose Redevelopment and Outer Ring Refurbishments**

At the meeting on the 14<sup>th</sup> November, 2012, the Council referred this matter back to the Committee for further consideration. Accordingly, the Committee had before it the report initially considered at the October meeting together with additional information in the form of a Briefing Note from the Assistant Chief Officer (Housing and Property). The houses in the Outer Ring are structurally sound, although they suffer from a poor layout. It was clarified that the work would not be done as part of the Kitchen Framework Agreement; instead new competitive tenders would be sought for the project.

The report which was previously considered set out the business case for conversion of the three bedroom houses in the Upper Pulrose Outer Ring to two bedroom houses by moving the ground floor bathroom to the third bedroom and refurbishing the downstairs to provide a kitchen / diner. The waiting list figures demonstrate a high demand for two bedroom properties. There are currently fifteen void properties on the Outer Ring which are in an unsatisfactory condition. These properties would make up the first serialized phase of works ensuring they can be re-let in the shortest possible time. The seventy-six houses of the Outer Ring are in good structural condition, but are unsatisfactory in terms of design and living accommodation.

Resolved, "That particulars of the report be noted on the minutes and approval is given for;

- (i) The business case to be submitted to the Treasury Capital Projects Unit for approval and inclusion in the 2013/2014 Local Authority Capital Budget; and

- (ii) Savage Chadwick Architects be appointed to carry out contract administration services, Safetynet Limited to undertake planning supervision services and Nick Dernie to conduct the asbestos surveys on this project; and
- (iii) The Town Clerk and Chief Executive be authorised to petition the Department of Social Care for borrowing powers not to exceed the sum of £40,000, being the amount required to defray the cost of professional fees up to tender stage; and
- (iv) The Department of Social Care be advised that an assessment of the Council's Housing Reserve Fund has been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source."

The meeting ended at 12.10pm.

VII(ii) – The proceedings of the REGENERATION AND COMMUNITY ADVISORY COMMITTEE as follows:

# REGENERATION AND COMMUNITY ADVISORY COMMITTEE

REGENERATION AND COMMUNITY ADVISORY COMMITTEE – Minutes of meeting held on Tuesday, 20<sup>th</sup> November, 2012.

Members Present: Mr Councillor S.R. Pitts (Lead Member), the Mayor, Councillor Mrs R. Chatel, Mr Councillor G.J. Faragher, Councillor Miss D.A.M. Pitts, Mr Councillor W.M. Malarkey.

In Attendance: Assistant Town Clerk, Assistant Chief Officer (Finance), Assistant Borough Engineer, Head of Parks, Assistant Democratic Services Officer.

## REPORT

### **PART A –**

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

##### **A1. Minutes – 16<sup>th</sup> October 2012**

Minutes of meeting held on Tuesday, 16<sup>th</sup> October, 2012 were approved and signed.

##### **A2. Matters arising – Grill in the Park**

A Member queried the outcome of an informal meeting with the Grill in the Park tenant. It was confirmed that the issues relating to the lease were to be referred to the Housing and Property Advisory Committee for consideration.

##### **A3. Matters arising – Switched On Limited and the hire of Noble's Park for December 2012**

In answer to question the Chairman confirmed Switched On Limited will not proceed with the hire of an area of Noble's Park during December 2012.

##### **A4. Executive Committee Minute in relation to the Noble's Park Crazy Golf Course**

The Committee considered a minute referred by the Executive Committee. The minute requested confirmation as to which financial year the Noble's park Crazy Golf Course Capital Programme was agreed to commence in.

Members discussed the feasibility of the crazy golf course; in particular the daily operation and the hiring of equipment. A Member enquired if the budget was kept in the 2013/14 year could it be vired for a different project in Noble's Park.

Resolved, "That the Noble's Park Crazy Golf Course Capital Scheme be deferred to the 2014/15 financial year."

##### **A5. Green Flag Baseline Assessments**

The Committee considered a report submitted by the Head of Parks on the Green Flag Baseline Assessments.

Following a resolution at a previous meeting of the Committee the Head of Parks undertook Green Flag baseline assessments to establish the feasibility of submitting Green Flag applications for Noble's Park, Loch Promenade and Queens Promenade. In answer to question the Head of Parks confirmed that Loch Promenade and Queens Promenade would be assessed as two separate entries.

The Head of Parks informed that should a Green Flag not be attained it must not be deemed a failure. It was noted that feedback given by the judges would form part of strategic building blocks in ensuring the future management of the parks and open spaces are more aligned to the principals of the Green Flag scheme.

It is hoped that judging would take place prior to the TT 2013.

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

- (i) Green Flag 2013 applications be submitted for Noble's Park and Loch Promenade; and
- (ii) Queen's Promenade be entered for the Green Flag application process in 2014."

##### **A6. Noble's Park BMX Track – Essential Works**

The Committee considered a report submitted by the Head of Parks on essential works required to the Noble's Park BMX Track. Members were presented with a Clark and Kent report, the British Cycling

regulations 6 and 7 for regional and national tracks, an independent playground inspection report, an onsite compliance assessment and photographs of the track.

It was noted that the BMX track was designed following an initial approach from Ramsey BMX Club, later rebranded BMX Isle of Man, in 2009. The concept of the track was that it would operate on a similar basis to the track in Ramsey which is currently maintained by the Club.

Despite numerous contacts with the club no firm indication of what the Club is prepared to do have been forthcoming and therefore no lease or license has been put in place with the Club.

Members were asked to consider if a national or regional standard track was now required following the reluctance of BMX Isle of Man to commit to Noble's Park or enter a formal agreement.

Members were presented with a Clark and Kent report detailing seven suggested works to upgrade the BMX track in line with a top national specification. The seven alterations, at a quoted cost of £60,750 were;

- To install an aco drain at the bottom of the hill
- To supply and install a starting gate with anti-slip plates
- To reshape jumps, add a stone sub base and surface the track in stone dust
- Eliminate organic matters from selected straights, tweak existing jumps and import stone dust
- To reshape berms and add a stone sub base
- Apply a tarmac surface to all three berms
- Rework areas of drainage

It was noted a recent independent inspection of play equipment was commissioned throughout the Borough and the report for the BMX track recommended that drainage is installed and that the berms are tarmacked.

The Head of Parks suggested that the works identified by the Independent Play inspection be carried out as a priority and confirmed that some works could be undertaken in house. It was agreed that a report would be considered by the Committee on the list of works that could be undertaken in house, works that required outsourcing, available funds for the works and if required additional funds to complete the works.

In answer to question, the Head of Parks confirmed the track was originally developed as a national track and would be considered as a national track following the completion of the works suggested by Clark and Kent.

Members agreed the suggested improvements provided by Clark and Kent, other than the drainage improvements and alterations to the berms, are not essential and should not be progressed.

Members suggested seeking expressions of interest for sponsors to upgrade the track to a national track and for clubs to operate the track.

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

- (i) Essential works be carried out to Noble's Park BMX Track which include installing drainage and re-shaping and tarmacking the berms;
- (ii) The Head of Parks report back to Committee on what works can be undertaken in house, what works will require outsourcing, confirmation of funds available and if required a request for additional funds to complete the works;
- (iii) Expressions of interest be sought for a sponsor to undertake the works required to be in line with a national standard track;
- (iv) Expressions of interest be sought for a club to operate the track."

#### **A7. Two Chairman Procedure – Relocation of the Fireworks Display**

The Committee noted a Two Chairman Procedure to relocate the fireworks display from the foreshore opposite Clarence Terrace and the Esplanade on Central Promenade southwards adjacent to the Broadway storm water outlet on Harris Promenade. This decision was agreed following discussions with the part sponsor of the event, Celton Manx. The Two Chairman Procedure was approved by the Executive Committee Chairman and Regeneration and Community Lead Member on the 30<sup>th</sup> October 2012.

Resolved, "That the Two Chairman Procedure be noted on the minutes."

#### **A8. Two Chairman Procedure – Summerhill Glen Decorative Lighting**

The Committee noted a Two Chairman Procedure in relation to the Summerhill Glen. The Two Chairman Procedure approved both an extension to the operation of the decorative lighting from 31<sup>st</sup>



October 2012 to 6<sup>th</sup> January 2013 inclusive and to supply and install additional projector and features for the Christmas period. A total cost of £12,000 was funded from Revenue Balances. The Two Chairman Procedure was approved by the Executive Committee Chairman and Regeneration and Community Lead Member on the 5<sup>th</sup> November 2012.

Resolved, "That the Two Chairman Procedure be noted on the minutes."

**A9. Items For Future Report**

The Committee considered a report submitted by the Assistant Town Clerk regarding reports for future consideration by the Committee.

It was agreed that the reinstatement of the amphitheatre would be removed from the list.

Resolved, "That particulars of the matters for future consideration 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 12.03pm.

VII(iii) – The proceedings of the ENVIRONMENTAL SERVICES ADVISORY COMMITTEE as follows:

# ENVIRONMENTAL SERVICES ADVISORY COMMITTEE

ENVIRONMENTAL SERVICES ADVISORY COMMITTEE – Minutes of meeting held on Monday, 19<sup>th</sup> November, 2012.

Members Present: Mr Councillor R.H. McNicholl (Chairman), the Mayor, Councillor Mrs S.D.A. Hackman, Messrs Councillors C.C. Thomas, A.V. Quirk.

Apologies: Mr Councillor C.L.H. Cain.

In Attendance: Assistant Town Clerk, Assistant Borough Engineer, Assistant Chief Officer (Corporate and Development), Building Control Manager, Senior Accountancy Officer, Democratic Services Officer.

## REPORT

### **PART A –**

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

##### **A1. Minutes 15<sup>th</sup> October, 2012**

Minutes of the meeting held Monday, 15<sup>th</sup> October, 2012 were approved and signed.

##### **A2. Planning Application 12/01327/B – Douglas Promenade Improvements Phase 1**

The Committee considered a further report on planning application 12/01327/B for Phase 1 of the Douglas Promenade Improvement works. The application was first considered at the October meeting of the Committee. Question was raised at that meeting, as to the scope of the planning application, as drawings and plans for the whole scheme, including the relocation of the horse trams, were included with the application for Phase 1. Clarification was sought and it was confirmed that the Department of Infrastructure wished to have the Council's views on the whole scheme even though this application only relates to Phase 1. The Assistant Chief Officer (Corporate and Development) advised that he is on a Promenade working group made up of officers from the Department of Infrastructure and the Council. That working group is still considering many options for the improvement of the Promenade. The group intends to appoint specialists to review the many issues related to the tram tracks. After specialist advice is received, it is hoped that the working group will be able to identify the best options for relocation of the tram tracks and the further improvement works to Douglas Promenade.

Resolved, "That the report and discussion be noted on the minutes and no objection raised to the planning application for only Phase 1 of the Douglas Promenade Improvements works. The Committee asked that it be noted that whilst it supports in principle the improvement of the whole of Douglas Promenade, it wishes to reserve comment on the remainder of the improvement scheme, subject to receipt of further details, particularly in relation to the horse tram tracks."

##### **A3. Policy and Procedure for Unsightly and Dangerous Properties**

The Committee considered a report submitted by the Assistant Chief Officer (Corporate and Development) setting out a draft manual for dealing with properties in poor condition. The manual includes definitions and proposed working methods.

Resolved, "That the report be noted on the minutes and approval be given to the policy and procedures set out in the 'Unsightly and Dangerous Properties Manual' appended to the report. In approving the manual, the Committee noted that the process for dealing with Dangerous Properties is not yet included and that in the future this will be brought for approval."

##### **A4. List of dangerous, neglected, ruinous and dilapidated properties and properties in poor condition**

The Advisory Committee considered the two lists of properties being dealt with by the Building Control Section on behalf of the Council because the exterior of the property is in a poor state.

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

##### **A5. Two-Chairman Decision**

Since the previous meeting it had been agreed to accept the offer of sponsorship from Britannia International in the sum of £1,000 towards the provision and enhanced decoration of the Council Christmas tree situated at the junction of Drumgold Street and Regent Street, Douglas, subject to appropriate provision of acknowledgement and enhanced illumination of the Christmas tree by

professional Christmas decorators. The decision to accept the sponsorship was taken by the Chairman of this Committee and the Leader of the Council on the 9<sup>th</sup> November, 2012 under the provisions of the 'Two Chairman Procedure' as a matter requiring an urgent decision.

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

**A6. Items for Future Consideration**

The Committee considered a report setting out items on which there are reports outstanding.

The Senior Accountancy Officer advised that no information has yet been received on the proposed gate fee for 2013/2014 at the Energy from Waste Plant. This is the fee which is charged for disposal of waste at the plant. Any changes to the fee may have an effect on the rates. The Committee agreed that a response was needed sooner rather than later and directed that a letter should be sent to the Minister for the Department of Infrastructure expressing concern and asking that the information should be published as soon as possible.

Members asked that information on Douglas Beach be brought back including, sand levels, groyne condition, dog walking on the beach and possible small improvements for joggers which could be made to the beach.

The Assistant Borough Engineer advised that he has had an approach regarding possible use of Douglas Beach for the trial of use of seaweed in green technology and that he will be bringing a report to Committee for consideration.

The Assistant Borough Engineer advised that a report is being brought forward on specifications for public lighting columns.

Resolved, "That the report and discussion 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***

**C7. Capital Lighting Schemes 2012/2013**

The Committee considered a report on tenders received for the replacement of Class 4 public lighting columns and associated works at various locations. A Class 4 column is one that has been identified by the report from Standard Industries as one which requires immediate structural repair or replacement as soon as practicable.

Resolved, "That the report be noted on the minutes and approval be given for:

- (i) Acceptance of the tender submitted by S. Christian and Son Limited, as the lowest tender submitted; and
- (ii) The Town Clerk and Chief Executive be authorised to petition the Department of Infrastructure for borrowing powers in the sum of £126,000 being the amount required to defray the cost of the works; and
- (iii) The Department of Infrastructure to be advised that an assessment of the Council's Reserve Fund has been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source."

The meeting ended at 11.55am.