



## **Borough of Douglas**

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**COUNCILLOR MRS CAROL ELIZABETH MALARKEY, JP  
MAYOR**

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Town Hall,

Douglas,

7<sup>th</sup> March, 2014

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 12th day of MARCH, 2014, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the TOWN HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

Town Clerk & Chief Executive

# Order of Agenda

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

II - Any statutory business.

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

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

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

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

- (i) The Executive Committee;
- (ii) The Pensions Committee;
- (iii) The Standards Committee;
- (iv) The Eastern District Civic Amenity Site Joint Committee;
- (v) Any other Joint Committee;

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, 12<sup>th</sup> February, 2014.

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

## EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Thursday, 27<sup>th</sup> February, 2014.

Members Present: Mr Councillor D.W. Christian (Chair), the Mayor, Messrs Councillors D.J. Ashford, E.A. Joyce, R.H. McNicholl.

Apologies: Mr Councillor S.R. Pitts.

In Attendance: Chief Executive, Borough Treasurer, Borough Engineer and Surveyor, Assistant Democratic Services Officer (for Clauses A9 and A10).

### REPORT

#### **PART A –**

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

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

Apologies for absence were submitted on behalf of Mr Councillor S.R. Pitts.

##### **A2. Minutes**

The minutes of the meeting held on Friday 24<sup>th</sup> January 2014, together with the minutes of the Special Joint meeting with the Environmental Services Advisory Committee held on Monday 17<sup>th</sup> February 2014, and the minutes of the Special Joint meeting with the Regeneration and Community Advisory Committee held on Tuesday 18<sup>th</sup> February 2014, were approved and signed.

##### **A3. Matters Arising From Previous Minutes**

There were no matters arising from the previous minutes.

##### **A4. Minutes and Referrals of the Environmental Services Advisory Committee**

The Committee considered the minutes of the Environmental Services Advisory Committee meeting held on Monday 17<sup>th</sup> February 2014. There were no items specifically referred to the Executive Committee.

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

##### **A5. Minutes and Referrals of the Regeneration and Community Advisory Committee**

The Committee considered the minutes of the Regeneration and Community Advisory Committee meeting held on Tuesday 18<sup>th</sup> February 2014.

Resolved, "That particulars of the minutes of the Regeneration and Community 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 19<sup>th</sup> February 2014. There were no items specifically referred to the Executive Committee.

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

##### **A7. Douglas Development Partnership Business Plan 2014 – 2018**

The Committee considered a written report by the Assistant Chief Officer (Corporate & Development) seeking endorsement of the Douglas Development Partnership's Business Plan for 2014 to 2018, and authority for the Borough Treasurer to release the annual grant to the Partnership for 2013 / 2014.

The draft Business Plan comprised two sections. The first section set out:

- the mission statement (*"the Partnership aims to improve the image and environment of the Island's capital, making it an even better place to live, visit and to do business, by working with*

*other organisations to develop and deliver projects, and by improving levels of communication and co-ordination between partners”); and*

- an overview of the current environment in which the Partnership was working, and the objectives (which were divided into three areas - physical regeneration, town centre management, and partnerships).

The second section set out the Action Plan, which identified specific actions in relation to each of the three objectives. The Action Plan was reviewed on a monthly basis and reported to the Advisory Group and Board twice a year.

Members were advised that the introduction of the Town Centre Manager post in 2011 had enabled the Partnership to become much more pro-active in ensuring the Town Centre was a safe, welcoming and enjoyable place to visit, shop and spend leisure time, and that the holding of events had two main objectives – to generate footfall and to deliver a high-quality enjoyable experience.

Since April 2013, the Partnership had organised or been involved in delivering a wide variety of events and, while the majority of the Partnership’s project budget had been directed towards the delivery of the events, other initiatives and projects had been delivered which were either self-funded, had received outside grant funding, or required no funding to deliver.

The budget of £40,000 had been included in the 2013 / 2014 Revenue Budget and Members noted the itemised breakdown of expenditure during the year (as appended to the written report).

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

(ii) That the Douglas Development Partnership Business Plan for 2014 to 2018 be endorsed; and

(iii) That authority be given for the Borough Treasurer to release £40,000 to the Douglas Development Partnership in respect of the event programme delivered during 2013 / 2014.”

#### **A8. ‘Falcon House’, 22 – 24 Ridgeway Street, Douglas – Restrictive Covenants**

The Committee considered a written report by the Assistant Town Clerk in relation to a request for the restrictive covenants attached to the property at 22 – 24 Ridgeway Street to be lifted.

Members were advised that, when Douglas Town Commissioners had sold the property in 1895, on which the building 22 – 24 Ridgeway Street was to be erected, a number of certain restrictive covenants had been attached. There were now proposals for the building (which was currently empty) to be refurbished, and for restoration work to be undertaken to return the appearance of the property to something close to the original. Once refurbished, it was intended that use of the premises would be retail on the ground floor, with office accommodation above. There was no suggestion of use as licensed premises.

It was recalled that, in previous similar cases, it had been agreed to lift restrictive covenants on the basis that, when they were imposed, they were the local authority’s only method of control, whereas, nowadays, such matters were more effectively dealt with under planning and licensing legislation.

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

(ii) That, without prejudice to any planning application that may be submitted and dealt with under delegated authority by the Environmental Services Advisory Committee or appropriate officer, approval be given for the covenants to be lifted, subject to no cost falling on the Council in preparation of the necessary legal documentation.”

#### **A9. Consultation Document – Fire and Rescue Service Bill**

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Department of Home Affairs and seeking comments to four specific questions contained therein.

It was noted that some of the current functions of the Isle of Man Fire and Rescue Service were not specifically set down in legislation, and the proposed Bill, in addition to consolidating the status of the Service as part of the Department of Home Affairs, was intended to update its functions, responsibilities, and powers to reflect current and envisaged circumstances. The Bill also provided powers for officers of the Fire and Rescue Service to enforce fire safety and to enter premises for that purpose.

The effect of the Bill, if enacted, would be to consolidate four separate Acts into one, and to introduce legislative provision for the Service to carry out some functions, which would aid clarity.

Members considered proposed draft responses to the four specific questions in the consultation document (as appended to the written report), and further suggested comments were also made.

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

(ii) That approval be given for the responses to the specific questions set out in the consultation document to be submitted to the Department of Home Affairs, together with the following comments:

- Response to Question 3 – that it be suggested that the Health and Safety Inspectorate be amalgamated with the Fire and Rescue Service, thereby taking away an additional layer of administration;
- Section 30 – that it be suggested that the penalty for impersonating a fire officer should attract a custodial sentence and be liable to a fine of £5,000, as this offence was as serious as the others listed; and
- Section 30.2(b) – that it be suggested in respect of powers of entry into a property and the inspection and copying of any document, that the wording be amended to read “inspection and copying of any document *relevant to the investigation*”; and

(iii) That the Council adds its support for the Department in rationalising and consolidating the legislative framework under which the Isle of Man Fire and Rescue Service operates.”

**A10. Consultation Document – Proposed Additional Qualifying Session during the 2014 T.T. Festival**

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Department of Economic Development proposing additional practice time be made available to competitors in the T.T. Races to enable them to properly set up their machinery.

Members noted that the proposal was to make the additional practice time available to competitors during either the morning or afternoon of either Thursday or Friday, the 29<sup>th</sup> or 30<sup>th</sup> May 2014. This would be in addition to the existing six sessions in Practice Week, plus additional sessions within the racing schedule.

Aside from the growing concern in recent years about the number of road closures and the inconvenience and traffic congestion they caused, there would be an effect on the operation of the Douglas Borough Crematorium. Operation during T.T. Week itself was already restricted by the racing schedule, and to re-introduce daytime practicing in Practice Week would impact still further on this essential facility. The proposal would affect other Council services, particularly waste collections, street cleaning, decorative lighting maintenance and other essential services.

It was noted, despite objections, that the Department might proceed with the additional road closure, in which case the Council should express a preference for it to take place on the Thursday afternoon (29<sup>th</sup> May 2014), when the effect on the Crematorium should be less serious than on the Thursday morning or the Friday.

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

(ii) That the Council objects to the proposal for an additional qualifying session for the 2014 T.T. Races on the grounds that it would be a major inconvenience to residents and adversely impact on operations at the Douglas Borough Crematorium; and

(iii) That should the Department proceed with the road closure application, the Council’s preference would be for the additional qualifying session to take place on the Thursday afternoon, the 29<sup>th</sup> May 2014, to reduce the adverse effect on the operation of the Crematorium.”

**A11. Conference Attendance – IRRV**

The Committee considered a written report by the Borough Treasurer seeking approval for attendance at the IRRV Annual Conference and Exhibition, which was due to be held at the Telford International Centre from the 7<sup>th</sup> to the 9<sup>th</sup> October 2014.

It was noted that the main speakers were generally drawn from politicians from Central and Local Government, and from finance practitioners in the public sector. Attendance was beneficial for following current trends in public sector finance and accountancy, and the Borough Treasurer would achieve up to fourteen hours of Continuing Professional Development from this one event, there being no such availability from on-Island events.

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

(ii) That approval be given for the Chairman of the Executive Committee and the Borough Treasurer to attend the 2014 IRRV Conference.”

**A12. Monthly Financial Review**

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

Members were advised that a debtor was currently in liquidation and approval was sought to write off this debt accordingly.

It was also noted that The Treasury was still in negotiations to arrange borrowing facilities for local authorities. This had proved to be more complex than originally anticipated and, in order to ensure the facility continued to be available to local authorities, a contingency borrowing arrangement had been agreed with the current provider. As soon as the new facility was in place, all local authorities would be notified by The Treasury accordingly.

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

(ii) That authority be given for the debtor write-off; and

(iii) That the situation with regard to borrowing facilities for local authorities also be noted.”

#### **A13. Centenary of Douglas Corporation Transport Motorbuses**

The Committee considered a written report by the Borough Engineer & Surveyor in relation to the forthcoming centenary of the former Douglas Corporation Transport Department’s motorbus operation.

Members were advised that Professor Roger Carey, the Secretary of the Manx Transport Trust had contacted the Leader of the Council and the Borough Engineer & Surveyor with a proposal to commemorate the one-hundredth anniversary of the Council’s municipal bus operation. The proposals for the celebration were as follows:

- To assemble all the known and operational former Douglas Corporation vehicles to coincide with the anniversary in July 2014, and to have as many as possible take part in the Douglas Carnival scheduled for 19<sup>th</sup> July 2014. A number of vehicles had already been identified, some of which were currently at the Jurby Transport Museum;
- To repaint a Leyland Olympian double-deck vehicle in Douglas Corporation livery;
- To ‘wrap’ a new Mercedes-Benz single-deck bus in Douglas Corporate livery;
- To produce a limited edition, souvenir centenary poster, depicting the Douglas Corporation vehicles, tickets, uniforms, etc, which would be sent to every Douglas ratepayer with the 2014 demand;
- To collaborate with the Isle of Man Post Office to produce a commemorative stamp;
- To produce a public display celebrating the centenary (the Sea Terminal having been suggested as an appropriate venue);
- To encourage ‘Corgi Models’ to produce a centenary model; and
- To make available for sale framed prints of suitable vehicles.

Financial support in the sum of £9,500 was being requested by the Manx Transport Trust to realise the above proposals to celebrate the centenary of the motorbus undertaking. It was recommended, however, that the proposed poster be not proceeded with as collation and additional postage charges would cost a further £2,500. Members also agreed not to proceed with transporting a ‘Tilling Stevens’ chassis, at the sum of £1,000 (which was currently at London Transport Museum) to the Island.

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

(ii) That the following proposals from the Manx Transport Trust be supported:-

- Repainting a ‘Leyland Olympian’;
- Signwriting the ‘Olympian’;
- Exhibition materials;
- Support for ferry crossings;
- Support for mechanical work to a ‘Regent IV’, on the condition that it would definitely be done by the July 2014 deadline;

(iii) That financial support to the Manx Transport Trust, in the sum of £7,500, be approved by way of a virement from Revenue Budget savings identified during the budget process in the current financial year; and

(iv) That the Manx Transport Trust also be advised that, as a further condition of the provision of financial support, the vehicles were to be available for the Council to utilise, free of charge, at future events organised by the Council, and this would be covered by formal written agreement between the two parties.”

**A14. Noble's Park – Planning Application for the Erection of Hospitality Facility for the T.T. and Festival of Motorcycling**

The Committee considered a written report by the Building Control Manager in relation to a planning application for the erection of a hospitality facility on part of the playing fields at Noble's Park for the T.T. and Festival of Motorcycling (formerly the Manx Grand Prix), and other additional events.

Members recalled that, at their meeting on 24<sup>th</sup> January 2014, it had been resolved not to raise an objection in respect of the planning application for the erection of a temporary two-hundred-and-forty bed hotel and marquee on land adjacent to the Noble's Park Pavilion, on a permanent basis during future Practice and T.T. Race Weeks.

The Regeneration and Community Advisory Committee had now considered a request from the Department of Economic Development seeking agreement on terms and conditions for the proposed marquee to be situated in Noble's Park for the period between the T.T. Festival until after the Festival of Motorcycling, and for it to be used for possible other events (which could include the use of amplified music). It was noted that the application was proposed for this year, 2014, and all future years that the events took place.

Although the application referred to use of the facility for the T.T. and Festival of Motorcycling periods, it did not specify the time the facility might be in place and it was agreed that until the end of September was a suitable length of time.

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

(ii) That no objection be raised in respect of planning application 14/00170/B for the erection of a hospitality facility on part of the playing fields at Noble's Park; and

(iii) That approval be given for the facility to be in place until the end of September."

**A15. Police House, Pulrose Road, Douglas – Planning Application for Change of Use**

The Committee considered a written report by the Building Control Manager in relation to a planning application for the Pulrose Police House for a change of use from existing police station to community centre.

The Police House had not been occupied for some time and the proposal, received on behalf of the Methodist Church and Scripture Union Ministries Trust, for a change of use to a community centre would make best use of this unused building. The property had been scheduled for demolition in the next phase of the Pulrose Refurbishment Scheme, but that was not likely to proceed for some time. Although no additional car parking provision had been made, it appeared that the proposal would not have any unacceptable effect on road safety.

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

(ii) That no objection be raised to planning application 14/00185/C, in respect of the Pulrose Police House for a change of use from existing police station to a community centre."

**A16. Items for Future Report**

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

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

***PART B –***

***Matters subject to Council approval***

No public matters subject to Council approval were considered.

The Committee rose at 3.50pm.

The proceedings of the EXECUTIVE COMMITTEE / ENVIRONMENTAL SERVICES ADVISORY COMMITTEE as follows:

# EXECUTIVE COMMITTEE / ENVIRONMENTAL SERVICES ADVISORY COMMITTEE

EXECUTIVE COMMITTEE / ENVIRONMENTAL SERVICES ADVISORY COMMITTEE –  
Minutes of Special Joint Meeting held on Monday, 17<sup>th</sup> February, 2014.

Members Present: Mr Councillor D.W. Christian (Chairman), the Mayor, Councillors Mesdames C.A. Corlett, S.D.A. Hackman, Messrs Councillors S.R. Pitts, D.J. Ashford, R.H. McNicholl, Councillor Mrs E.C. Quirk.

Apologies: Mr Councillor E.A Joyce, Chief Executive.

In Attendance: Borough Engineer and Surveyor, Borough Treasurer, Assistant Town Clerk, Senior Engineering and Waste Services Manager, Democratic Services Officer.

## REPORT

### **PART A -**

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

##### **A1. Response to Government Consultation Document on Waste Management**

The Committee considered a report setting out the Council's proposed response to a consultation letter received 30<sup>th</sup> December, 2013 from the Head of Waste, Department of Infrastructure regarding alternative means of service delivery of municipal waste management on the Isle of Man. The ten page letter was divided into the following fifteen sub-headings:

1. Waste collection;
2. Waste disposal;
3. Local authority waste responsibilities and delivery mechanisms;
4. Current Department of Infrastructure waste responsibilities and delivery mechanisms;
5. Cost of service;
6. Benchmarking source data;
7. Refuse collection;
8. Benchmarking data on refuse collection;
9. Street Cleansing
10. Benchmarking data for street cleaning;
11. Option 1 – Creation of single Waste Authority;
12. Option 2 – Transfer DoI services / responsibilities to local authorities;
13. Option 3 – Create regional service delivery platforms;
14. Consultation;
15. Questions.

The Borough Engineer and Surveyor advised the Committees that the consultation exercise emanated from the Government's Head of Waste rather than any political source, and that the benchmark figures quoted in the letter were questionable. He felt that the questions within the letter were loaded to give weight to a view that there were too many refuse collection authorities in the Island. He reminded Members that refuse collection was a fundamental local authority role.

The proposed response to the consultation document offered structured responses to it and then raised further questions for reply by the Department.

Member reviewed the document and made a number of clerical and wording changes as detailed in the resolution.



There was discussion of the way that the consultation has been undertaken and comment that this has only been at officer level, not at political level, unlike the Housing consultations which have been at both officer and political levels; and although those have been difficult, ultimately consensus has been achieved. The Committees agreed that as well as sending the detailed response, a letter should be sent jointly to the Chief Minister and the Minister for the Department of Infrastructure. The letter should set out the Council's grave reservations regarding the consultation to date and ask that it be withdrawn and the direct negotiations be initiated between the Department and Local Authorities along similar lines as has been undertaken in relation to social housing.

Members also discussed whether the response should be in public or in private, and it was agreed that the matter should be in public and that the Council should prepare a press release on the matter.

Resolved, "That the report, draft response to the consultation document and the discussion be noted on the minutes and approval be given to the draft response subject to these amendments:-

- In section 1.1, sub-heading Principle 1, fifth sentence the word *by* to be added between the words *provided* and *Government*;
- In section 1.1.2 the heading for table 1 to be changed to *Distribution of Isle of Man Population by Local Authority Households*;
- In section 1.1.3, a mention to be added to indicate that kerbside recycling collections have been carried out in Port St Mary on a trial basis;
- In section 4.2, within Table 3, to change the phrase from *Job losses at the outset* to *Job losses longer term*;
- In the final paragraph of 5.2 close the quotation marks around the phrase "*Cleaner, Safer, Greener*";
- In section 5.3, delete the second paragraph;
- In section 5.4, fourth paragraph, change the word *Councils* to *Authorities*;
- In the final paragraph of section 5.5, strike out the word *etc*;

Further resolved, "That the Council's response be copied to the Chief Minister and by e-mail to the whole Council of Ministers, and that the Council's public relations adviser draft an appropriate press statement in relation to it."

Further resolved, "That a letter should be sent jointly to the Chief Minister and the Minister for the Department of Infrastructure. The letter should set out the Council's grave reservations regarding the consultation to date and ask that it be withdrawn and the direct negotiations on waste services in the Isle of Man be initiated between the Department and Local Authorities."

#### ***PART B –***

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

There were no items requiring Council approval.

The meeting ended at 3.25pm.

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

# PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 26<sup>th</sup> February, 2014.

Members Present: Messrs Councillors C.L.H. Cain (Chairman), D.J. Ashford, J. Joughin, R.H. McNicholl, Councillor Ms K. Angela, Mr A. Thomas (Independent Member).

In Attendance: Mr Mark Freeman, Scheme's Investment Advisor – Hymans Robertson (Items A1 to A11), Mr Chris Moore, Fund Manager, BlackRock (Item A4), Mr David Chatel, Fund Manager, BlackRock (Item A4), Mr Simon Betteley, Fund Manager, BlackRock (Item A4), Mr Chris Bell, Fund Manager, Capital International (Item A8), Borough Treasurer, Assistant Chief Officer (Finance), Democratic Services Officer.

## REPORT

### **PART A –**

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

##### **A1. Minutes – 27<sup>th</sup> November 2013**

The minutes of the meeting held Wednesday, 27<sup>th</sup> November, 2013, were approved and signed.

##### **A2. Training presentation – Selection of active and index-tracking managers**

The Committee considered a training presentation on the selection of an active and index-tracking manager by Mr Mark Freeman of Hymans Robertson.

Mr Freeman began by reminding Members of the planned investment structure agreed at the November Committee meeting. The Scheme is looking for one new manager to index-track UK equities, conventional gilts and index-linked gilts and a new active manager to actively manage global equities. Members were advised of the current percentage split and the proposed percentage split in each asset class.

Mr Freeman went on to discuss the potential benefits of the new structure which included a reduction in fees and more efficient management of assets. In response to a letter BlackRock indicated, under the new structure, they would like to manage property, credit and absolute return, although absolute return is currently managed efficiently by Capital International. Members were presented with the proposed timetable for the implementation of the new structure.

Mr Freeman discussed the search process for an index-tracked manager, the search is a straightforward search in terms of mandate objectives and limited manager universe and there is not a requirement to advertise. Members were presented with two possible approaches, to appoint directly one of the leading UK index-tracking managers, but based off island; this was subject to the Committee receiving an acceptable legal opinion. The second option was to approach an on Island manager; the manager would be expected to implement the required strategies by purchasing third party funds. Members had a brief discussion on the possible approaches and agreed to discuss in detail during a separate agenda item at the meeting.

It was noted there were concerns about funds being contained solely in the Isle of Man.

The presentation advised of key features expected of the new managers and how they will be suitably validated.

Members considered the active manager search, it was noted the active manager selection would be a similar process to appointing Capital in 2012. The factors to consider during the selection process were briefly discussed.

In response to question, the Borough Treasurer advised there is an ethical statement in the Best Practice Document. A Member opined that it would be difficult to manage an ethical mandate through index-tracking management.

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

##### **A3. Review of Investment Managers' Performance**

The Committee considered a report circulated by Hymans Robertson reviewing the Investment Managers' performance for the end quarter of 2013.

Mr Freeman advised that generally BlackRock had a good quarter outperforming its benchmark by 1.2% delivering a strong absolute return of 4.8% as equities and property markets rallied. The fund before fees was ahead of the benchmark over the one and five year periods, but underperformed over the past 3 years.

Members noted asset allocation and stock selection both generated contribution to the outperformance, an overweight position in International Equities and having less exposure to Fixed Interest securities than the benchmark enhanced relative returns.

Mr Freeman suggested questioning BlackRock's overweight position in equities and if they intend to sell equities during the quarter.

Mr Freeman advised that he would provide an overview of Capital International's performance after the BlackRock presentation.

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

#### **A4. Investment Manager's Presentation – BlackRock**

Mr Chris Moore, Mr David Chatel and Mr Simon Betteley of BlackRock joined the meeting to present a report on the investment manager performance for quarter four of 2013.

Mr Moore began by introducing Mr Betteley, one of the two account managers in a specialist unit delegated to look after local Government pension schemes. Members were advised Mr Betteley would attend future pension investment Committee meetings and at this meeting would present the market outlook.

Mr Moore advised the fund outperformed during the quarter by 1.3%, positively contributing to the one year, five year and since inception performance figures.

Mr Moore discussed in detail UK equity performance during the quarter which outperformed the benchmark by 1.8%. Members were presented with performance attribution for the UK equities stocks and sectors and the key transactions during the period.

In response to a question, Mr Moore was of the opinion that UK equities were more likely to continue to produce positive returns for the present in comparison to negative returns in bonds.

Mr Moore went on to discuss the outperformance of overseas equity performance at 0.4%, advising what went well and didn't work during the quarter.

In relation to Fixed Income the fund outperformed its benchmark by 0.1% during the quarter. This was driven by two main factors, the positioning of the portfolio in relation to the yield curve positioning and non-government allocations.

Mr Moore concluded by discussing the property fund which outperformed by 0.2% (net of fees) during 2013, despite a better finish to the year. Members were presented with a cash flow analysis; BlackRock purchased two university students housing properties during the period among other assets.

Mr Betteley began by discussing the 2013 outperformance of equities resulting in high returns, risk assets were viewed as becoming more valuable compared to fixed income and it was felt that risk assets were the best place to invest. It was noted that 2013 was the biggest equity outperformance of bonds for many years.

Mr Betteley went on to discuss his views on world growth in 2014 and concluded by presenting the 2014 position outlook for the portfolio.

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

Mr Moore, Mr Betteley and Mr Chatel were thanked for their presentation and left the meeting.

#### **A5. Review of Investment Managers' Performance**

The Committee returned to consideration of a report submitted by Hymans Robertson on Capital International's performance during the final quarter of 2013.

Mr Freeman advised that over the quarter the fund delivered an absolute return of 2.6% outperforming the benchmark of LIBOR (+ 3% per annum) by 1.7%. The fund remained ahead of benchmark over the past 12 months and since inception. It was noted that the strong performance of equities significantly contributed to performance over the quarter and Capital's hedge fund investments also performed well in the end of 2013.

There was discussion surrounding the extremely low level of transactions within the fund, however, Mr Freeman confirmed an absolute return fund such as managed by Capital consisting primarily of external pooled funds, would not be expected to carry out a high level of transactions.

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

#### **A6. Capital Market Service**

The Committee considered a presentation by Mr Freeman on the quarter four market update.

Mr Freeman began by explaining market returns for the quarter, a series of graphs were presented to Members demonstrating the unemployment rate, annual CPI inflation, and global equity relative

performance, Government Bond Yields and investment-grade yield spreads per annum, S&P500 Reported Earnings, Emerging Market equities and the IPD Monthly Index.

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

#### **A7. Adjournment and Resumption**

The Committee adjourned at 1.05pm and resumed at 2.00pm with the same Members and officers present.

Mr Chris Bell, of Capital International, joined the meeting to present the end quarter investment review.

#### **A8. Investment Manager Presentation – Capital International**

Mr Bell reported that 2013 was a strong year, the strategies continued to perform well in the fourth quarter of 2013, as equities were boosted by continued liquidity and economic data.

Mr Bell provided an insight into key economic and market themes for the quarter. This was followed by details of the current asset allocation and recent activity.

Mr Bell advised that during quarter one of 2014 cash was almost fully invested and confirmed that he was positive about the current funds and shares held.

Mr Bell finished by discussing economic and market thoughts.

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

Mr Bell was thanked for his attendance and left the meeting.

#### **A9. Annual Review of Investment Managers**

The Committee considered a report submitted by Hymans Robertson comparing performance information on BlackRock and Capital International alongside the performance of their respective benchmarks and peer groups.

The report began by evaluating the performance of BlackRock up to 31<sup>st</sup> December 2013 across the broad asset classes of UK equities, overseas equities, bonds and property against their respective benchmark index returns and peer groups of other active managers operating in the UK. Members were advised most of the managers in the universe may not be directly investable for the Scheme given the regulations which the Scheme must adhere to and therefore the type of funds are not directly comparable. Graphs demonstrating the second and third quartile of peer groups in 2013 compared to the fund were used throughout the report.

Overall the UK equity and overseas equity performance were disappointing. Hymans Robertson continued to recommend, as previously approved by the Committee, to use a passive index-tracked fund for UK equities and an alternate active manager for the overseas mandate.

Members considered the property fund which outperformed the benchmark in 2013 and over the past three years and five year periods, although the fund had significantly underperformed since inception. Hymans Robertson continued to support the current BlackRock pooled fund.

In relation to fixed interest Members noted BlackRock outperformed the benchmark index over all-time periods shown in an asset class which would normally be expected to have fewer opportunities available compared with an asset class such as equities. Hymans Robertson remained supportive of the BlackRock fixed interest team.

The report went on to explain BlackRock's performance through asset allocation by separating returns into asset allocation and stock selection effects. Asset allocation was the main driver for outperformance in 2013 and sub asset allocation (i.e. the allocation between sub-asset groups within each asset class) was the main cause of underperformance over the past three years.

Overall, BlackRock delivered a return of 14.3% over the year, outperforming the benchmark by 0.7% before fees. The portfolio lagged the benchmark over the three year period. Hymans Robertson believed the results continued to indicate the need for some changes to the mandate. It was noted that BlackRock fees equate to roughly 0.65% per annum.

Mr Freeman went on to review the performance of Capital International whose target is to generate a positive absolute return in all market conditions instead of comparing its performance against a benchmark index. Capital International outperformed its performance target in 2013 by 8.0% gross of fees and remained ahead of target since inception in October 2012. Members noted however that the outperformance has been achieved during a period when equities performed well and LIBOR was at a low level. Hymans Robertson remained supported of Capital International as the manager for the absolute return mandate.

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

**A10. Manager Selection – Process and timetable for index tracking and the active global equity search**

The Committee considered a report submitted by the Borough Treasurer, and a presentation by Hymans Robertson, setting out a proposal to improve the investment structure. This included either, directly employing, or via an Island based manager, engaging in index-tracking funds and a proposed process to appoint a new active manager for Global equities.

Members firstly considered the report submitted by the Borough Treasurer, the report advised that following legal advice in relation to investing directly in Legal and General (L&G) to directly provide the index-tracking funds required by the Committee, it was possible that a direct investment in L&G would not be compliant with Regulations, and to seek suitable legal advice around this could be expensive and involve business risks. The Borough Treasurer, having discussed with the Council's advocate and Hymans Robertson, advised that the costs involved of obtaining further legal advice would likely outweigh the likely benefits and may not achieve the required satisfaction.

Members were advised that legal advice had been obtained in relation to directly investing in L&G regarding whether the IOMLGSS can invest in their unit linked insurance policy, given the fact that L&G is not registered with the Financial Supervision Commission in the Isle of Man. L&G advised that they do not provide legal advice to clients and any advice the Council wish to rely on would need to be obtained by the Pensions Committee, the Borough Treasurer advised that obtaining the advice would be expensive. L&G did advise that they had been doing this nature of business for many years and they have a close working relationship with the (UK) Financial Conduct Authority.

Members expressed concerns about directly investing in L&G without clear legal advice confirming that this was acceptable.

Members were advised, following discussions with Hymans Robertson it was considered that a search for a manager in the Isle of Man should still provide a suitable index-tracked product at a reasonable fee. The presentation circulated to Members suggested a search be conducted and it was recommended that Hymans Robertson be appointed to carry out the search.

The proposed timetable was discussed in particular the active manager search being reported back to the May meeting for the Committee's decision. It was highlighted that the Committee could be subject to a change in Members at the special selection Council meeting meaning the May meeting would be the first meeting of the new Committee. In light of this Members agreed to hold a special meeting to consider potential managers on the 23<sup>rd</sup> June 2014 at 10.00am. The Borough Treasurer opined that a special meeting would work better for the Committee as it enables a better timetable to interview potential managers.

Mr Freeman provided a brief overview of the proposed process and timetable; in light of Hymans Robertson offering to search for both managers he left the room for the remainder of the discussion.

Members discussed the fees proposed by Hymans Robertson as detailed within the report. The report highlighted that the savings in future investment manager fees were expected to be around £40,000 per annum, therefore the search fees proposed would be recovered within one year after the implementation.

In answer to question, the Borough Treasurer advised the cost to analyse and score a maximum number of managers would be reduced if the number of managers were reduced.

The Borough Treasurer advised Members that there will be an additional cost for the newspaper adverts.

Members discussed the requirement from managers in relation to presenting to the Committee, currently; each manager tends to provide a market background during their presentation however Hymans Robertson provides a quarterly capital market report to the Committee. There was a suggestion to circulate Hymans Robertson quarterly report to managers so they are aware of what has been discussed but the Borough Treasurer pointed out they may not want to circulate their research to other organisations. There was also a discussion on how often each manager should be required to attend the Committee.

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

(i) Further legal advice from English Solicitors on the ability of Legal and General Assurance to directly provide the index-tracking funds required by the Committee not be sought and instead the Committee consider achieving this through managers in the Isle of Man;

(ii) Hymans Robertson be appointed to carry out the search for employment of a manager in the Isle of Man that can provide a suitable index-tracking product at a reasonable fee;

(iii) Hymans Robertson be appointed to carry out the search for employment of a manager in the Isle of Man that can provide suitable active management of the Global equity portfolio at a reasonable fee;

(iv) The costs proposed by Hymans Robertson to carry out both searches be accepted."

Mr Freeman re-joined the meeting.

#### A11. **Outcome of Consideration of a Lump Sum Contribution into the Pension Fund**

The Committee considered a report by the Borough Treasurer and a presentation by Hymans Robertson on the effect of employers making a lump sum contribution to the Isle of Man Local Government Superannuation Scheme.

At the November 2013 meeting of the Committee Members asked Hymans Robertson to explore a proposal for a lump sum contribution to the Scheme.

Members noted the results determined that a £2.5 million lump sum had the following effects;

- A 5% increased probability of being fully funded over the medium term (i.e. 2025)
- An expected reduction of around 1-2 years of the period required to achieve full funding
- A modest increase in the probability of achieving target in 2034.

Members agreed a lump sum contribution did not have a sufficiently beneficial effect and as a result it was unlikely to gain unanimity with all employers during the current financial challenges facing local authorities. It was viewed as a potentially controversial proposal.

Resolved, "That particulars of the report and discussion be noted on the minutes and the Committee do not suggest to employers that a lump sum be paid into the Scheme."

#### A12. **Funding Statement Strategy**

The Committee considered a report submitted by the Borough Treasurer to present for final approval the Funding Strategy Statement as required by the Local Government Superannuation Scheme Regulations.

Attached to the report was the Funding Strategy Statement which is a summary of the Fund's approach to funding liabilities.

Resolved, "That the final Funding Strategy Statement be approved for publication on the Council's website."

#### A13. **Items for Future Reports**

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.

Resolved, "That particulars of the items for future 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***

#### C14. **Appointment of Independent Member for the municipal years 2014/15 and 2015/16**

The Committee considered a report submitted by the Borough Treasurer on the appointment of an Independent Member for the next two years. The current Independent Member, Mr Andrew Thomas, will have served the initial two year term approved by the Council at the end of April 2014.

Mr Thomas confirmed prior to the meeting that he would like to continue in his role as Independent Member and advised that he has no conflict of interests.

Mr Thomas left the room for the remainder of the discussion.

Members unanimously agreed that Mr Thomas had been an asset to the Committee and were pleased to have the opportunity to work with him for the next two years.

Resolved, "That particulars of the report and discussion be noted on the minutes and the appointment of Mr Andrew Thomas as Independent Member to the Pensions Committee for the municipal years 2014/15 and 2015/16 be recommended to the Council."

The Committee rose at 4.10pm.

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, 19<sup>th</sup> February, 2014.

Members Present: Mr Councillor D.J. Ashford (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 (Income), Assistant Chief Officer (Housing and Property), Housing Manager, Democratic Services Officer.

## REPORT

### **PART A –**

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

##### **A1. Minutes 15<sup>th</sup> January, 2014**

The minutes of the meeting held Wednesday, 15<sup>th</sup> January, 2014 were approved and signed.

##### **A2. Fixed Term Tenancy Agreements**

The Committee considered a report on new fixed term tenancy agreements to be implemented from 1<sup>st</sup> April, 2014. Attached to the report was the draft tenancy agreement which has been prepared by the Council's legal advisors for implementation for all new tenancies and all transferred tenancies from April 2014. Members noted the legal implications of the new agreement and particularly noted that the use of fixed term tenancies for social housing in the Isle of Man is untested as far as the Courts are concerned and issues may arise with regard to the Court interpretation of the fixed term nature of the tenancy in the event of a breach by tenants in the future. The Committee noted that this will be monitored and any issues, including any corresponding increased legal fees will be reported to the Committee if and when they occur.

Members reviewed the agreement and raised questions on a number of different issues. There was question on the implications of section 2.14 which bans possession of drugs or other illegal controlled substances by the tenant or any other person occupying the property with the permission of the tenant. It was explained that possession or supply of drugs away from the property would not fall within the ban imposed by this clause. The Housing Manager advised that it was only possible to get a possession order if there had been a conviction for drug related offenses. There was further query about the possibility of applying for social housing where the applicant had been convicted of an offence and served time in prison. The Housing Manager further advised that once an offender has discharged their sentence, they may submit an application for housing and that the Council has the right to insist on a twelve month good behaviour bond before the applicant is put onto the housing list. To refuse to allow a former prisoner to ever apply for social housing would be in effect, applying two punishments for the one crime as they will have served a prison sentence and would have the second punishment of a ban on social housing.

Question was raised as to what in the draft tenancy agreement prevents a tenant owning another property either on or off the Island. Officers advised that this is one of the matters dealt with in the application process and that section 2.4 states: "*That the Property will be the Tenant's only residence and that the Tenant will reside there permanently.*"

In response to Members, it was stated that any commitment for automatic renewal within the fixed term tenancy could negate the effect of the five year agreement. The Council cannot give a blanket assurance as to a right to stay in a particular property indefinitely. The purpose of the fixed term tenancy is to change the perception that social housing allocation is for life.

The Committee reviewed the section detailing those maintenance issues which will be the responsibility of the tenant. This is to clarify for all tenants what repairs and maintenance are carried out by the Council, and what should be done by the tenant. Question was raised as to whether this could lead to significant differences in the tenant responsibilities between new and old tenants. The Assistant Chief Officer (Housing and Property) advised that it is intended that all tenants will be moved to the new tenancy agreement over the next five years.

Question was raised about the restrictions on running a business from a Council house. The Housing Manager advised that this restriction would not prevent a self-employed person living in social housing, but it would prevent operation of a business with clients calling at the property and/or trade delivery of goods for sale. Publication of leaflets, posters, circulars would all indicate operation of a business.

Resolved, "That the report and discussion be noted on the minutes and approval be given to implementation of the fixed term tenancy agreement as drafted, subject to these amendments:-

- (i) In the second line of paragraph 2.8 commas to be added between the words *relatives* and *boarders* and between the words *him* and *her*; and
- (ii) In the second line of paragraph 2.11 these words to be separated by commas – *placard* and *advertisement* and *sign* and *letter*; and
- (iii) In Schedule Two, paragraph 7, the word *Members* and a comma to be added between the word *any* and *officers*; and
- (iv) In Schedule Two, the duplication of numbering for section 14 and subsequent numbering to be corrected."

**A3. Housing Performance Data**

The Committee reviewed the quarterly housing performance data report.

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

**A4. Matters for Future Consideration**

The Committee considered the report on matters for future consideration. No additional reports were added to the schedule attached to the report.

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

***PART B –***

***Matters requiring Executive Committee approval***

There were no items requiring Executive Committee approval.

***PART C –***

***Matters subject to Council approval***

There were no matters requiring Council approval.

The meeting ended at 11.30am.



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, 18<sup>th</sup> February, 2014.

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

Apologies: the Mayor submitted apologies for the morning session of the meeting.

In Attendance: Assistant Town Clerk, Assistant Chief Executive, Assistant Chief Officer (Finance), Senior Engineer and Waste Services Manager, Head of Parks, Assistant Democratic Services.

Declarations of Interest: Mr Councillor G.J. Faragher declared an interest in Clause A2.

## REPORT

### **PART A –**

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

##### **A1. Minutes – 20<sup>th</sup> January, 2014**

Minutes of meeting held on Monday, 20<sup>th</sup> January, 2014, were approved and signed.

##### **A2. Douglas Golf Club**

Mr Councillor G.J. Faragher declared an interest in this item and retired whilst it was considered.

Mr Mike Vipond joined the meeting to provide a verbal update on Douglas Golf Club and Course.

Mr Vipond began by thanking the Committee for their investment in machinery that has vastly improved the condition of the golf course in the winter months. Mr Vipond advised that the Council's staff were doing an excellent job at the course and the Committee's decision to introduce monthly payments had retained a large number of the Club's Members in the difficult economic times.

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

##### **A3. 2014 Horse Tram Season**

The Tramways Operations Supervisor and the Tramways Superintendent joined the meeting to discuss the 2014 horse tram season.

The Committee previously requested that the option of extending the horse tram season without incurring additional costs be explored.

The Committee considered a report submitted by the Assistant Chief Executive recommending the service operates on the basis of the 2013 season which is the preferred programme in the current financial climate.

Members were advised that a significant income was received from Explorer Ticket sales from the Department of Community Culture and Leisure. If the season was to be changed to provide a lesser service, then this income would reduce, and if the agreement was discontinued it would be very unlikely that the loss of income would be recouped through ticket sales.

In answer to question, the Tramways Operations Supervisor confirmed the Council have 27 horses, 22 of which are able to undertake the duties required, and each horse does a maximum of two return journeys in any given day.

A Member asked if the recent flooding had affected the stables, the Tramways Operations Supervisor advised there had been minimal damage.

The Chairman suggested the Tramways staff attend a Committee meeting prior to and after the horse tram season.

Resolved, "That particulars of the report and discussion be noted on the minutes and in respect of the 2014 horse tram season the service operates:-

- For an 18 week season, commencing Monday, 12<sup>th</sup> May, 2014 and ending on Sunday, 14<sup>th</sup> September, 2014 (both dates inclusive);

- That the operating times daily be 9.00am (first tram from Strathallan) and finishing daily at 6.00pm (last tram from Strathallan at 5.20pm), with two trams in operation.”

#### A4. **Switched On Events Limited – Hire of Noble’s Park for Christmas/New Year period 2014**

The Committee considered a report submitted by the Assistant Chief Executive, following a request from Switched On Events Limited, to site a marquee in Noble’s Park during the Christmas/New Year period 2014.

In answer to query, the Assistant Chief Executive advised the marquee would be sited for the month of December 2014 to host a number of corporate and private events. Set up would commence mid-November and the site would be clear by mid-January 2015, exact dates will be included in the agreement.

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

- (i) Switched On Events Limited by authorised to hire the ‘boneyard’ area of Noble’s Park over the Christmas/New Year period, conditional upon further information in respect of the events to be held, licensing, security, risk assessments, insurances, legal agreement, health and safety matters, consultation with relevant statutory organisations and noise mitigation measures;
- (ii) Music and/or liquor licences cease at midnight, with the exception of New Year’s Eve with opening until 1.00am to be permitted;
- (iii) A fee be requested for the period, such fee be paid in full by 12<sup>th</sup> May, 2014, with any additional costs to be borne by the hirer;
- (iv) As the ‘boneyard’ area is gravelled, the requirement for a £10,000 deposit be waived (the Council being protected through its legal agreement for reinstatement/damage);
- (v) The Chairman and Council officers be delegated to liaise with Switched On Events in respect of the details of the events to be held.”

#### A5. **Douglas Carnival**

The Assistant Chief Officer (Corporate and Development) joined the meeting for consideration of the report submitted on Douglas Carnival.

The Assistant Chief Officer (Corporate and Development) provided an update on the Douglas Carnival, Members were advised that application forms are available online and can be sent by hard copy or e-mail if preferred. A link to the application form had been sent to a comprehensive list of clubs, groups and other organisations and there have been several requests for forms already although no entries had been submitted to date.

In answer to query, the Assistant Chief Officer (Corporate and Development) advised that posters and flyers will be distributed following the securing of the main sponsors and media partner. Meetings had taken place with both parties and it was envisaged they would be secured by the end of the week. A series of gold, silver and bronze sponsorship packages had also been produced and were in the process of being distributed to the appropriate organisations.

Members were advised of the road closure and parking suspension applications submitted for the Carnival, the Assistant Chief Officer advised that since the preparation of the report a road closure for both carriageways to be closed during the event, with the exception of buses, had been submitted.

Members discussed the Carnival After Party event, it was proposed to erect a stage on the paved area in front of the former power station on North Quay and discussions have commenced with a potential sponsor.

Members agreed that a finale act was required to ensure revellers stay on the North Quay for the whole evening and the event is well attended. The report recommended a group called ‘Spark’ from the UK; a troop of high-impact carnival drummers whose costumes and drums are spectacularly illuminated. Members were presented with a video recording of the act.

The Assistant Chief Officer (Corporate and Development) confirmed a variety of street acts and live performers will be in attendance at the Carnival After Party to coincide with the finale act.

It was agreed that the poster template and sponsorship packages would be circulated to the Members of the Committee.

A Member suggested a sandcastle building competition take place on the beach during the Fun Day element of the event and Members discussed the historical pram race with a suggestion for something similar at the Carnival re-launch.

Discussion took place surrounding a possible Community Committee; Officers were unclear as to the potential remit of the Community Committee. Members agreed to establish a community committee to suggest creative ideas for the event and assist with a variety of tasks on the day of the event.

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

- (i) The updated route and road closure arrangements be noted and approved;
- (ii) The principles of the proposed sponsorship arrangements set out in the body of the report are approved;
- (iii) A finale act, 'Spark' be engaged for the Carnival After Party;
- (iv) That a Community Committee be established and the Assistant Chief Officer (Corporate and Development) seek to find creative individuals to suggest ideas for the event and assist with a variety of tasks on the day of the event."

**A6. Adjournment and Resumption**

The Committee adjourned at 12.58pm and resumed at 2.14pm.

Her Worship the Mayor joined the meeting and Mr Councillor G.J. Faragher submitted apologies for the remainder of the meeting.

**A7. 2014 Firework Display Supplier**

The Committee considered a report by the Assistant Democratic Services Officer on the approval of the 2014 firework display supplier and the firing location of the display.

Following a request from the Committee an exercise was carried out inviting written quotations from suitably qualified firework suppliers for a barge fired display and a beach fired display. The proposed display is expected to be of comparable quality and duration as the 2013 display. Four suppliers submitted quotations.

The lowest quotation submitted was Star Fireworks for both the beach fired and barge fired requests. A beach fired display was a marginally lower price.

The report recommended a barge fired display. Members had in front of them health and safety concerns related to a beach fired display as submitted by the Council's Health and Safety Officer. Members noted comments from Star Fireworks opining that a barge fired display would be preferred as a bigger and more memorable display can be produced, and the Firework Display sponsor has in previous years voiced their preference of a barge fired display.

In light of the reasons provided, and on the basis that the display together with the barge are considerably less than the 2013 event, Members opted for a barge fired display to be funded from the sponsorship money received for the event.

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

- (i) The 2014 firework display be fired from a barge on Friday, 7<sup>th</sup> November, 2014;
- (ii) Star Fireworks, at the lowest cost for a barge fired display, be approved as the 2014 firework supplier;
- (iii) The cost to hire a barge be offset against sponsorship received for the event;
- (iv) The comments submitted by the Council's Health and Safety Advisor, in relation to safety implications at a beach fired event, be noted."

**A8. Sponsorship of 2014 Council Events**

The Committee considered a report submitted by the Assistant Democratic Services Officer on the sponsorship of the 2014 Fireworks Display and Christmas Lights Ceremony.

Members were advised that an advert inviting sponsorship for the 2014 public events was published in the local newspaper. Subsequently Celton Manx, for the fourth consecutive year, submitted a proposal to sponsor the 2014 Fireworks Display for a monetary donation plus add on benefits detailed in their proposal. The report detailed the package the sponsor would receive in exchange from the Council.

3FM, for a fifth consecutive year, submitted a media proposal for both events, the cost would be equally divided between the Council and 3FM.

Members discussed elements of the 3FM proposal and agreed, in light of the Council's own digital media sources, the online advertising provided is no longer required.

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

- (i) The Celton Manx proposal, for a monetary donation plus add on benefits, to sponsor the 2014 Fireworks Display on Friday, 7<sup>th</sup> November, 2014, be accepted;
- (ii) Celton Manx be involved in early discussions with officers regarding the event;
- (iii) The media package submitted by 3FM for both the Fireworks Display and Christmas Lights Ceremony be accepted subject to the removal of the online activity."

**A9. Planning Application 13/91533/B Douglas Promenade Improvements Phase 2**

The Committee considered planning application 13/91533B seeking approval for Phase 2 of the Improvement works to Douglas Promenade. This Phase of work will run from Peveril Square to the Admiral Hotel, just beyond Regent Street. The plans show the carriageway, then a footway, then 'tram corridor' just next to the Marine Gardens. Detailed plans were only available for this Phase of work.

The Committee were advised that that the Environmental Services Committee considered the planning application at its February Committee meeting and raised no objection.

The Assistant Chief Executive advised that the Department intends to seek Tynwald funding and approval in July 2014, and prior to this they would like to make a presentation to the full Council.

Members viewed the plans provided by the Department. Committee noted an email from the Department dated 14<sup>th</sup> February 2014 clarifying that the horse trams will not now be required to terminate at Regent Street during 2014 and that the 2014 horse tram season will be unaffected by the works.

Members discussed the horse tram passing places, the Council supported the one track horse tram, however the Department of Infrastructure's proposed plan was to have one passing place outside the Empress Hotel, as this was viewed the half way mark of the Promenade. Members agreed two passing places, one at the Sefton Hotel and one at the Palace Hotel would be preferred.

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

Further resolved, "That officers negotiate with the Department of Infrastructure, two horse tram passing points, one at the Sefton and one at the Palace Hotel."

**A10. Items for Future Consideration**

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

Members requested a briefing note to update on progress with the cemetery footpath tender process.

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 2.58pm.

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, 17<sup>th</sup> February, 2014.

Members Present: Mr Councillor R.H. McNicholl (Chairman), the Mayor, Councillors Mesdames C.A. Corlett, S.D.A. Hackman, E.C. Quirk.

In Attendance: Assistant Town Clerk, Assistant Chief Executive (for item A3 only), Senior Engineering and Waste Services Manager, Senior Accountancy Officer, Building Control Manager (for items A1 – A5 only), Democratic Services Officer.

## REPORT

### **PART A -**

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

##### **A1. Minutes 13<sup>th</sup> January, 2014**

The minutes of the meeting held Monday, 13<sup>th</sup> January, 2013 were approved and signed.

##### **A2. Planning Application 13/91533/B**

The Committee considered planning application 13/91533B seeking approval for Phase 2 of the Improvement works to Douglas Promenade. This Phase of work will run from Peveril Square to the Admiral Hotel, just beyond Regent Street. There was some discussion of the planned location of the footway on the seaside of the Promenade. The plans show the carriageway, then a footway, then 'tram corridor' just next to the Marine Gardens. Detailed plans were only available for this Phase of work.

In discussion it was suggested that the whole Council should have an opportunity to consider this application, not simply this Committee and that there should have been a presentation by the Department of Infrastructure who have submitted the application.

The Committee were advised that that the Regeneration and Community Advisory Committee will be considering the application at its February monthly meeting in order to particularly consider the horse trams. The Assistant Chief Executive advised that whilst there have been meetings about the project at officer level this latest application has not yet been presented to Councillors prior to the report before the Committee. She further reported that the Department intends to seek Tynwald funding and approval in July 2014, and intends to made a presentation to the whole Council in June 2014. The Department has not yet finalised the proposed programme of works, and now intends to compress the work so that the Promenade is refurbished more quickly than first anticipated.

Members viewed the plans provided by the Department. Committee noted an email from the Department dated 14<sup>th</sup> February 2014 clarifying that, contrary to that quoted in the Department's Statement of Case which accompanied the planning application, that the horse trams will not now be required to terminate at Regent Street during 2014 and that the 2014 horse tram season will be unaffected by the works.

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

The Assistant Chief Executive was thanked for her attendance and left the meeting at 10.16am.

##### **A3. Nuisance Abatement Notice – 29 Princes Street**

The Committee considered a report on the external appearance of 29 Princes Street.

The front door and window sill is in poor condition and needs to be repainted. There is no gate or door to the rear yard which allows those going past to see the rear yard which is in poor condition due a number of items stored in it.

Whilst there has been dialogue with the owner, there has been no response to recent correspondence.

Resolved, "That particulars of the report be noted on the minutes and approval given for the service of a Nuisance Abatement Notice requiring the owner of 29 Princes Street, Douglas to repaint the front door and window sill and to install a door or gate to the opening into the rear yard, if required, under s24 of the Building Control Act."

#### **A4. Unsightly Properties and Properties in Poor Condition**

The Committee reviewed the re-formatted Schedule of neglected, dilapidated, ruinous, and dangerous properties. In response to query the Building Control Manager explained the difference in the Schedule between the descriptions of property condition as 'good' or as 'satisfactory'.

Property which had been in poor condition, but that is now described as 'satisfactory' has received only the minimum of short-term improvement work. It is likely that the property will fall back into poor condition in the not too distant future. When the property condition is described as 'good', a full range of work has been carried out leading to long-term improvements. A property in good condition is unlikely to again come to the attention of the local authority in the near future.

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

#### **A5. Nuisance Abatement Notice – Ribblebank, Sartfell Road, Douglas**

The Committee discussed the appearance of Ribblebank, Sartfell Road, Douglas. The owner no longer lives at the property, but the house is full of property belonging to him. The front door and windows and curtains are in poor condition. The Building Control Manager reported that the property has been the subject of a previous notice. On that occasion, when the owner initially did not comply with the Notice, the Council was awarded costs, but the Court did not impose a fine which it was empowered to do. In the previous instance, when works were carried out, these were only just sufficient to comply with the requirements of the Notice which at the time led to the property being categorised as 'satisfactory.'

Resolved, "That particulars of the report be noted on the minutes and approval given for the service of a Nuisance Abatement Notice under s24 of the Building Control Act requiring the owner of Ribblebank, Sartfell Road, Douglas to carry out the repairs and repainting works to the front door and the front windows and to replace the curtains in the windows."

The Building Control Manager was thanked for his attendance and left the meeting at 10.38am.

#### **A6. Adjournment and Resumption**

The meeting adjourned at 10.38am and resumed at 10.48am with the same Members and officers present.

#### **A7. Princes Street Lighting Improvements**

The Committee considered a request from the Princes Street Residents Group for improvements to the lighting in the street to bring it into line with similar designs in adjacent areas of Mona Street, Christian Road and Albert Street. The lights currently in Princes Street

Princes Street currently has five aluminium five metre columns; fitted with 128 watt son lamp post-top lanterns.

The proposed scheme includes replacement of the existing aluminium columns with six metre hot-dipped galvanised heavy steel columns to improve the lighting performance and enable installation of black Victorian-style cascade brackets with an Albany 16watt LED lantern. The column would be capable of supporting a hanging basket floral display.

The existing MEA and electrical services cable and ducting infrastructure would be reused. The civil and electrical work would be undertaken by the Electrical Services section and the labour cost of the scheme would be funded from within the existing Revenue budget for 2013/2014. The cost of the proposed scheme is £6,500 for the purchase of the columns, lanterns, brackets and painting.

Resolved, "That particulars of the report be noted on the minutes and approval be given to the request from the Princes Street Residents Group for an upgraded lighting scheme in Princes Street, the cost of which will be funded from the current Revenue Budget for 2013/2014."

#### **A8. Items for Future Consideration**

The Committee noted the report listing a number of items as the subjects of reports for future consideration.

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

#### ***PART B –***

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

There were no items requiring Executive Committee approval.

#### ***PART C –***

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

There were no items requiring Council approval.

The meeting ended at 11.19am.