



Borough of Douglas

**MRS RAINA CHATEL, JP
MAYOR**

Town Hall,

Douglas,

4th March, 2022

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 9th day of MARCH, 2022, 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

For Town Clerk & Chief Executive

Order of Agenda

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

II - Any statutory business.

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

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

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

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

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

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

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

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

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

AGENDA

III – Chief Executive to read minutes of the Council Meeting held on Wednesday, 9th February, 2022.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Thursday, 24th February, 2022.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, Mr Councillor A.J. Bentley, Mr Councillor I.J.G. Clague, Mr Councillor F. Horning, Councillor Ms J. Thommeny.

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr A.J.T. Boyd), Director of Housing and Property (Mr D. Looney), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Town Clerk (Mr P.E. Cowin) (for Clauses A9 and A10; and C20), Executive Officer (Mrs J.M. Keig) (taking minutes).

REPORT

PART A –

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

A1. Apologies for Absence

Apologies for absence were submitted on behalf of the Director of Environment and Regeneration (Mrs D. Eynon).

A2. Declarations of Interest

There were no declarations of interest were submitted.

A3. Minutes

The minutes of the meeting held on Friday 28th January 2022 were approved and signed.

A4. Matters Arising From Previous Minutes

There were no matters arising from the previous minutes.

A5. Referrals from the Environmental Services Committee

There were no referrals from the minutes of the Environmental Services Committee meeting held on Monday 14th February 2022.

A6. Referrals from the Regeneration and Community Committee

There were no referrals from the minutes of the Regeneration and Community Committee meeting held on Tuesday 15th February 2022.

A7. Referrals from the Housing and Property Committee

The Committee considered the following referral from the minutes of the Housing and Property Committee meeting held on Wednesday 16th February 2022:

Clause B9 - Refurbishment of Lifts at the Waverley Court Sheltered Housing Complex: the Committee had considered a report by the Assistant Chief Officer (Housing and Property) seeking approval to progress with the full refurbishment of the two lifts at the Complex. A fault, identified at the time of service in September 2021, had been temporarily rectified, however, if the lifts were to breakdown, it would have a detrimental effect on tenants with mobility issues. The Committee had agreed the price submitted by J.C. Faragher (1985) Limited for the full refurbishment of the lifts, and accordingly, approval was now sought for funding for the project.

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

(ii) That the resolution of the Housing and Property Committee be endorsed, and that approval be given for funding from the Housing Communal Facilities Reserve Fund in 2022 / 2023 for the full refurbishment of the two lifts at the Waverley Court Sheltered Housing Complex.”

A8. Notice of Motion – Memorial to Animals of War

The Committee considered a written report by the Assistant Chief Officer (Regeneration) in relation to a Motion moved in Council in December 2021 “*That the Council install a memorial to the animals of war, within the vicinity of the War Memorial on Harris Promenade.*”

Historical research had been undertaken to establish whether there was documentary evidence of any animals from the Isle of Man taking part in either of the World Wars or in any other conflict. It had been found that, when war began in 1914, the British Army possessed just twenty-five thousand horses, and the War Office had the urgent task of sourcing a further half-million to go into battle. The Ramsey Courier, dated 14th August 1914, reported that the War Office had sent a requisition to the Isle of Man Government for one-hundred horses to be sent to the United Kingdom to support the war effort.

The minutes of the Council’s Tramways Committee, dated 10th August 1914, revealed that forty-one horses had been requisitioned from the Council for army purposes; and the minutes from a meeting the following week, 19th August 1914, recorded a further eighteen horses having been requisitioned. This being the case, Douglas Council therefore provided at least fifty-nine of the one-hundred horses sought by the War Office.

It was understood that other animals, including donkeys, mules, camels, pigeons, and dogs, also contributed to the war effort, however, research to date had not revealed any evidence of Manx animals (other than the horses) having been involved. It was therefore suggested, while still becoming a focal point for remembering the sacrifice of all animals in conflict, that any memorial commissioned by the Council should focus on the considerable role of Manx horses.

The Council had previously approved a programme for improvements of its assets on the Promenades, including the environs of the existing War Memorial (specifically, the upgrading of the existing coloured asphalt to stone paving). It was therefore proposed that this could be adapted to include the memorial in the form of an artwork on the theme of One-Hundred Horses. A stone plaque, containing suitable text in memory of all Manx animals lost in war could be incorporated and, additionally, an interpretation board could be installed nearby, sympathetically telling the story of the One-Hundred Horses.

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

- (ii) That approval be given for a memorial to all Manx animals lost in conflict to be incorporated as part of the upgraded paving design around the existing War Memorial on Harris Promenade, the memorial to be in the form of an artwork on the theme of the one-hundred horses requisitioned from the Isle of Man by the War Office in 1914, of which Douglas Council provided fifty-nine;
- (iii) That the paving design include within it a plaque of remembrance; and
- (iv) That costed proposals be developed and brought back to the Committee for approval prior to commissioning.”

A9. Consultation Document – Interim Target for Emissions Reduction

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document issued by the Cabinet Office.

The Isle of Man Government had already declared its commitment to net zero carbon emissions by 2050, and was now consulting about fixing an interim target (to be achieved by 2030) as a positive indicator and stimulant for progress. The consultation set out the means by which reductions would be achieved in a number of areas - principally, in electricity generation; encouraging more use of electric vehicles; and installation of heat pumps to replace fossil fuel boilers in domestic properties. Although the reductions were desirable and essential to meet the declared objective, the effects on the Council would need to be considered, particularly the Council’s vehicle fleet and the housing stock.

The recommendation was to support the ‘*High Ambition – 45% reduction by 2030*’ target, however, it was proposed that this should be on the proviso that the Isle of Man Government must provide financial support for residents, businesses, and particularly, local authorities, for changing to more-environmentally friendly forms of transport, buildings, and heating. It was suggested that this could be done by extending the scope of the Government’s Climate Change Transformation Fund - from which public authorities outside Government were currently excluded.

It was noted that the closing date for the submission of comments had been set as 21st February 2022. An extension had been sought, in order to allow for Committee consideration and for the Council to submit its comments, however, this had been declined due to the timescales required by the Cabinet Office to analyse the results of the consultation and put them before Tynwald on 25th February 2022. The report had therefore been circulated to the Committee in advance of the meeting, seeking any further comments, and those received had been submitted to the Cabinet Office, together with a copy of the report, as the Council’s response.

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

- (ii) That the Committee endorsed the response submitted to the Cabinet Office, this being to express support for the introduction of a target of a 45% reduction in carbon emissions by 2030, subject to the Government providing financial support for residents, businesses, and local authorities, in changing to environmentally-acceptable practices, together with the following specific comment:

“That while the Climate Change Transformation Fund (£25,000,000) had been referenced, there also existed the Climate Change Adaptation Fund (£9,000,000), that local authorities were also not currently able to access. The Council cannot afford to implement the measures identified without access to these Funds’.”

A10. Polish Airmen’s War Memorial Plaque

The Committee considered a written report by the Chief Executive in relation to a request to place a War Memorial to Polish Airmen in the Centenary Garden adjacent to the Town Hall.

The memorial would be in memory of the airmen of the Polish Airforce during World War II, and specifically in recognition of the Polish Squadrons stationed on the Isle of Man. It was a joint initiative by the Government of the Republic of Poland and the Polish Airmen’s Association UK, and the applicants had made a submission to the Isle of Man Government Cabinet Office, under the War Memorials Act 2016, for the creation of the memorial (in the form of a plaque), subject to and conditional upon the Council’s approval being given for the locating of the plaque.

If approved, the plaque (to be crafted from natural Polish black granite), would be erected by a local stonemason, with whom the applicants had entered into a maintenance agreement for ongoing inspection, maintenance, and repair – so no cost for this would fall on the Council. Condition surveys, to ensure the memorial remained in good condition whilst on display, would be undertaken by a representative of the Commonwealth War Graves Commission on the Island; and any maintenance or repair identified would be paid for by the Government of the Republic of Poland and carried out by the local stonemason.

The applicants had requested an initial placement of twenty-five years, with a review in 2047.

At the present time, three other memorials were located in the Centenary Garden – the Fire Service Memorial; the Normandy Veterans’ Memorial; and the Hector Duff Memorial. The Polish Airmen’s Memorial would be placed in the empty archway to the left of the Normandy Veterans’ Memorial. It was recommended, however, that no further memorials be considered for placing in the Centenary Garden, as this was not the original intention of the Garden and, with the placing of this plaque, there would be no further available space.

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

- (ii) That the placing of the Polish Airmen’s Plaque be approved, subject to it being maintained by the applicants; and
- (iii) That no further applications for the Centenary Garden be considered, as there was no further available space.”

A11. Replacement Member - Regeneration and Community Committee

Following the resignation by Mr Councillor S.R. Pitts as Chair of the Regeneration and Community Committee, a vacancy existed in the Membership.

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

- (ii) That Mr Councillor S.R. Pitts be appointed as a Member of the Regeneration and Community Committee for the remainder of the two-year term to April 2023.”

A12. Monthly Financial Review

The Committee considered a written report by the Director of Finance setting out details of progress made against Key Performance Indicators for Finance, and other related key financial monitoring information.

Resolved, “That particulars of the report be noted on the minutes, including specifically:-

- The 97.7% rates collection figure for the months of April 2021 to January 2022, compared against the target figure of 97.0% for that period;
- The rise in the Manx Consumer Price Index inflation to 6.4% for the month of January 2022, the highest level since April 2011;
- The range of rate increases set by the Island’s local authorities for the 2022 / 2023 financial year, showing the rate increase set by Douglas in January 2022 being more favourable in comparison with the increases experienced by many other authorities; and

- The main issues arising from the Isle of Man Treasury Budget, especially concerns raised over the impact of energy prices on the Manx Utility Authority's electricity charges for 2022 / 2023."

A13. **Conference Attendance – CIPFA Public Finance Live 2022**

The Committee considered a written report by the Director of Finance seeking approval for attendance at the CIPFA 2022 Public Finance Live Conference.

The Chartered Institute of Public Finance and Accountancy (CIPFA) conference brought together leading figures from the industry to discuss key issues and hold practical workshops; with the main speakers being finance practitioners in the public sector, including UK local government. Attendance at the event provided an invaluable opportunity for the Director of Finance to network and keep abreast of recent developments in public sector / local government finance. It also allowed for fulfilment of Continuing Professional Development (CPD) requirements.

While this year's conference programme was not yet available, there was likely to be a focus on post-pandemic recovery; dealing with economic challenges; and financial strategies for funding climate mitigation measures.

Previously, the Director of Finance would typically have attended the CIPFA Conference accompanied by the Council Leader as Chair of the Executive Committee. However, because of the specialist technical content of the conference, the benefit for accompanying political members was limited, and the Leader had already indicated that attendance was therefore of greater relevance and benefit for officers, rather than for Members of the Committee.

It was additionally noted that the practice of the previous Director of Finance had been to use alternate years to attend either the CIPFA conference or the IRRV Conference (the Institute of Revenue, Rating, and Valuations). The IRRV conference was largely focussed around Council Tax collection and associated benefit structures, which were purely UK-based, and it was therefore suggested that the previous practice of attendance in alternate years at each Institute's conference be changed to annual attendance at the more-relevant CIPFA conference (subject to report to Committee).

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

- (ii) That approval be given for the Director of Finance to attend the CIPFA Public Finance Live Conference and Exhibition, to be held at the ACC Liverpool on the 13th and 14th July 2022;
- (iii) That General Revenue Reserve funding of £1,000 be set aside for attendance at the Conference, to include attendance fee, travel, and accommodation;
- (iv) That the historical practice of alternate year's attendance at the CIPFA and IRRV conferences be replaced by annual attendance at the CIPFA conference, subject to report; and
- (v) That the ongoing need for the practice of attendance by the Council Leader as Chair of the Executive Committee or other Member of Committee be now subject to review."

A14. **Policy on Purchase of Additional Wheeled Bins - Fees and Charges**

The Committee considered a written report by the Senior Engineering and Waste Services Manager seeking approval to suspend the current policy of allowing householders to purchase additional wheeled bins for residual waste; and to agree a policy of only collecting one residual bin per household unless exceptions had been made.

Following on from the decision to introduce alternate weekly refuse collections, it had become apparent that the current policy of allowing households to purchase additional wheeled bins was counter-productive to the aims of the service change initiative. The policy had been in place for many years, with the cost being included in the Fees and Charges section of the Council's Annual Estimates Book; and recently, a number of ratepayers had sought to purchase an additional bin in anticipation of the new service, being concerned that they would not have sufficient capacity to accommodate the change.

The fundamental basis of the service change was to increase the recycling rate and to reduce household waste. This objective would be achieved by reducing the weekly capacity for rubbish, whilst increasing the capacity for recycling. Under the current policy, however, the second bin would place pressure on the held-stock of bins for new customers and would negate householders need to recycle.

There was no legal basis to compel households to recycle, however, in order to achieve the aim of increasing the recycling rate, it was proposed that the Council should introduce and enforce a policy of collecting only one residual waste bin from a household at any time. Exceptions would be made for special circumstances and, if it was determined that the household required more capacity, a second bin would be issued (not sold) to the household.

It was therefore recommended that the policy of selling second bins to households be suspended with immediate effect and, once the change in service provision commenced, that a policy of collecting only one residual waste bin per household per collection week be enforced, with any variation to this being subject to an assessment. Assessments would comprise an inspection / visit to the property and

discussion with the householder in order to gather details such as occupancy, any unusual waste items, or other special circumstances. Where additional capacity was agreed, a re-assessment would be undertaken within a determined period, e.g., eighteen months.

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

- (ii) That the policy of selling second bins to households be suspended with immediate effect;
- (iii) That the section relating to Fees and Charges in the Council’s Annual Estimates be amended accordingly; and
- (iv) That once the service change was implemented, a new policy of collecting only one standard 240-litre bin per household on collection day be introduced and enforced, subject to any variation as a result of an assessment.”

A15. Tender for the Supply of Janitorial and Cleaning Products

The Committee considered a written report by the Assistant Facilities and Purchasing Manager seeking approval to enter into a contract with a suitably experienced Island-based supplier for janitorial and cleaning items for the period 1st March 2022 to 31st March 2025.

Suitable companies had been invited for inclusion on a select list of tenderers, with interested parties being asked to submit their best price based on fifty-five janitorial items.

Of the three tenders received, two were extremely competitive, with the third supplier submitting considerably higher prices. It was recommended that the contract be awarded to D L Gelling Limited on the basis that they had submitted the lowest prices for more items than their nearest competitor and, as part of their submission, had also provided a statement of their commitment to environmental sustainability.

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

- (ii) That D L Gelling Limited be appointed as the supplier of janitorial and cleaning products to the Council for the period 1st March 2022 to 31st March 2025.”

A16. Tender for the Acquisition of Wheeled Bins for a Garden Waste Collection Service

The Committee considered a written report by the Senior Engineering and Waste Services Manager in relation to tender returns for the acquisition of four-thousand, two-hundred new 240-litre wheeled bins.

The introduction of a garden waste collection formed part of the previously-approved planned service change to move to fortnightly refuse collections. It was proposed that the garden waste collection service would commence in August 2022, with the residual waste commencing a month later. Accordingly, tenders had been invited from wheeled bin manufacturers for the supply of four-thousand, two-hundred 240-litre wheeled bins (coloured green), which would be issued as part of the roll-out of the garden waste collection service.

Three tenders had been received, all from companies the Council had purchased from over the years. It was recommended that the price submitted by Contenur UK Limited be accepted, being the lowest received and within the pre-tender estimate, which would allow sufficient funds from within existing approvals to procure and deliver the bins to households.

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

- (ii) That the tender received from Contenur UK Limited be accepted, and that an order be placed with immediate effect to ensure timely delivery of the wheeled bins prior to the roll-out of the garden waste collection service.”

A17. James Street, Douglas – Regeneration Works

The Committee considered a written report by the Electrical Services Manager proposing works that could be undertaken to improve the aesthetics of the area of James Street.

Following the regeneration works undertaken in Market Hill (as part of the Department of Infrastructure’s Douglas Town Centre regeneration scheme) and the resurfacing works in James Street, political Members had requested visual improvements to the Council-owned land adjacent to the Market Hall. A number of proposals to improve the visual impact and reduce the maintenance requirements of the area were therefore considered accordingly.

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

- (ii) That approval be given for the following works to be undertaken to improve the visual appearance of the Council-owned land at the end of James Street, with funding allocated from the Town Centre Regeneration Street Lighting Scheme Phase 4 (Duke Street / Market Street):
 - The replacement of the grass within the two small grassed areas with natural recycled bound aggregates;

- The creation of a bin store area for all the commercial and domestic bins in the area;
- The installation of LED programmable colour-changing ground lights to illuminate the two mature trees; and
- The removal of the existing metal bench.”

A18. Isle of Man Municipal Association

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

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

A19. Items for Future Report

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

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

PART C –

Matters subject to Council approval

C20. Changes to Committee Structure and Consequent Amendments to the Constitution

The Committee considered a written report by the Assistant Town Clerk in relation to a proposal to merge the complementary responsibilities of the Environmental Services Committee and the Regeneration and Community Committee into one.

Following concerns expressed that the responsibilities of the Environmental Services Committee and the Regeneration and Community Committee were so closely related as to overlap, it was proposed that the roles and responsibilities of the two Committees be combined. In addition to the overlapping responsibilities, the proposal was to address any potential iniquity when more than one Member was unable to attend a Committee meeting (although this had not proved problematic to date), by creating a smaller number of Committees, each with a higher number of members than the current Chair plus three Members.

Discussion took place in relation to the proposal and a number of alternative options were suggested, including increasing the Membership of the three Standing Committees (the Environmental Services Committee, the Regeneration and Community Committee, and the Housing and Property Committee); and an amendment to start times in order to assist Members in being able to attend meetings.

As part of discussions, it was agreed that meetings of the Executive Committee should be permanently moved to a Thursday afternoon, instead of the Friday afternoon.

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

- (ii) That the proposed changes to merge the Environmental Services and the Regeneration and Community Committees be not proceeded with at the current time, instead the proposal be reviewed in six months’ time;
- (iii) That Members of the Council be canvassed with a view to establishing their agreement to the start times of the three Standing Committees’ Meetings being 2.00pm, and also relevant officers, as to any implication this may cause;
- (iv) That consideration be given to increasing the Membership of the three Standing Committees to five (a Chair plus four Members);
- (v) That it be recommended to Council that Standing Order 90, relating to Meetings of the Standing Committees, be amended to reflect the proposed change of day for the meeting of the Executive Committee to the second Thursday after Council in each month at 2.00pm; and
- (vi) That it be recommended to Council that Standing Orders be amended to reflect a change of day for the Special Private Meeting of the Council (for the purpose of selecting a Mayor for the ensuing Municipal Year) to the fourth Thursday in March each year, to accord with resolution (v) above.”

C21. A Net Zero Carbon Council - Strategy and Action Plan One

The Committee considered a written report by the Chief Officers’ Management Team on a draft Net Zero Strategy and the first Action Plan towards the Council achieving net zero status.

The Isle of Man Government had pledged that the Isle of Man would be carbon net zero by 2050, and, as the largest local authority on the Island (and one of the largest employers in Douglas), the Council would be expected to contribute towards this goal.

In response to the Climate Change Emergency declared by the Isle of Man Government, the Committee (in July 2019) had received a report on adopting a Climate Change Strategy for Douglas Borough Council. The Committee had agreed to employ the specialist services of the Carbon Trust to calculate the Council's Carbon Footprint, in order that the Council would have a benchmark from which to begin and to then measure its future progress. The Carbon Trust had begun work to harvest the data required and, although an early report had been produced in February 2020, the outbreak of the Covid-19 pandemic had delayed any further work until the summer of 2020.

In February 2021, following receipt of the final report and a virtual presentation from the Carbon Trust, the Committee had agreed that a Strategy for the Council and an Action Plan should be brought forward for agreement and recommendation to the Council. As such, the draft Strategy now proposed (which was in line with the Isle of Man Government's Climate Change Emergency and Action Plan) set out what the Council was aiming to achieve and why; and contained a suggestion for how Action Plans would be brought forward and agreed over the life of the Strategy. 'Action Plan One' was the first in a series of Action Plans, and was intended for the life of the current administration.

The Climate Change Act had received Royal Assent in December 2021 and, within the Act, statutory duties were placed upon local authorities by way of Regulation. Guidance from the Government on what was expected of local authorities was due by 1st April 2022 and, as the largest local authority, it was likely that the Council would be expected to undertake emissions-based reporting.

Members noted that, in the UK, central Government provided financial assistance to local authorities towards their carbon reduction schemes. Although the Isle of Man Government had established an Environmental Protection Fund (set up as part of the Isle of Man Treasury's 2020 budget to help the Island achieve its climate change agenda), local authorities did not currently have access to this fund.

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

(ii) That the draft Strategy (as appended to the report) be approved and recommended to Council; and

(iii) That draft Action Plan One (as appended to the report) be approved and recommended to Council, subject to the following amendments:

- Action - Consider and agree how becoming carbon net zero is led politically: delete '*or some other elected member arrangement*';
- Action – Comment on Douglas planning applications where carbon neutrality and biodiversity impacts should be included: Success Indicator to read 'evidence that carbon neutrality and biodiversity is considered *where applicable*' ;
- Action – Investigate the possibility of focussing the pension scheme's investments on entities which perform well in relation to Environmental, Social, and Governance factors: the Success Indicator to align more closely with the Council's Corporate Plan 2022-2026;
- Action – Create a Carbon Net Zero Council area on the Council's website to provide good quality education materials about climate change and the action the Council is taking: the Success Indicator to read 'establishment of links to relevant information portals';
- Action – Consider whether the Council should have Member and / or staff champions: deleted, as the owning department would be Executive Committee / Chief Officers' Management Team;
- Action – consider whether the Council should have a citizen or tenant panel or citizen or tenant champions on climate change in line with the just transition and climate justice principles: action to be deleted from Action Plan One, and reconsidered at next review;
- Action – Investigate the installation of energy efficient lighting in open spaces: amend to read '*continue with the installation of energy efficient lighting in open spaces*'."

The Committee rose at 5.20pm.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 23rd February, 2022.

Members Present: Mr Councillor J.E. Skinner (Chair), the Mayor, Mr Councillor S.R. Crellin, Mr Councillor F. Horning, Councillor Ms J. Thommeny, Mr A. Thomas (Independent Member).

In Attendance: Director of Finance (Mr A. Boyd), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Mr R. Leech (Payroll and Payments Manager), Democratic Services Officer (Miss C. Cullen). Mr J. Glasgow and Mr P. Ashby (Hymans Robertson, via video-link). Miss L. Thompson and Mr A. McCarmick of Blackrock (via video-link) (Item A11).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Apologies

There were no apologies submitted for the meeting.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes of Meeting held on Wednesday, 24th November, 2021

The minutes of the meeting held Wednesday, 24th November, 2021 were approved and signed.

A4. Matters Arising from the Minutes

Clause A8: Incorporating ESG in the Scheme's Equity Holdings – The Director of Finance advised that Royal London had agreed to refund the Hymans Robertson fees paid in relation to the anticipated integration of ESG insights into the Royal London UK Equity Fund, given that the proposed changes were in the end not approved by shareholders.

A5. Training: Active and Passive Management

The Committee received a training presentation from Mr J. Glasgow covering both active and passive investment management strategies.

Mr Glasgow began by explaining that passive management aims to track the return of a particular index in order to achieve the benchmark whereas the objective of active management is to outperform a chosen index/benchmark.

Mr Glasgow gave an overview of active management advising that this is where the manager is actively involved in deciding which assets are bought and sold in the fund. Active managers were generally classified as either “Bottom-up” seeking out cheaply valued stocks before achieving incremental growth. This classification would also include “Activist Investors” who will look to influence companies and their boards. Or “Asset allocators” who monitor macro-economic events in the market and seek to outperform the market through taking advantage of the current economic environment and gain incremental value for the fund. This type of investment approach would also incur higher management fees than passive. It was also noted that there is a higher turnover in an active fund as assets are bought and sold more frequently, therefore; additional fees such as transaction costs (including UK stamp duty on purchases) are higher than a passive fund.

Mr Glasgow went on to provide an overview of passive funds advising that these normally expect returns close to the index. These could either mirror an index exactly, or a representative sample of the index (“sampling”). They also attracted much lower fees scales both from a management fee and transaction cost perspective. Mr Glasgow explained that Hymans believe that passively managed strategies have an anchor role to play in equity allocations however there were some challenges that can lead to short-term inefficiencies due to the potential for bias towards specific regions, sectors or large market cap companies.

Mr Glasgow finished with an overview of alternative passive index types. These included fundamental indexation, which looks at the weighting of companies based on factors derived from statutory financial accounting data and factor-based investing. He explained that there are five traditional factors in multi-factor, namely, value, small cap, quality, low volatility and momentum. It was noted that taking a multi-factor based approach to constructing a portfolio will offset some of those challenges inherent and identified in more traditional market-cap based passive solutions.

Resolved, “That the training presentation be noted on the minutes.”

A6. Quarterly Review of Investment Managers’ Performance

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

Mr Ashby presented the executive summary for the quarter. The Scheme returned 3.7% over the quarter, performing broadly in line with the benchmark. Over the last 12 months, the Scheme had returned 10.6%, with a relative return of +1.3% against its benchmark. All funds remain comfortably within their rebalancing ranges.

Mr Ashby advised that over the quarter, the value of the scheme’s assets increased by £4.5m to £101.1m. The allocation to growth assets increased by £3.4m and protection assets increased by £1.1m. This was due to positive performance across equity and property markets and a decrease in nominal interest rates. All funds posted strong positive returns over the quarter, with the exception of the Capital fixed income portfolio, due to widening credit spreads.

Mr Ashby moved on to the market background during the period. CPI rose sharply during the quarter; UK headline CPI inflation rose to 5.1% year on-year in November whilst the equivalent US and Eurozone measures rose to 6.8% and 4.9% respectively. The Bank of England raised rates in December to 0.25% p.a., with further rates increases expected in 2022 (already increased to 0.5% in February). Global investment-grade spreads increased by 0.1% p.a. to 1.0% p.a., whilst speculative-grade spreads ended the quarter broadly in line with end of September levels at 3.7% p.a. Global equities produced a total return of 7.0% in the quarter.

Mr Ashby finished with a presentation on individual Manager performance and analysis. The quarter’s strong performance against the benchmark and in absolute terms was driven by Capital International’s Absolute Return mandate which produced a positive absolute performance and outperformed the benchmark by 2.3%, with a strong relative outperformance over all longer time periods. The Blackrock Property mandate returned 6.6% over the quarter, but underperformed against the benchmark by 0.8%, mainly due to overweight positions in student housing and healthcare. Over the quarter, the Capital ESG Fixed Income bond mandate underperformed against its benchmark and has since inception. The manager is satisfied that all underlying entities are adhering to self-set ESG standards.

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

A7. Re-Balancing of the Fund

The Committee considered a report submitted by the Assistant Chief Officer (Finance) on the annual review undertaken to consider disinvesting some funds to re-balance the fund.

Members were reminded that a strategy has been agreed to annually review the strategic allocation of all assets in comparison with their agreed control ranges.

Global equity markets have provided higher levels of returns than most other asset classes over the past year. This has resulted in the Council’s global equity portfolio becoming above its strategic allocation. Members noted that the global equities asset class was 1.2% over its strategic allocation at the end of the calendar year. The report therefore recommended disinvesting £1,500,000 from global equities in order to reduce the asset class to its target allocation. The money disinvested can then be invested in another underweight asset class.

Members were advised that a number of recent retirement and death in service lump sums, had resulted in the need to disinvest £600,000 from the fund, this adjustment is being dealt with as part of the re-balancing exercise.

The Corporate bonds portfolio stands at 7.1% compared to a target of 8% and a control range of 6-10%. It was therefore recommended that the balance of available funds of £900,000 be invested into this portfolio.

Appended to the officer’s report were the relevant values and percentages for all portfolios before and after the recommendation. Members noted that if approved, the balance of the fund would be restored in line with the strategic allocation within a range of -0.2% to +0.2%.

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

- (i) That £1,500,000 be disinvested from Global Equities; and
- (ii) That £900,000 be invested in Corporate Bonds.”

A8. Items for Future Report

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

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

A9. Date and Time of Next Meeting

Members were reminded that the next Pensions Committee Meeting was due to take place on Thursday, 17th March, 2022 at 10.30am.

A10. Adjournment and Resumption

The meeting adjourned at 11.45am and resumed at 2.00pm.

A11. BlackRock UK Property Fund – Quarterly Insights Presentation

Miss L. Thompson and Mr A. McCarmick joined the meeting via video-link for discussion of the item.

The Committee considered a report by BlackRock detailing the performance of the BlackRock UK Property Fund (BUKPF) over the fourth quarter of 2021.

Miss Thompson (Lead Fund Strategist) detailed the opening summary of the report, outlining some of the successes of the fund, in particular its sustainability performance scoring 81/100 in a 2021 Global Real Estate Sustainability Benchmark (GRESB) survey and ranking 7th out of 102 within its peer group. It was noted that the fund had been awarded a Green Star accolade for the 6th consecutive year.

Miss Thompson took the Committee through BlackRock's strategy for the Property Fund, detailing how the Fund is currently underweight in retail and offices and overweight in industrial, she advised that this positions the fund for a positive performance over the next cycle as industrial is forecast to continue delivering strong returns over the coming years, of particular note was that industrial performance achieved approximately 32%, which was significantly higher than the forecasted 12% for 2021.

Ms Thompson explained that in 2021 BUKPF set out to reposition its retail portfolio which had been achieved by strategically exiting retail assets forecast to underperform in the medium to long term, at a total of £159.3 million in retail disposals.

The Portfolio Management Update listed the Fund's ongoing development properties, in addition to property acquisitions, disposals, and BlackRock's focus on increasing the value of certain properties by changing their use to that with more current demand (e.g. converting buildings to affordable flats, retail parks to office spaces, etc.).

Ms Thompson concluded the presentation with an overview on the fund's commitment to ESG factors. She advised that BUKPF had been developing a sustainability policy and strategy with a view to developing a pathway to Net Zero Carbon later this year, through its sustainability asset plans, which were underpinned by data collation and measurement across a range of environmental and sustainability factors.

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

Miss Thompson and Mr McCarmick were thanked for their attendance and left the meeting.

The Committee rose at 2.50pm.

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

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE – Minutes of Meeting held on Tuesday, 15th February, 2022.

Members Present: Councillor Miss N.A. Byron (Douglas) (Chair), Ms F. Logan (Onchan), Mr N. Mellon (Braddan), Mr T. Kenyon (Garff), Mrs A. Davidson (Santon).

In Attendance: Mr P. Cowin (Secretary), Mrs D. Eynon (Douglas), Mr E.P. Pierce (Douglas), Mr R. Phillips (Onchan), Mr J.C. Whiteway (Braddan), Mr S.A. Crook (Contractor's Representative) (Item 3 only), Mr J. Quayle (Department of Infrastructure Representative).

REPORT

PART A –

Matters dealt with under delegated authority

A1. Minutes – 14th December, 2021

Approved unanimously as a correct record.

A2. Matters Arising from the Minutes

At Item 2, in relation to the increase in WEEE disposal charges, Mrs Eynon advised that Douglas Borough Council had written to the Minister for the Department of Infrastructure asking that consideration be given to a subsidy of such charges, but a negative reply had been received. Mr Quayle advised that the Government had twice sought engagement with the European scheme whereby manufacturers pay towards disposal costs for such items but had not been accepted.

Mrs Eynon sought confirmation that all the participating Authorities had agreed the budget. Clarification was provided that the Revenue Budget and Capital Programme were based upon the Contractor's Price Offered, i.e. one could not be accepted without the other, including the approach proposed in relation to vehicles. All present confirmed that they were accepted.

On a similar theme, all the Authorities confirmed that they were in a position to proceed with the financial elements of the new Site construction as soon as their borrowing petition is approved without waiting for receipt a loan, whereby monthly stage payments would be required as the work progressed, and would be invoiced to the Authorities accordingly. Santon would not be borrowing and would be in a position to proceed with stage payments without borrowing.

A3. Operational Contractor's Report

Mr Crook joined the meeting to provide further explanation in respect of his report which had been circulated.

At Clause 1.2, relating to orphaned gas cylinders, Mr Crook advised that both he and Mr Quayle had contacted the Environmental Protection Unit at DEFA, which was pursuing a solution. Mr Quayle added that Manx Gas was also involved and it was expected that by 31st March a qualified contractor would be appointed to inspect and deal with such items at all Civic Amenity Sites.

At Clause 1.4, compilation of data and operating methods of all four Civic Amenity Sites, Mr Quayle advised that work was ongoing, having been delayed. The information would be circulated when completed.

At Clause 1.5, the backlog of fridges and freezers, Mr Quayle questioned whether there was a real issue as the disposal contractor had assured him that it was cleared. Mr Crook stated that although there had been a backlog, the contractor was now regularly clearing most of the items. Mr Quayle added that there was an issue over some units that were apparently commercial in nature and so would not be taken under the contract for removal of domestic units.

At Clause 1.7, Environmental Protection Unit Audit of Site, Mr Crook stated that two specific items had been identified: the need for a caged storage of the gas cylinders which would cost £1,000 each for two cages, and the opening hours of the Site commencing at 08.00 a.m. whereas the licence stated 09.00 a.m. The Licence had since been amended to reflect the actual hours and it was recommended to defer consideration of the cages for gas cylinders.

At Clause 1.6, Re-Use of items collected through special collections, Mr Crook advised that Douglas Borough Council offers a collection service, for which users pay, for bulky or difficult items. Occasionally these are items in good condition and the Council's Environmental Services Committee had asked if they could be put into the Re-Use shed at the Civic Amenity Site. It was agreed in principle to allow any of the participating Authorities offering such a service to place good quality goods in the Re-use Shed for a 6-month trial period, to be monitored, and to be reported back if any issues arise.

Clause 2.1 recorded that one incident had taken place on Site leading to a user being banned for six months because of abuse. While the ban was upheld because of abusive conduct, Members asked for further information on the transgression that had led to the disagreement, and Mr Crook undertook to provide it.

Item 3.0 showed the statistics for the various waste streams to the end of December, 2021; Mr Crook commented that there seemed to be a downward trend but that the Covid lockdowns in recent years might have affected use.

Item 4.0 provided traffic statistics. Mr Crook advised that although the daily visits were given, in reality statistics were monitored hourly and could be provided in that form if required. It was agreed that although hourly statistics might be useful in certain circumstances, they need not be provided to the Committee as a regular item.

It was agreed: that the report be noted and that:

- (1) Consideration of provision of cages for gas cylinders be deferred until after March 2022;
- (2) A six month trial of Authorities providing Special Waste Collections being permitted to place suitable items in the Re-Use Shed be undertaken, subject to review if any issues arise.

Mr Crook was thanked for his attendance and left the meeting at 3.50pm.

A4. Middle Park Civic Amenity Site Planning Application 21/00731/B

Mrs Eynon advised that the Planning Committee had deferred consideration of the application to 21st February, following an objection being raised at the hearing on 8th February.

If the objection was followed by the grant of Planning Consent and then an Appeal was lodged there could be several months delay in commencement, and a consequent increase in costs due to the inflation of building materials prices.

Mr Whiteway advised that the Objector was willing to meet to discuss the reasons for the objection. Mrs Eynon suggested that a direct meeting might be seen as circumventing the proper Planning process, but that could be overcome if the Objector made a formal approach and the Planning Department was informed. She would take the proposal up with the Planning Department, and if there was no reason otherwise, would broker a meeting on receipt of the written approach by the Objector. The Joint Committee felt that the meeting should involve Members as well as the appropriate Officers.

Mr Quayle suggested that a viewing of the current Site, in order to assess noise levels, etc., might be beneficial.

A5. Operational Contract

Mrs Eynon advised that should an appeal be lodged against Planning Consent, it may be necessary to review arrangements for operation of the Site. The current contract had originally been awarded in 2016 so it would be seven years in 2023, when the most recent extension would expire. She questioned whether it would be acceptable to extend beyond that point, and had asked Douglas Borough Council's Advocate to research if there was any statutory bar.

A6. Revised Joint Committee Agreement

The Secretary advised that while the revised agreement was largely acceptable to the Department of Infrastructure, some queries had been raised that were being addressed through dialogue between the Local Government Unit and Douglas Borough Council's Advocate. Once they had been resolved, the formal process of petition for approval could be commenced.

Following that would be the petitions for approval to borrowing (where necessary) and for consent to the purchase. Mrs Eynon advised that the business case that would be required for those was close to completion.

A7. Waste Disposal Licence

Mrs Eynon advised that in parallel with all other activity, the Waste Licence application was being prepared for submission to the Environmental Protection Unit of DEFA.

A8. Next Meeting

It was agreed that the next regular meeting of the Joint Committee take place in the Committee Room at Douglas Town Hall at 2.30pm on Tuesday, 15th March, 2022, at which point the deadline for

submission of a Planning Appeal would be past. In the interim, if a meeting could be arranged with the objector to the application, at a time to suit the objector, as many Members as could be available would attend.

The meeting ended at 4.25pm.

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

HOUSING AND PROPERTY COMMITTEE

HOUSING AND PROPERTY COMMITTEE – Minutes of Meeting held on Wednesday, 16th February, 2022.

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

In Attendance: Director of Housing and Property (Mr D. Looney), Assistant Chief Officer (Housing and Property) (Mr V. Zivave), Finance Manager (Mr M. Quayle), Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies for Absence

Apologies for absence were submitted by The Worshipful the Mayor.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Minutes – 19th January, 2022

The minutes of the meeting held on Wednesday, 19th January, 2022, were approved and signed.

A4. Vacant Properties Update

The Committee considered the monthly report submitted by the Assistant Chief Officer (Housing and Property) to update on the number of vacant social housing properties.

Appended to the officer's report was the void properties schedule, which showed that as at the end of January, 2022 there were seventeen vacant properties receiving attention. Members were presented with a summary chart showing the number of properties returned in each month, together with details of the category repair type for each property.

The Assistant Chief Officer (Housing and Property) advised that as 16th February, 2022, there were thirteen vacant properties outstanding, of which four had been allocated.

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

A5. Housing Rent Arrears

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

Members were presented with a table setting out the rent arrears statistics for December, 2021 and January, 2022. It was noted that as at the 30th January, 2022 the level of rent arrears was £112,945.69

Members noted that the number of "at risk" tenants, where no payment plan was in place, remained at zero in January 2022.

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

A6. Items for Future Consideration

The Committee noted the monthly report and schedule setting out items which will be brought forward for consideration to future meetings.

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

A7. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Wednesday, 16th March, 2022.

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

PART B –

Matters requiring Executive Committee approval

B8. Refurbishment of Lifts at Waverley Court Sheltered Housing Complex

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) to progress with the full refurbishment of the two lifts at Waverley Court Sheltered Housing Complex.

Members were advised that the lifts had been in operation since the Waverley Court Complex was built approximately thirty years ago. The lifts have not been fully refurbished since the complex was built and they have become unreliable and some parts are obsolete.

When the lifts were last serviced in September 2021, the contractor identified a fault with the circuit board, this fault had been temporarily fixed, however the contractor could not attest to how long this would last.

Members were advised that should the lift breakdown again, it would have a detrimental effect on the tenants with mobility issues. The existing steelwork is in good condition, therefore it is recommended that the lifts be refurbished as opposed to being replaced.

As the repair works are considered urgent and are of a specialist nature, prices had been sought from two specialist contractors. It is recommended that the price submitted by J.C. Fargher (1985) Limited, which had been evaluated and represents value for money, be accepted.

The Assistant Chief Officer (Housing and Property) advised that J.C. Fargher currently maintain and service the lifts at Waverley Court and as such have good knowledge of the existing lift and equipment, he further advised that this knowledge was likely a contributing factor to the price received being significantly lower than the submission from the other specialist contractor.

Members noted that as part of the installation, JC Fargher Limited will install a temporary stair lift in order to maintain access for the tenants for the duration of the works. It is anticipated that works will commence on site in April 2022, subject to the necessary approvals.

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

- (i) That the price submitted by J.C. Fargher (1985) Limited, for a full refurbishment of the Phase 1 and Phase 2 lifts at Waverley Court be accepted; and
- (ii) That the matter be referred to the Executive Committee seeking agreement that the project be funded from the Housing Communal Facilities Reserve Fund.”

PART C –

Matters requiring Council approval

C9. Operational Service Centre – Roof Replacement

The Committee considered a report submitted by the Assistant Property Manager (Assets) seeking agreement to progress with the roof refurbishment and remedial works at the Operational Service Centre.

Members were advised that a number of repair works to the Operational Service Centre had been identified as part of the on-going planned and remedial maintenance works. Detailed within the report were the proposed repairing treatments to be included as part of the refurbishment scheme.

Members noted that as part of the 2021/22 planned maintenance programme, expenditure for the roof refurbishment project had been estimated at £168,000.

Following a tender invitation, only one submission was received from Kinrade Construction Limited. The tender was opened on 19th January 2022 by the Chair of the Housing and Property Committee, in the presence of the Assistant Chief Officer (Housing and Property). It is considered that the tender submission is value for money and it is therefore recommended for acceptance.

It is proposed that SafetyNet Limited be appointed as the external member of the Design Team, consisting of a Planning Supervisor. Members noted that all other professional services will continue to be carried out in house.

The programme of works is to be agreed with the Contractor with a target to commence the works after Easter 2022. It is anticipated that the project will run for a duration of up to 10 working weeks, weather permitting.

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

- (i) That the tender submitted by Kinrade Construction Limited, to undertake the roof refurbishment works at the Operational Service Centre be accepted;
- (ii) The professional fees for the appointed Planning Supervisor be accepted;

- (iii) The inclusion of £5,000 as a client contingency to cover the unforeseen elements of works upon opening up of the structure be approved;
- (iv) The total project expenditure cost of £128,000 inclusive of the above be approved;
- (v) The Chief Executive be authorised to submit a petition to the Department of Infrastructure for funding in the sum of £128,000 being the total capital borrowing required for the project; and
- (vi) The Department of Infrastructure be advised that an assessment of the Council's reserves has been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source."

The meeting ended at 11.23am.

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

REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Tuesday, 15th February, 2022.

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

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

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

No Apologies for absence were received.

A2. Declarations of Interest

There were no declarations of interest.

A3. Appointment of Vice Chair

Councillor Miss N.A. Byron was nominated to be the new Vice – Chair by Mr Councillor F. Schuengel, seconded by Mr Councillor A.J. Bentley.

Councillor Miss N.A Byron was unanimously voted to be the Vice – Chair for the remainder of the two year term until April 2023.

A4. Minutes – 18th January, 2021

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

A5. Matters Arising from the Minutes

In response to comments made in Council, Members agreed that plans for Motorhome Storage be incorporated into the “Masterplan for Noble’s Park” item, so that Motorhome Storage can be reconsidered by Committee when that item is due in July.

A6. Douglas Carnival

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek the Committee’s view on the future of Douglas Carnival.

The Assistant Chief Officer (Regeneration) advised that as per the report there is little evidence of economic benefit to Douglas Town Centre resulting from holding the Douglas Carnival, and therefore there is no business case for it to be organised by Douglas Town Centre Management. Many traders have reported that they do not see any significant upturn in business and in addition, the road closures disrupt many traders who operate in and around Douglas on the day. Road closures begin around half an hour before the event and open around an hour after the event finishes.

The Assistant Chief Officer (Regeneration) also advised that in its current format, the Carnival requires a very high number of staff to be present to ensure the operation can run as safely as possible and meet all Health and Safety requirements.

The Assistant Chief Officer (Regeneration) advised that the Sefton island area where floats had previously parked up after the parade can no longer be used as a result of the works that have taken place there since the last Carnival. During discussion, Members recalled other locations that had been previously considered for the Carnival, with the conclusion being that no suitable alternative location for the Carnival was identified.

Members asked whether the Carnival could use pedestrian walkways. In response, the Assistant Chief Officer (Regeneration) advised that Health and Safety precautions would be likely to prevent that.

Members asked whether the Carnival could be a vehicle-free format, with just dancers and singers, while inviting participants from other towns to build numbers. The Assistant Chief Officer (Regeneration) responded that this would be possible.

During discussion Members opined that Douglas Carnival is a worthwhile community event, and asked whether the Carnival could be reformatted to match the resources available, particularly if it was focused on Loch Promenade, involved smaller vehicles only, and if Members took on the responsibility for liaison with the community in relation to their participation. The Assistant Chief Officer (Regeneration) responded that such an approach would be very welcome in reducing health and safety and logistical concerns about running the event. It was agreed that officers will report back to the March Committee with an outline proposal based on this approach. It was noted that a budget would need to be sought for the event if it is to go ahead in 2022.

Members voted against the resolution that “Committee agrees not to reinstate a Douglas Town Carnival, due to a lack of measurable benefit for the Town Centre.”

Resolved “That a future report be presented to Committee proposing a redesigned and reformatted Carnival.”

A7. **2022 Events**

The Committee considered a report submitted by the Democratic Services Officer to seek the Committee’s agreement to the provisional dates for events in 2022 that will be promoted by the Council in order to facilitate planning.

In response to question, the Assistant Town Clerk advised that the beacon lighting ceremony, to celebrate the Queen’s Platinum Jubilee, would likely be the same format to the beacon lighting ceremony held for the Queen’s Diamond Jubilee in 2012, to be held atop of St Ninian’s Church Tower, with a large gas burner representing the beacon.

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

- (i) That in 2022:
 - (a) The Council take part in a beacon lighting ceremony, in celebration of the Queen’s Platinum Jubilee on Thursday, 2nd June;
 - (b) The Council host a D – Day Commemoration Service on South Quay on Monday, 6th June;
 - (c) Douglas Borough Council Civic Sunday be arranged for Sunday, 12th June;
 - (d) The Fun Day take place in Noble’s Park on Saturday, 6th August;
 - (e) The Fireworks Display take place on Friday, 4th November, or as a contingency date, Sunday, 6th November;
 - (f) The date of the Remembrance Sunday service, Sunday, 13th November, be noted; and
 - (g) The Christmas Lights Event take place on Thursday, 24th November.
- (ii) Officers actively seek sponsorship and a media partner for appropriate events.
- (iii) A sound and stage contract for events, where appropriate, be sought.”

A8. **Derby Square Weather Vane – New Location**

The Committee considered a report submitted by the Head of Parks to seek Members’ approval for the relocation for the refurbished Derby Square weather vane.

The Head of Parks advised that following previous discussions in Committee regarding the relocation of the weather vane, and subsequent reports, officers had recommended that the centre of the Noble’s Park Maze as the most suitable location available.

In response to question, the Head of Parks advised that the weather vane would be installed with a concrete block foundation, and would be a similar height to a small lighting column.

During discussion Members suggested that locating the weather vane back into Derby Square should be considered, because of the history it has there.

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

- (i) That Members approve the relocation of the Derby Square Weather Vane to the Centre of the Noble’s Park Maze.”

1 for, 2 against,

Motion fell.

The Chair proposed a new resolution “That Members approve the relocation of the Derby Square Weather Vane in Derby Square, to be fixed onto a metal post.”

2 for, 1 against.

Motion carried.

Councillor Miss N.A. Byron asked that her name be recorded as voting against the resolution.

A9. Adjournment and Resumption

The meeting adjourned at 11.20am and resumed at 11.32am with the same officers and Members present.

A10. Noble’s Park - TT & MGP Vehicular Access from St Ninian’s Church Car Park

The Committee considered a report submitted by the Head of Parks to seek Members’ approval for vehicular access into Noble’s Park for the 2022 TT and MGP events through the boundary wall adjacent to St Ninian’s Church car park subject to conditions.

The Head of Parks advised that the report has been produced as a result of complaints from some residents of St Ninian’s Court following the use of the gated access between Noble’s Park and St Ninian’s Church car park during TT 2019.

The Head of Parks advised that although the Warden of St Ninian’s Court was consulted by the Department for Enterprise ahead of time in 2019, the residents themselves were not, which led to issues when some residents were returning to their homes during race times.

The Director of Environment and Regeneration advised that there is a live agreement to allow gate access for TT but that the recommendation of this report is that for 2022 the Department For Enterprise must consult with all residents of St Ninian’s Court and Church officials, as well as provide protection for the field. Approval of the recommendation would only cover this year, as detailed in the recommendation because the main TT agreement was due for review during 2022.

The Director of Environment and Regeneration further advised that of the options available, the 2019 route is preferable, as the parking setup that was in use in prior to 2019 resulted in a congestion on St Ninian’s Road and beyond. The only other option would be to prohibit parking in the area, which would lead to heavier traffic problems elsewhere in the vicinity. This option was not currently permissible under the existing licence.

The Head of Parks advised that the agreement is being reviewed this year, and the success of this year’s parking and traffic management arrangement would be taken into consideration.

The report stated that the Department for Enterprise have offered to compensate the residents of St Ninian’s Court by way of a payment agreement to the complex’s management company.

During discussion Members opined that the 2019 route is currently the best compromise available, and it can be made to work providing the Department for Enterprise can ensure that communication to the stewards and with residents of St Ninian’s Court is both clear and improved from previous years.

Resolved, “That Members approve vehicular access into Noble’s Park for the 2022 TT and MGP events through the boundary wall adjacent to St Ninian’s Church car park subject to the following conditions:

- (i) That all residents of St Ninian’s Court and Church officials are consulted.
- (ii) Adequate protection of the football pitch is installed during the two events and any subsequent reinstatement works are completed to the satisfaction of Council Officers.
- (iii) That this approval only covers the 2022 events and is subject to review prior to the 2023 events.”

A11. Quarter Three Service Plan Performance Monitoring 2021/22

The Committee considered a report submitted by the Director of Environment and Regeneration to provide an update on the performance made against measures as outlined in the service plan.

Appended to the report were the actions from the Parks Service Plan and actions from the Douglas Town Centre Management Service Plan for the end of Quarter Three 2021/22.

A red, amber, or green status had been applied to each measure.

Of note for Quarter Three:

- The Covid-19 crisis has adversely impacted upon many of the measures and actions contained within the service plans. This has resulted in target deadlines not being met; in some cases, new deadlines have been set and these are reflected in the appendices;
- Seven measures in Parks Services have been completed. One has a revised end date. All other measures are being met;

- All measures in Town Centre Management are being met.

In response to question the Director of Environment and Regeneration advised that the Health and Safety issues recorded were of a minor nature.

Resolved “That Committee note the progress of Environment and Regeneration Service Plans as relevant to the Committee.”

A12. Items for Future Report

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

During discussion Members asked for a report updating Members on the Pulrose Pavilion to be added to the Items for Future Report.

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

A13. Date and Time of Next Meeting

Members were advised that the next scheduled meeting was due to take place on Tuesday, 15th March, 2022.

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

The meeting ended at 12.14pm.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 14th February, 2022.

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

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Finance Manager (Mr M. Quayle) (Items A1 to A7), Dilapidation Enforcement Officer (Mr S. Salter) (Items A9 to A11), Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

No apologies for absence were received.

A2. Declarations of Interest

There were no Declarations of Interest.

A3. Appointment of Vice-Chair, until April 2023

The Chair invited nominations for the election of Vice-Chair consequent on the resignation from that position of Councillor Miss N.A. Byron, to act in the illness or absence of the Chair for the remainder of the current two year municipal term, until April, 2023.

Resolved unanimously, “That Mr Councillor D.R. Watson be elected Committee Vice-Chair for the remainder of the current municipal term, until April, 2023.”

A4. Minutes – 17th January, 2022

The minutes of the meeting held on Monday, 17th January, 2022 were approved and signed.

A5. Matters Arising

Clause A9 Planning Application 21/01540/B, Bix House – The Committee discussed a Member request, that had been raised at the February 2022 Council meeting, seeking agreement to write to the Planning Committee expressing the Council’s disappointment over the loss of affordable housing from the planning application. The Director of Environment and Regeneration advised that this would not be appropriate as the matter was not within the Council’s remit as a Statutory Consultee, she further explained that the Council does not have the power to influence the commercial market and that planning applications are dictated by Government Policy. The Assistant Chief Officer (Regeneration) advised that the Council does have an opportunity to express its views as part of the consultation process whenever the Island’s main planning policy document, the Strategic Plan, is updated. The current Strategic Plan was last updated in 2016.

Clause A10 – Dilapidated Properties – The Director of Environment and Regeneration advised of a question put to Tynwald in relation to Dilapidated Properties. It was noted that a briefing note in relation to the matter was due to be sent to Members detailing the question and response.

A6. Use of the Bottleneck Car Park During TT for a left luggage facility

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) seeking agreement to use part of the Bottleneck Car Park for a left luggage facility during TT 2022.

Members were advised of a proposal received from IOM Left Luggage to operate a left luggage facility from four spaces on the Bottleneck Car Park. It was noted that the exact four spaces to be used would be agreed on site and if approved, installation would commence on Thursday 26th May and the site would be cleared on Monday 13th June, 2022. Appended to the officer’s report were the full details of the proposal.

The Assistant Chief Officer (Regeneration) advised that the fee proposed would prevent any loss of car park revenue and it was the officer’s view that the proposal would provide a useful service for TT visitors. It was noted that, if approved, it is proposed that a licence to use the land, subject to all consents, insurances and related measures being in place be issued.

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

- (i) That the proposal by IOM Left Luggage to be licensed to use four spaces in the Bottleneck Car Park from 26th May until 13th June 2022 be approved; and
- (ii) That the proposed fee be accepted."

A7. Quarter Three Service Plan Performance Monitoring 2021/22

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

Appended to the officer's report were the measures as outlined in each Service Plan together with an update on the performance as at the end of quarter three 2021/22. A red, amber, green and black status had been applied to each measure.

Members were advised that Covid-19 had adversely impacted upon many of the measures and actions contained within the service plans in 2020 and in the early part of 2021, which had resulted in some target deadlines not being met; in some cases, new deadlines have been set and these were reflected in the appendices. Some of the measures cannot now be recovered.

Members noted that for Quarter Three:

- All measures bar one in Q1 and Q3 within Building Control have been met. The measure not met concerns a 24-hour delay in issuing a certificate. Due to the relatively small number of certificates issued each quarter, it is necessary to either achieve 100% or fall below the 98% target. The target of 98% has been achieved over the first three quarters. All other indicators are on target or are being exceeded;
- Electrical Services Promenade project works is delayed due to slippages in the Department of Infrastructure's programme. Painting of columns is behind due to the inability to secure a programme of works from appointed contractors who are still catching up from lockdown periods. Some annual programmes are behind schedule due to successive lockdowns in 2021. All other indicators are on target;
- Two measures within Fleet Services are slightly behind target. All other indicators are on target;
- Within Community & Enforcement, measures involving meeting others were adversely affected by lockdown 3 and the unavailability of personnel in other organisations in Q1. Some planned work has slipped due to the impact of a longer term illness of one team member or due to waiting on the input of others. Sickness for Q3 has been high due to the long term sickness of one team member. All other indicators are on target;
- Sickness within Cleansing is improving but remains higher than the industry benchmark. The recycling rate is making a slow recovery from the cessation of the kerbside service during lockdowns. All other indicators are on target or have been completed.

Resolved, "That particulars of the report be noted on the minutes and that the progress made against performance indicators in Service Plans for Quarter Three 2021/22 be noted."

A8. Attendance

The Dilapidation Enforcement Officer joined the meeting for discussion of Items A9 to A11 at which time the Finance Manager left the meeting.

A9. Section 24 Improvement Notice

The Committee considered a report submitted by the Dilapidation Enforcement Officer seeking approval to issue a Section 24 Improvement Notice. Appended to the officer's report was the neighbourhood impact statement in relation to 15 South Quay, Douglas. The appearance of the property is considered to be having a detrimental effect on the amenity of the neighbourhood.

Members were advised that attempts to improve the condition of the property using non-statutory action had been unsuccessful at the present time. It was therefore proposed that the Dilapidation Enforcement Officer be given authority to issue a Section 24 Notice on the owner of the property, if the condition of the property cannot be improved by informal means.

Resolved, "That particulars of the report and discussion be noted on the minutes and approval be given for the service of a Notice under Section 24 of the Building Control Act 1991 on the owners of 15 South Quay, Douglas."

A10. Section 14 Notice

The Committee considered a report submitted by the Dilapidation Enforcement Officer seeking approval to issue a Section 14 Maintenance of Open Land Notice. Appended to the officer's report was

the neighbourhood impact statement in relation to 16 Hildesley Road, Douglas. The appearance of the property is considered to be having a detrimental impact on the amenity of the neighbourhood.

Members were advised that attempts to improve the condition of the property using non-statutory action had been unsuccessful at the present time. It was therefore proposed that the Dilapidation Enforcement Officer be given authority to issue a Section 14 Notice on the owners of the property, if the condition of the property cannot be improved by informal means.

Resolved, "That particulars of the report and discussion be noted on the minutes and approval be given for the service of a Notice under Section 14 of the Building Control Act 1991 on the owners of 16 Hildesley Road, Douglas."

A11. Schedule of Dilapidated, Ruinous or Dangerous Properties

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

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

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

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

A12. Items for Future Report

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

Item 5 – Review membership of Keep Britain Tidy – A Member requested that the IOM College be given the Council's specification for the next litter campaign in order that the students be given the opportunity to come up with promotional material. The Director of Environment and Regeneration advised this year's brief would be different to last, most likely with a focus on car litter, she undertook to send the brief to the College.

Members requested a future report on options to improve the appearance of Guttery Gable.

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

A13. Date and Time of Next Meeting

Members were reminded that the next scheduled meeting of the Environmental Services Committee was due to take place at 10.00am on Monday, 14th March, 2022.

The meeting ended at 11.40am.

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

MOTIONS

1. Mr Councillor F. Horning to move:

“That Council policy be that access lanes, adopted as highway or otherwise, be not automatically lit. Where they provide key access to one or more properties, the Environmental Services Committee may consider the provision of lighting. The Environmental Services Committee may also consider the lighting for parks, glens, cycleways, lanes and alleyways on a case by case basis in line with the approved street lighting policy.”

On being moved and seconded, under Standing Order 30 the Motion will stand referred to the Environmental Services Committee for consideration and report to the Council by 8th June, 2022.