



Borough of Douglas

**MR COUNCILLOR JOHN EDWARD SKINNER, JP
MAYOR**

Town Hall,

Douglas,

4th November, 2016

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 9th day of NOVEMBER, 2016, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the TOWN HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

Town Clerk & Chief Executive

Order of Agenda

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

II - Any statutory business.

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

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

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

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

- (i) The Executive Committee;
- (ii) The Pensions Committee;
- (iii) The Standards Committee;
- (iv) The Eastern District Civic Amenity Site Joint Committee;
- (v) Any other Joint Committee;
- (vi) The Housing 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 monthly Council Meeting held on Wednesday, 12th October, 2016.

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

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 28th October, 2016.

Members Present: Mr Councillor D.W. Christian (Chair), the Mayor, Mr Councillor I.J.G. Clague, Councillor Mrs C.L. Wells (from 2.10pm), Councillor Miss D.A.M. Pitts (Vice Chair, Regeneration & Community Committee), Mr Councillor R.H. McNicholl.

Officers in Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr G.M. Bolt), Director of Environment & Regeneration (Mrs D. Eynon), Director of Housing & Property (Mrs S. Harrison), Transport & Plant Manager (Mr S. Dugdale) (for Clause A5), 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 Mr Councillor S.R. Pitts.

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes

The minutes of the meeting held on Friday 30th September 2016 were approved and signed.

A4. Matters Arising From Previous Minutes

There were no matters arising from the previous minutes.

A5. Vehicle Replacement Reports

The Committee considered a written report by the Transport & Plant Manager seeking approval for the replacement of various vehicles and plant.

Members recalled that the revised Transport and Plant Policy (as approved in November 2015) had been implemented to ensure that the Council's continued renewal policy was carried out in order to maintain a safe and sustainable fleet.

In accordance with the Policy, Members considered the general condition, current status, residual value, operating / whole life costs, downtime, environmental and fuel issues, and suitability, in respect of all vehicles and plant which were scheduled for replacement in 2017 / 2018 (it being noted that all had reached or surpassed their recommended replacement period of nine years).

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

- (ii) That approval be given for the replacement of HMN 105L, a small van operating in the Housing Section, at an estimated replacement cost of £9,000;

[4 For. 1 Against. Mr Councillor R.H. McNicholl requested his vote against resolution (ii) be recorded on the minutes]

- (iii) That approval be given for the replacement of HMN 122N, a tipper operating in the Cleansing Section, at an estimated replacement cost of £40,000;

[4 For. 1 Against. Mr Councillor R.H. McNicholl requested his vote against resolution (iii) be recorded on the minutes]

- (iv) That approval be not given for the replacement of HMN 526V, a small van operating at the Town Hall, and that its replacement be deferred and considered again in twelve months' time;

- (v) That unanimous approval be given for the replacement of HMN 533D, a panel van operating in the Garage Section, at an estimated replacement cost of £16,000;

- (vi) That approval be not given for the replacement of JMN 454K, a panel van operating in the Housing Section, and that its replacement be deferred and considered again in twelve months' time;
[3 For. 2 Against. Mr Councillor I.J.G. Clague and Councillor Mrs C.L. Wells requested their vote against resolution (vi) be recorded on the minutes]
- (vii) That unanimous approval be given for the replacement of JMN 526D, a small van operating in the Housing Section, at an estimated replacement cost of £9,000;
- (viii) That unanimous approval be given for the replacement of JMN 980K, a tipper operating in the Housing Section, at an estimated replacement cost of £17,500;
- (ix) That unanimous approval be given for the replacement of KMN 870K, a ride-on mower operating in the Parks Section, at an estimated replacement cost of £10,000;
- (x) That unanimous approval be given for the replacement of KMN 871K, a ride-on mower operating in the Parks Section, at an estimated replacement cost of £10,000;
- (xi) That, because the outcome of the Isle of Man Government's Waste Review was still awaited, consideration of the replacement of JMN 515L, a kerbside collection vehicle operating in the Cleansing Section, be deferred to the Special Executive Committee Budget Meeting in January 2017;
- (xii) That, because the outcome of the Isle of Man Government's Waste Review was still awaited, consideration of the replacement of JMN 516L, a kerbside collection vehicle operating in the Cleansing Section, be deferred to the Special Executive Committee Budget Meeting in January 2017;
- (xiii) That, because the outcome of the Isle of Man Government's Waste Review was still awaited, consideration of the replacement of JMN 518L, a kerbside collection vehicle operating in the Cleansing Section, be deferred to the Special Executive Committee Budget Meeting in January 2017;
- (xiv) That approval be not given for the replacement of P221, a fairways mower operating in the Parks Section, and that its replacement be deferred and considered again in twelve months' time; and
- (xv) That funding for the vehicles and plant approved for replacement be met from the Plant Renewals Fund."

A6. Referrals from the Environmental Services Committee

The Committee considered the following public referrals from the Environmental Services Committee meeting held on Monday 17th October 2016:

Clause B12 – Attendance at the Recycling and Waste Management Exhibition 2016: following attendance at the 2016 Exhibition, approval had been given for the Chair and one officer to attend in 2017, and authority was accordingly sought for funding for the associated costs and expenses.

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

- (ii) That approval be given for funding from the General Revenue Reserve for the payment of associated costs and expenses in respect of attendance at the 2017 Recycling and Waste Management Exhibition."

Clause B13 – Recycling in Flats: following approval for the promotion of the principle of recycling in flats, funding was accordingly sought for the provision of suitable external containers for the tenants / owners of flats to source, segregate, and deposit materials.

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

- (ii) That approval be given for expenditure from the General Revenue Reserve to fund the provision of suitable external containers."

A7. Proposed Amendment to the Douglas Dogs Control Byelaws 2015

The Committee considered a written report by the Assistant Chief Officer (Regeneration) in relation to the result of a consultation carried out in respect of a proposal to amend the Douglas Dog Control Byelaws 2015 governing Douglas Head.

Under current Byelaws, dogs were permitted on Douglas Head, off-lead, but had to be under effective control and all faeces had to be removed. Members noted that several verbal complaints had been received by the Council about dogs not being under effective control and causing a nuisance on Douglas Head, particularly in the vicinity of the barbecue areas. Advice had been sought from the Legislation and Policy Unit of the Department of Infrastructure regarding the process required to amend the Douglas Dog Control Byelaws 2015, and a draft amendment order had accordingly been prepared, the effect of which would prohibit dogs on Douglas Head, unless on a lead and restricted to the footpaths.

Public consultation on the proposed amendment had been undertaken for one month, closing on 14th October 2016. Twenty-three responses to the amendment had been received by the deadline – two supporting the amendment, and twenty-one objecting to it.

It was noted that the next stage of the process to amend the Byelaws would be for the Council to seek the Department of Infrastructure's approval, however, as the results of the public consultation would be taken into account, it was considered highly unlikely that the amendment would be approved. It was therefore recommended that the Council did not continue to seek the Department's approval to amend the Byelaws in relation to the whole of Douglas Head.

It was understood that a number of the complaints related to the presence of dogs not under effective control around the barbecue areas on Douglas Head, particularly around children and families when their presence was not welcome and did, indeed, on occasion cause distress to young children. It was therefore proposed that access for dogs be prevented in one of the two barbecue areas, and accordingly suggested that this should be the lower one, overlooking the Camera Obscura. It was noted that for a restriction on dogs to be enforceable, an alternative amendment to the Douglas Dog Control Byelaws would be required to move the restricted area from Schedule 2 Part A, 'Open spaces where dogs must not be at large', to Schedule 1 Part A, 'Open spaces where dogs are prohibited at all times'.

Such an amendment would be subject to the same consultation process as that recently undertaken, and, if approved, it would permit the Borough Wardens to enforce the two Byelaws, with a clear demarcation between the two areas.

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

- (ii) That the proposed amendment to the Douglas Dog Control Byelaws 2015 be not proceeded with;
- (iii) That the Council publicises its thanks to all consultation respondents and explains its decision; and
- (iv) That measures be explored in respect of making one of the barbecue areas on Douglas Head dog-free."

A8. "Shopmobility" – Review of Scheme

The Committee considered a written report by the Assistant Chief Officer (Regeneration) in relation to the Shopmobility scheme.

Members were reminded that Shopmobility was a service provided by the charity CIRCA, whereby mobility equipment was loaned to people with impaired mobility from its base on level 2 of the Chester Street Car Park, enabling the majority of users to be able to visit Douglas town centre.

Following discussions with CIRCA in 2013, the Executive Committee had agreed to purchase an extended Shopmobility service to cover Saturdays. The take-up of the Saturday service for the current year had however been very low, with only twenty-eight users since May - the only use tended to be by visitors, as local users tended to visit the town centre during weekdays.

The Assistant Chief Officer (Regeneration) had discussed the situation with CIRCA's Centre Manager, when it was suggested that CIRCA should close the service at the end of May 2017 as it was not achieving value for money. The allocated budget for the service and associated marketing would be paid during the 2016 / 2017 financial year, and therefore a budget would not be required for 2017 / 2018.

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

- (ii) That the agreement with CIRCA be terminated, and that a Saturday Shopmobility Service be not purchased beyond the current financial year."

A9. Town Centre Management Events Programme 2016 / 2017

The Committee considered a written report by the Assistant Chief Officer (Regeneration) setting out an update on the Town Centre Events Programme.

Members recalled that the new Town Centre Manager had taken up post in June 2016 and, as a consequence of the post being vacant for some time prior to that, the only major event that had taken place over the summer was the Douglas Carnival.

Members noted the programme of events proposed for 2016 / 2017, including the Hop-tu-Naa event on 29th October 2016; the Christmas Market on 10th and 11th December 2016; and the Christmas ice sculpture. Several new events were being explored for 2017 / 2018, however, it was presently not possible to determine a budget. If it appeared that they were likely to progress, the Town Centre Manager would produce a separate report to provide details and to seek any necessary funding.

Other activities undertaken by Town Centre Management included producing a monthly newsletter to retailers; appearing each month on Manx Radio to promote town centre events; and developing the Douglas Town Centre Management FaceBook Page and website.

Although the success of Town Centre Management could only really be judged subjectively, there were two objective measures where data could be collected regularly – these being footfall and vacancy rates. It was noted that, while footfall had increased over the last two years, vacancy rates stood at their highest since data was first collected in June 2012.

Although it was difficult to make a causal link, it was anticipated that the impact on the vibrancy and vitality of the town centre would be affected longer term if the Town Centre Events Programme was to cease. Footfall was an extremely important factor in maintaining economic health, by encouraging shoppers to visit town centre businesses rather than shopping online, and events were a proven and effective way of generating footfall.

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

- (ii) That approval be given for the allocation of a budget of £25,240, to be allocated from the General Revenue Reserve, towards the 2017 / 2018 Town Centre Events Programme.”

A10. Monthly Financial Review

The Committee considered a written report by the Director of Finance setting out details of progress made compared to key performance indicators in relation to:- strategic governance objectives; 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 considered a recommendation to write off an irrecoverable amount in respect of commercial rent and commercial bins. It was noted that a ‘Statement of No Assets’ had been provided by the Coroner of Middle in respect of this debt.

Members were also advised of a change to the accounting procedures in respect of the Stores and Purchasing function at the Ballacottier Service Centre.

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

- (ii) That the ‘Statement of No Assets’, as provided by the Coroner of Middle in respect of the bad debt, be noted, and that approval accordingly be given to write off the invoices raised for the sum of £5,875.73 plus VAT of £1,175.14; and
- (iii) That the proposed change to the accounting procedures, in respect of the Stores and Purchasing function at the Ballacottier Service Centre, be noted and approved.”

A11. Extension of the Use of Credit Cards

The Committee considered a written report by the Assistant Chief Officer (Finance) seeking approval for a controlled extension of the use of credit cards, in order to improve the efficiency of the procurement of goods and services for operational purposes.

Members were advised that there were currently three credit cards in use by Council officers – one each for the Town Hall, the Ballacottier Service Centre, and the Henry Bloom Noble Library. It was noted that there were internal controls in place to prevent the cards from being used for fraudulent purposes, and, if more officers were authorised to hold payment cards, more operational areas could administer their own credit card purchases, thus leading to improved efficiency.

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

- (ii) That the Director of Finance be delegated the authority to approve the issue of credit cards to appropriate officers.”

A12. 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.”

A13. Referrals from the Regeneration and Community Committee

The Committee considered the following public referral from the Regeneration and Community Committee meeting held on Monday 24th October 2016:

Clause B7 – Douglas Carnival 2017: the Committee had considered a breakdown of the Douglas Carnival 2016 costs and, on the assumption that the event would take a similar format in 2017, accordingly sought approval for a budget of £15,000 to fund the Douglas Carnival 2017.

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

- (ii) That approval be given for a budget of £15,000 to be allocated from the General Revenue Reserve to fund the 2017 Douglas Carnival.”

A14. 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.”

A15. Time and Date of Next Meeting

Members were reminded that a Special Meeting of the Committee would take place at 4.00pm on Friday 4th November 2016.

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

PART B –

Matters subject to Council approval

No public matters subject to Council approval were considered.

The Committee rose at 5.15pm.

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

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 26th October, 2016.

Members Present: Councillor Mrs C.R. Turner, (Vice-Chair), the Mayor, Councillor Miss D.A.M. Pitts, Mr A. Thomas (Independent Member).

In Attendance: Mr Andrew Beedall (Capita Employee Benefits), Director of Finance (Mr G.M. Bolt), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Payroll and Payments Manager (Mr M. Quayle), Democratic Services Officer (Mrs D.C. Atkinson).

REPORT

*The Pensions Committee minutes from Wednesday, 26th October, 2016
will be circulated separately.*

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

HOUSING COMMITTEE

HOUSING COMMITTEE – Minutes of Meeting held on Wednesday, 19th October, 2016.

Members Present: Councillor Mrs C.L. Wells (Chair), the Mayor, Councillor Ms C.E. Malarkey, Councillor Mrs E.C. Quirk, Mrs J. Quaggan (Independent Member).

In Attendance: Director of Housing and Property (Mrs S. Harrison), Assistant Chief Officer (Income) (Mrs C. Pulman), Democratic Services Officer (Mrs D. Atkinson), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters decided by the Committee

A1. Apologies for Absence

Apologies for absence were submitted by Mr Councillor C.L.H. Cain.

A2. Declarations of Interest

There were no declarations of interest.

A3. Minutes - 21st September, 2016

The minutes of the meeting of the Housing Committee held on Wednesday, 21st September, 2016, were approved and signed.

A4. Voids Property List

The Committee considered a report submitted by the Assistant Housing Manager (Maintenance) updating on the number of vacant social housing properties. Members reviewed the list appended to the report and discussed a number of properties.

Members noted the improved position and discussed the expected date of return listed for properties. A Member suggested amending the date to show the month in which a property was expected to be returned.

Resolved, “That the list of vacant properties and discussion be noted on the minutes.”

A5. Housing Request Refusals

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) advising on the proposed housing request refusals, all such refusals are made by housing management officers in accordance with current Council Policy, Government Regulations and Guidance.

The report recommended that approval be given to the list of proposed housing request refusals as appended to the report.

Members noted the request as detailed in appendix 1 and discussed the policy for keeping pets within social housing properties. The Director of Housing and Property was made aware of a further case to be investigated by the Housing Department.

Resolved, “That particulars of the report and discussion be noted on the minutes and that approval be given to the proposed housing request refusal as shown in Appendix 1, which complies with current Council policy and Department of Infrastructure regulations and guidance.”

A6. Social Housing Rent Increase 2017 - 2018

The Committee considered a report submitted by the Director of Housing and Property on setting the proposed level of increase for social housing rents, and the percentage allowances for management, maintenance and community for the financial year 2017/2018. Appended to the report was correspondence from the Director of Housing in the Department of Infrastructure seeking the Council’s views on rent increases, and the allowances for expenditure by the Council on management, maintenance and community (which covers the communal facilities in sheltered housing facilities). The Committee noted that the decision on rent levels is subject to Council of Ministers’ agreement.

Members recalled that the recommended rent increase last year was 2.6% as proposed by the Department of Infrastructure. However the Committee had resolved not to impose any rent increase for 2016/2017.

The report set out three rent increase options of 14.26% or 8.98% or 4% to be considered. The effects of each of the options on the Deficiency Grant and the rateborne subsidy, whilst taking into account the Architects Grant deletion and changes to the deficiency calculations and allowances.

Members discussed at length both the advantages and disadvantages of each of the three rental increase options. The Chair was minded to propose the second option of an 8.98% rental increase and explained that this was due to the expectation that the Department will not approve any increases in future years without exceptional justification and expressed concern that a rental increase of any lower than this amount would mean either a rateborne increase or the inability to fully resource the housing service.

The Chair further explained that the Council, in order to request an increase in the deficiency, must realistically propose a rental increase to justify the request for additional monies.

Members expressed dissatisfaction that means testing was still to be introduced. The Chair requested that comment go into the response submitted to the Department that acceptance of a substantial increase was based on the presumption that means-testing would be implemented as it would protect those most in need from the full effect of rent rises.

It was agreed that the draft response to the Director of Housing in the Department Infrastructure be circulated to the Chair ahead of submission to the Department.

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

- (i) The Department of Infrastructure be notified that *‘the amount of rental income allocated to Housing Maintenance and Housing Management is presently insufficient. The Council considers that the amount required to be spent in maintaining the Council’s housing stock and the costs of resourcing the service should be decided by the Housing Committee in accordance with the Council’s governance procedures’*; and
- (ii) The Committee recommends to notify the Department that the “Guidelines for Housing Deficiency Estimates, Grants and Payments (General Stock)” document issued in January 2016, both in respect of its legal standing and practical application is not supported; and
- (iii) Having considered the current needs and in order to avoid further increases in costs of the Douglas Housing Service to the ratepayers of Douglas or the taxpayers, the Committee recommends a 8.98% rental increase for the Council’s social housing stock properties to commence from April 2017; and
- (iv) Recommendation be made to the Department that the cash limited Maintenance Allowance is increased to 30%, the Community Cash Limited Allowance is increased to 10% and the cash limited sum for Management is increased to 8%; and
- (v) The Department of Infrastructure be advised of the Committee’s decision immediately to comply with the stipulated October timeframe.”

Resolution (iii): For: 2 Against: 2

Councillor Ms C.E. Malarkey and Mrs J. Quaggan requested that their names be recorded as voting against the resolution.

The Chair exercised her casting vote for the Motion.

A7. Adjournment and Resumption and Attendance

The Committee adjourned at 11.40am to 11.45am. The Mayor submitted his apologies for the remainder of the meeting.

A8. Social Housing Rent Rationalisation

The Committee considered a report submitted by the Assistant Chief Officer (Housing and Property) advising on the progression of the arrears process in order to fully comply with the Council’s auditors’ recommendations with an aim to have all rents paid in advance by 31st March 2018.

Members noted that a review of housing rents carried out by the Council’s internal auditors in January 2016 had identified an historic practice allowing tenants to pay rent up to a month in arrears. It was further noted that this practice does not accord with the current Tenancy Agreement.

Members were presented with a previous letter sent to tenants on this subject. The Director of Housing and Property advised that it is proposed to send further letters out to tenants with historic rent arrears politely requesting that they bring their accounts up to date in full compliance with their tenancy agreements. Members agreed that the matter must be addressed and there was discussion on the best way to approach the matter going forward. It was agreed that the process for implementing and communicating the change be brought to the November meeting.

Resolved, “That particulars of the report and discussion be noted on the minutes and approval be given to housing officers to progress the arrears process in order to fully comply with the auditor’s recommendations with and aim to have all rents paid in advance by 31st March 2018.”

A9. Items for Future Consideration

The Committee considered a report setting out items which will be considered at future meetings. Members noted the reports listed for consideration at the November meeting of the Committee.

The Director of Housing and Property gave an update on the Lheannag Park tanking capital scheme.

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

The meeting ended at 12.40pm.

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 Monday, 24th October, 2016.

Members Present: Councillor Miss D.A.M. Pitts (Vice-Chair), the Mayor, Councillor Mrs R. Chatel, Councillor Ms J. Thommeny.

In Attendance: Director of Regeneration and Environment (Mrs D. Eynon), Assistant Town Clerk (Mr P. Cowin), Accountancy Manager (Mr R. Davies), Head of Parks (Mr D. Hewes), Democratic Services Officer (Mrs D. Atkinson).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Chair of Meeting

In the absence of the Chair, the Vice-Chair Councillor Miss D.A.M. Pitts was unanimously elected to chair the meeting.

A2. Apologies

The Chair, Mr Councillor S.R. Pitts submitted his apologies for the meeting.

A3. Minutes – 20th September, 2016

Minutes of the Meeting held on Tuesday, 20th September, 2016, were approved and signed.

A4. Perpetual Care of Graves within the Council's Cemeteries

The Committee considered a report submitted by the Head of Parks, in response to a Member request, on the perpetual care of graves within the Council's Cemeteries.

The report explained that the Public Health and Housing Committee resolved to abolish the perpetual care of graves service in 2001. Following a Member request to reinstate the service to offer perpetual grave care, a report was presented to the Regeneration and Community Committee in January 2014. The Committee resolved not to reinstate the service.

The current liability of annual perpetuity costs to the Council is funded through the existing Cemetery revenue budget; however any additions to this cost would have to be funded through a revenue growth item. The Head of Parks advised that if a scheme were to be re-introduced then it is assumed that Members would require this to be on a cost neutral basis, with liability to the ratepayer negated. It had been assumed that any agreement would have to be limited to 40 years as previously reported during 2001 to limit ongoing costs to the Council which will rise each year in line with inflation. The report listed the current costs of such arrangement based on a specification which calculated, together with a contingency amount, totals £354.17 per annum. The total cost of perpetual grave care excluding inflation, over a forty year period is estimated at £14,166.80 per grave with all costs payable by the agreement signatory and grave deed holder. If the annual inflation average was 5% over the forty year term, the total cost would be £42,782. The charge for the service would have to be payable in advance at commencement of the agreement.

The report explained the current arrangements for graves not in perpetuity and falling into disrepair.

In response to question, the Head of Parks confirmed that no requests for perpetual care of graves have been received at present.

Resolved, "That particulars of the report and discussion be noted on the minutes and the perpetual care of graves policy be not introduced or offered by the Council as a service."

A5. Kaye Memorial Garden – Pergola Replacement

The Committee considered a report submitted by the Head of Parks to progress the removal of the pergola at Kaye Memorial Gardens.

Members were advised that during regular maintenance of the gardens during August 2016, an inspection of the pergola trusses had been completed. The inspection found that a high proportion of the trusses were rotten and in a dangerous state and at risk of collapse. The trusses were removed from site but the stone columns remained.

It is proposed to remove the stone pillars, re-locating the hanging baskets onto the pillars which remain along the rear retaining wall. The paving along the inside of the pergola will be removed and an herbaceous border created with a central section planted with annual bedding to the rear of the site. It is intended that works will be completed by Parks Service staff during winter 2016 with funding from existing parks revenue budgets and the annual revenue impact of £355 per annum will be funded from existing parks services revenue budgets.

It was noted that the cost of replacing the trusses is estimated at £11,116.

Resolved, That particulars of the report be noted on the minutes and the pergola stone columns and paving be removed and replaced with herbaceous planting.”

A6. Items for Future Report

The Committee considered a report by the Democratic Services Officer regarding reports for future consideration by the Committee. Officers advised of additional reports to be included in the schedule.

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

PART B –

Matters requiring Executive Committee approval

B7. Douglas Carnival 2017

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek approval of a budget for Douglas Carnival 2017.

The report provided a breakdown of the Douglas Carnival 2016 costs. On the assumption that the event will take a similar format in 2017, it has been recommended that a budget of £15,000 be allocated from Reserves to fund the 2017 Douglas Carnival.

Members discussed the logistics of the Douglas Carnival, officers advised a further report containing the event debrief and proposals for the 2017 event will be considered no later than the December 2016 Committee meeting.

Members agreed to fix the date of the 2017 Douglas Carnival as Sunday, 16th July, 2017.

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

- (i) A budget of £15,000 be recommended to the Executive Committee to allocate from General Revenue Reserves towards Douglas Carnival 2017;
- (ii) The date of the 2017 Douglas Carnival be fixed as Sunday, 16th July, 2017.”

The meeting ended at 3.35pm.

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

ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 17th October, 2016.

Members Present: Mr Councillor R.H. McNicholl (Chair), the Mayor, Councillor Ms C.R. Turner, Mr Councillor F. Horning, Mr Councillor F. Pabellan.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Environment) (Mr A. Donnelly), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Accountancy Manager (Mr R. Davies), Building Control Manager (Mr N. Kaighin) (Items A1 to A6), Electrical Services Manager (Mr D. Cullen) (Item A7), Democratic Services Officer (Mrs D. Atkinson), Assistant Democratic Services Officer (Miss C. Cullen).

REPORT

PART A –

Matters delegated to the Committee

A1. Apologies

Apologies for absence were submitted by Councillor Ms K. Angela.

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes – 19th September, 2016

The minutes of the meeting of the Environmental Services Committee held Monday, 19th September, 2016, were approved and signed.

A4. Appointment of a Member to the Waste Working Group

The Chairman invited nominations for a Member to be appointed to the Waste Working Group.

Mr Councillor F. Horning was nominated by Councillor Ms C.R. Turner and seconded by Mr Councillor F. Pabellan.

The Chairman advised that the next meeting of the Waste Working Group was scheduled to take place on Monday, 24th October, 2016 at Onchan Commissioners and asked that the Secretary to the Group be informed of Mr Councillor Horning's appointment.

Resolved unanimously, "That Mr Councillor F. Horning be appointed to serve as a Member of the Waste Working Group."

A5. Schedule of Neglected, Dilapidated, Ruinous and Dangerous Properties

The Committee considered the schedule of unsightly properties being dealt with on behalf of the Council.

The Chairman made reference to concerns raised at October's Council meeting in regard to the Pitcairn Hotel and asked whether a second opinion could be sought over the Hotel's current structural state. The Building Control Manager advised that the cost for completion of another survey would be approximately £300 to £500 and reported that he was currently compiling evidence to be submitted to the High Bailiff seeking a warrant for entry to the property. The Director of Environment and Regeneration suggested that the second opinion would be best sought once the warrant for entry is in place.

The Assistant Chief Officer (Regeneration) advised that Council officers refer to a manual which sets out the policies and procedures for dealing with properties in a dilapidated state. He suggested that as the Dilapidation Enforcement Officer would soon be in post, the manual be reviewed and brought back to Committee at a later date, in the form of a Briefing Note or for agreement, dependent upon the outcome of the review. Following suggestion from the Mayor it was agreed that the manual in its present form be sent as a briefing note to the Committee for their information.

There was discussion of a particular area on Demesne Road in light of comments made at the October Council meeting, the Assistant Chief Officer (Regeneration) explained that the property in question is an on-going matter being dealt with by the Building Control Department.

Resolved, "That the Schedule and discussion be noted on the minutes and;

- (i) A briefing note together with the Dilapidation manual be circulated to the Committee for information purposes; and
- (ii) The matter be brought back to the Committee in February 2017 following a review of the manual."

A6. Service of Notice – Finch Road Covered Car Park

The Committee considered a report submitted by the Building Control Manager on the appearance of car parking spaces 1 – 16 of the covered car park on Finch Road, Douglas.

The report advised that all owners have agreed that improvements are necessary, and are not opposed to the work being carried out. However, difficulties are being experienced by the owners regarding both getting quotations for the repainting, and co-ordinating the repainting works.

The Building Control Manager advised that the aim of serving notice, if it proves necessary, is to attempt to have the owners work together to achieve an overall improvement in the appearance of the car park.

In response to query, the Building Control Manager advised that the area was not a conservation area; the Chairman requested that he also check whether the Pitcairn Hotel was located within a conservation area.

Resolved, "That particulars of the report and discussion be noted on the minutes and that approval be given to serve notice, if necessary, under Section 24 of the Building Control Act 1991, on the owners of the car park. The notice would relate to the repainting of the masonry walls and exposed steelwork."

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

A7. Douglas Promenade Regeneration Street Lighting

The Electrical Services Manager joined the meeting at 10.57am for the item.

The Committee considered a report submitted by the Electrical Services Manager advising on the proposed amendments to the lighting design for the Douglas Promenade Regeneration Scheme.

The Electrical Services Manager went through some of the detail of the report including the hanging baskets, banners and finial. He reported that at a Promenade lighting design meeting, Mr Wass, Managing Director of Fabrikat, a specialist column design and manufacturers company had been in attendance. Mr Wass had explained the importance of the final finish to the columns and had recommended having the columns factory finished with a high gloss paint system, in his experience of column design he suggested that a single dark colour on a modern style column can become aesthetically unpleasant during day light hours as the colour makes the column stand out thus creating a clutter effect. Members were presented with the proposed plans for a two tone colour in Douglas Blue and upper sections silvered.

Members noted that Thorn had presented a sculptured column as a focus point at Peveril Island; the proposed column incorporates the Three Legs of Man in a modern style bracket and lantern array, and would be mounted to a triangular column.

The Electrical Services Manager clarified that the proposed changes to the lighting design will not affect the cost of the original petition figure.

The Chairman requested that the Electrical Services Manager submit a report to the November meeting updating on the LED Lighting replacement programme.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the amended design proposals from Thorn Lighting for the Douglas Promenade Regeneration Scheme be approved."

The Electrical Services Manager was thanked for his attendance and left the meeting.

A8. Douglas Off-street Car Parking Strategy 2016 – 2020

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) setting out the draft Douglas Borough Council Off-street Car Parking Strategy for 2016 – 2020.

Appended to the report was the draft off-street car parking strategy for 2016 – 2020, the proposed three year tariff structure and an estimate of the potential revenue implication of replacing the pay on foot with a barrierless Automatic Number Plate Recognition (ANPR) system.

Members reviewed the draft off-street car parking strategy and noted the aims and objectives together with an action plan for how the Council will manage and improve the car park service over the next four years.

The Assistant Chief Officer (Regeneration) advised that the current 'pay on foot' system was nearing the end of its useful life, and that the manufacturer can no longer supply replacement parts without a

major rebuild of the existing machinery and installation of upgraded software. The quotation for this work is just over £12,000 and in addition work would be required in early 2017 to update the machines to accept the new UK polymer £5 note and the new £1 coin, subsequently it is recommended that the Council updates the whole system.

The report recommended that a barrierless ANPR system is the option that is likely to be the most advantageous from both a customer experience and an operational perspective and outlined the main benefits of implementing a barrierless ANPR system.

The Chairman requested that the proposal for digital signboards be not considered as part of the overall strategy and opined that it should not be funded from the Environmental Services Committee budget. The Director of Environment and Regeneration advised that she felt it pertinent for the matter to be considered as part of the overall strategy as it directly affects the overall customer car parking experience but clarified that it would be funded from the Town Centre budget.

Members discussed at length the proposed three year tariff structure, the Assistant Chief Officer (Regeneration) advised that bringing the tariffs in line with a more appropriate incremental increase with time will not be possible without some tariffs increasing by large sums and other decreasing slightly, subsequently the proposed tariff structure will be implemented over a three year period. It was agreed to defer recommendation four of the report for discussion during the Fees and Charges item.

In response to query from the Mayor, the Assistant Chief Officer (Regeneration) advised that preliminary research into legal issues surrounding the use of an ANPR system suggested that the Council is unlikely to face the problems experienced on a previous project where it was attempted to use powers under the Criminal Justice Act. However further investigations are to be undertaken and legal advice sought as required.

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

- (i) Approval be given to the draft Douglas Borough Council Off-street Car Parking Strategy 2016 – 2020; and
- (ii) Approval be given to officers for the preparation of specification and for tenders to be sought on a value assessment basis for the replacement of the existing 'Pay on Foot' car parking equipment in Shaw's Brow Car Park and the Bottleneck Car Park with an Automatic Number Plate Recognition System; and
- (iii) The operation at Chester Street Car Park and Drumgold Street Car Park remain as 'Pay and Display' in the short term pending feedback from any new system at Shaw's Brow Car Park and the Bottleneck Car Park; and
- (iv) The revised tariff structure be deferred for discussion during item 12 Fees and Charges 2017/18."

A9. Adjournment and Resumption

The Committee adjourned at 12.06pm to 12.15pm and at 2.05pm to 2.15pm.

A10. Public Toilet Provision in Douglas

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) advising on the review of the quality and distribution of public toilet provision in Douglas.

Members were presented with maps demonstrating the current provision of public and main customer toilets in Douglas, including central Douglas, together with a review carried out by the Town Centre Manger on 10th August, 2016 and feedback received from the public through social media consultation.

The Director of Environment and Regeneration reported that the main concerns raised by the public relate to the gap in provision between Broadway and Derby Castle on the Promenade, dissatisfaction regarding the 20p charge and improvement to the family facilities in the town centre.

Members discussed potential suitable sites for the provision of public toilets, the Assistant Chief Officer (Regeneration) advised that following a suggestion from the Chairman, the pumping station site on Queens Promenade could be a viable option.

The Chairman suggested building on top of the sunken toilets site located on Queens Promenade. Members noted that this had been previously considered some years ago but that concerns expressed by some residents had meant that the project was not progressed. It was agreed that the pumping station and the sunken toilet sites located on Queens Promenade be considered by officers and if Members had any other suggestions that they be passed to the Director of Environment and Regeneration for consideration.

There was discussion about the Bus Station site at Lord Street, the Assistant Chief Officer (Regeneration) opined that it was highly likely that any potential developer for the site in the future would incorporate toilets, and if not, comment could be made at the planning application stage.

The Accountancy Manager advised that there was no specific provision in reserves for the funding of new public toilets; consequently any new project would be required to be funded from the General Revenue Reserve or from borrowing.

Members discussed the current 20p charge. It was agreed to continue with charging for public toilet use due to its contribution to the cleaning of the facilities and acting as a deterrent for anti-social behaviour.

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

- (i) Approval be given for officers to explore the possibility for the provision of public toilets at both the pumping station and sunken toilets sites located on Queens Promenade; and
- (ii) The existing policy of charging 20p for public toilet use in the Borough continue; and
- (iii) The concerns raised about the lack of family friendly facilities in the town centre be noted; and
- (iv) Comment to be made in favour of such provision should there be an opportunity to do so in relation to any appropriate future planning application in the town centre."

A11. Items for Future Consideration

The Committee considered a report setting out items which will be considered at future meetings. Members discussed the reports listed for consideration at the November meeting of the Committee.

Members discussed a planning application, which had been circulated to all Members by the Chairman in advance of the meeting. The Director of Environment and Regeneration advised that the matter could not be discussed or resolved without a written report. She advised that an extension to the deadline had been required and if this was agreed, a report would be brought to the November meeting. However Members were asked to forward any concerns in relation to the planning application so that these could be included in the Council's response. Should the deadline extension not be granted, the matter could be determined under the Urgent Business Procedure.

The Assistant Chief Officer (Regeneration) asked that the Car Park Strategy be made as a public document. The Chairman confirmed that the document can be made public subsequent to Executive Committee approval.

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

PART B –

Matters requiring Executive Committee approval

B12. Attendance at the Recycling and Waste Management Exhibition 2016

The Committee considered a report on the attendance of the Chairman and one officer at the Recycling and Waste Management Exhibition (RWM) held at the Birmingham National Exhibition Centre on the 13th to 15th September, 2016.

The report identified fourteen companies whose goods and services may be of further interest to the Council. Members noted in discussion that over the years attendance at the exhibition has been useful and many new products have been sourced.

In response to query, the Accountancy Manager advised that £800 is a reasonable estimate to budget for attendance at next year's exhibition.

Following a query from a Member, the Director of Environment and Regeneration gave an update on the Energy from Waste Facility availability fee.

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

- (i) That approval be given for the Chair and one officer to attend the Recycling and Waste Management Conference (RWM) in 2017 and payment of the associated costs and expenses; and
- (ii) The report be referred to the Executive Committee for General Revenue Reserve funding approval."

B13. Recycling in Flats

The Committee considered a report submitted by the Assistant Chief Officer (Environment) on the principle of promoting a recycling initiative in flats.

Members were presented with sample recycling bags provided by Sackmaster and Saipack. The Assistant Chief Officer (Environment) advised that Sackmaster was the preferred choice of supplier and that there would be a required minimum order of 5000 bags at a cost detailed within the report. The Chairman suggested that the surplus bags be used for the Council's kerbside collections in the South of the Island.

Members noted that the 2011 Census records 3133 flats within the Borough of Douglas, the Assistant Chief Officer (Environment) advised that the Council owns 550 of the total number of flats.

The report advised that the benefits of this promotion were in relation to the possible reduction of residual waste bins size and street clutter in areas deemed suitable for this type of collection and of the values of recyclates recovered.

The Director of Environment and Regeneration advised that it is proposed to start with an approximate number of 200 flats initially for a trial period.

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

- (i) The principle of promotion of recycling in flats be approved; and
- (ii) The principle of the provision of a suitable bag for tenants/flat owners to use be approved; and
- (iii) Approval be given for the Council to provide suitable external containers for the residents to source, segregate and deposit materials; and
- (iv) The report be referred to the Executive Committee for General Revenue Reserve funding approval."

The meeting ended at 2.50pm.