



# HOUSE OF KEYS OFFICIAL REPORT

RECORTYS OIKOIL  
Y CHIARE AS FEED

# PROCEEDINGS

DAALTYN

(HANSARD)

**Douglas, Tuesday, 1st November 2011**

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## BUSINESS TRANSACTED

	Page
Leave of absence granted .....	77
<b>Questions for Oral Answer</b>	
1.1. Free bus passes – Eligibility .....	77
1.2. Sarah’s Law – Introduction of Manx equivalent.....	79
1.3. Freedom of Information Act – Plans to introduce.....	80
1.4. Rio Convention – Extension to Isle of Man .....	81
1.5. International retail businesses – Question not asked .....	83
1.6. Manx Radio – Accounts .....	83
1.7. Fuel costs – Help for motorists.....	85
1.8. Director of Public Transport – Term of contract.....	86
1.9. Winter bus timetable – Publication; implementation; consultation .....	88
1.10. Leisure facilities – Families and young people .....	90
1.11. Bus timetable – Request for review.....	92
1.12. Care system – Help for leavers.....	94
1.13. Private pet cemeteries – Legal framework .....	95
1.14. NHS dental services – Waiting lists .....	96
Standing Order 3.5.1(2) suspended to allow continuation of Question Time .....	97
1.15. Cancer patients – Level of treatment .....	98
1.16. Countryside Care Scheme – Subsidies .....	100
1.17. Seagulls – DEFA policy; local authority powers – .....	106
<b>Questions for Written Answer</b>	
2.1. Director of Public Transport – Previous experience .....	108
2.2. Noble’s Hospital – Operating theatres.....	108
2.3. Civic Amenity sites – Location; permitted waste .....	109
2.4. Foreign Aid – Payments.....	109

*The House adjourned at 11.46 a.m.*

### **Present:**

The Speaker (Hon. S C Rodan) (Garff);  
The Chief Minister (Hon. A R Bell) (Ramsey);  
Hon. D M Anderson (Glenfaba); Mr L I Singer (Ramsey);  
Hon. W E Teare (Ayre); Mr A L Cannan (Michael); Hon. T M Crookall (Peel);  
Hon. P Karran, Mr Z Hall and Mr D J Quirk (Onchan);  
Mr J R Houghton and Mr R W Henderson (Douglas North);  
Hon. D C Cretney and Mrs K J Beecroft (Douglas South);  
Hon. C R Robertshaw and Mrs B J Cannell (Douglas East);  
Hon. J P Shimmin and Mr C G Corkish MBE (Douglas West);  
Mr R A Ronan (Castletown); Mr G D Cregeen (Malew and Santon);  
Hon. J P Watterson, Mr L D Skelly and Hon. P A Gawne (Rushen);  
with Mr R I S Phillips, Secretary of the House.

## House of Keys

*The House met at 10.00 a.m.*

[MR SPEAKER *in the Chair*]

**The Speaker:** Moghrey mie, good morning, Hon. Members.

5 **Members:** Good morning, Mr Speaker.

**The Speaker:** The Chaplain will lead us in prayer.

### PRAYERS

*The former Chaplain of the House of Keys*

### Leave of absence granted

**The Speaker:** Hon. Members, I have given leave of absence to the Hon. Member for Middle, Mr Quayle, in the light of arrangements made before he was elected to the House of Keys.

## Questions for Oral Answer

### COMMUNITY, CULTURE AND LEISURE

#### Free bus passes Eligibility

1.1. The Hon. Member for Douglas North (Mr Henderson) to ask the Minister for Community, Culture and Leisure:

10 *Whether his Department intends to remove or change the eligibility for free bus passes?*

**The Speaker:** We now turn to Item 1 on the Order Paper, Questions for Oral Answer, and I call on the Hon. Member for Douglas North, Mr Henderson.

15 **Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.  
Ta mee shirrey kied yn eysht y chur ta fo my ennym. I beg to ask the Question in my name.

**The Speaker:** I call upon the Minister for Community, Culture and Leisure, the Hon. Member for Peel, Mr Crookall.

20 **The Minister for Community, Culture and Leisure (Mr Crookall):** Thank you, Mr Speaker.

As the Hon. Member is aware, all Departments are having to review their expenditure and income, in the light of the significant fiscal challenge facing the Isle of Man Government. My

25 Department is no exception to this and is considering a wide range of options to ensure that we  
make the best and fairest use of the Island's public resources at this difficult time. It would be  
premature and misleading to single out one issue for determination at this stage, but I can confirm  
that the Department has not made any decision to remove or change the eligibility for free bus  
passes.

30 The issue of free bus passes is a complex one with a lengthy history, and I shall try to be brief.  
The first category of free travel is for schoolchildren going between home and school. The  
fares that had been in place for many years were removed in 2000, as a result of the Budget vote in  
the February Tynwald that year. This concession has subsequently been extended to include  
students of both Isle of Man College and the Isle of Man Business School. Schoolchildren also  
receive a concessionary fare at all other times.

35 Island residents aged over 60 travel at half fare before 9.00 a.m. on a weekday and on the  
'Night Owl' late service bus, and travel free at all other times.

40 Island residents who are registered permanently disabled... are able to receive similar travel  
concessions to the over-60s. Persons registered blind travel free at all times. Their travel includes a  
guide dog or escort, as appropriate. The unemployed receive concessionary travel, paying child  
fares from 9.00 a.m. to 11.00 p.m.

The impact of free passes goes beyond the obvious loss of income. The fact that free travel is  
available can increase the number of passengers on any given service, meaning that the  
Department has, over the years, had to increase provision on some routes and thus increase the  
number of vehicles and drivers.

45 We are working through a programme of replacing travel passes and are checking eligibility as  
we do this. We are not replacing passes if there is no longer an entitlement. In the longer term, we  
are planning to move to a smartcard-based system where all entitlements and expiries can be  
readily programmed to that card.

50 In these times of difficult budget decisions we will have to address access to public transport to  
ensure that it remains affordable to both user and taxpayer. The Department will have to keep  
concessionary fares under review but has not yet made any decision about changing any of the  
current policies on eligibility or level of concession.

Thank you, Mr Speaker.

55 **The Speaker:** Supplementary, Mr Henderson.

**Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.

60 I thank the Shirveishagh for his comprehensive Answer on that particular point. I thank him  
also for his view that the Department has not come to any decision on the concessionary fares,  
which is good news.

65 Can he confirm that, when he struggles with his budget within the Department, they will  
always, at all times, keep the concessionary bus fares and free bus passes as a priority issue for the  
community, inasmuch as that it is an invaluable resource and many, many Island residents depend  
on this for getting around the Island and, indeed, communicating with their friends and family?  
Otherwise, there is nothing else for them.

**The Speaker:** Minister to reply.

**The Minister:** Thank you, Mr Speaker.

70 We are well aware of what the Hon. Member who has just resumed his seat has said and will  
take that on board, sir.

**The Speaker:** Hon. Member for Onchan, Mr Quirk.

75 **Mr Quirk:** Thank you, Mr Speaker.

Could I ask the Minister for the Department, first of all, has he delegated the buses to a  
Department Member, and also, with reference to the discussions for the future, will he give the  
assurance to this House that he will talk to Members first before changing his policy?

80 **Mr Houghton:** Hear, hear.

**The Speaker:** Minister.

**The Minister:** Thank you very much, Mr Speaker.

85 I have not delegated; I shall be taking over the public transport side of the Department, sir. The Hon. Member who has just resumed his seat has always known that my door is always open and I am willing to talk at any time.

90 **Mr Teare:** Hear, hear.

**The Speaker:** Mr Henderson.

## HOME AFFAIRS

### Sarah's Law

#### Introduction of Manx equivalent

1.2. The Hon. Member for Douglas North (Mr Henderson) to ask the Minister for Home Affairs:

*Whether his Department has taken any action in assessing the introduction of Sarah's Law, or a Manx equivalent and, if so, what, and if not, why not?*

95 **The Speaker:** Question 2. Hon. Member, Mr Henderson.

**Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.  
Ta mee shirrey kied yn eysht y chur ta fo my ennym. I beg to ask the Question in my name.

100 **The Speaker:** I call on the Minister for Home Affairs, the Hon. Member for Rushen, Mr Watterson.

**The Minister for Home Affairs (Mr Watterson):** Mr Speaker, I thank the Hon. Member for his Question and his long-standing and ongoing interest in this topic.

105 Hon. Members may be aware that my Department has established a working group to consider current arrangements for the protection of children on the Island. The Department is aware of public interest in this subject and, following the receipt of a petition in July, which arose from a public campaign, the former Minister, Mr Earnshaw, invited two interested individuals from the Sarah's Law campaign to discuss the issue with him and Mr Malarkey, then a political member of the Department.

110 The working group was established soon after, with Mr Malarkey as chair, with representatives from across Government and representatives from the Sarah's Law campaign. It is my intention to reconvene the work of the group, which was due to report by the end of the year, once the political delegations within the Department have been determined.

115 I would like to assure the Hon. Member that I approach the subject with an open mind and await the expert deliberations of the working group.

**The Speaker:** Mr Henderson, a supplementary.

120 **Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.

I thank the Shirveishagh for his positive Answer and welcome the news of the working party and invites for two of the members of the Sarah's Law campaign to be on that. Would he give a commitment to update the House as soon as practicable once the working party has come to some conclusions or ideas to move this forward – and would he agree to a meeting with myself and the officials on that committee at some point to discuss relevant ways forward on this important matter?

125 **The Speaker:** Minister, Mr Watterson.

130 **The Minister:** The working group is due to report back by the end of the year. That will then be considered by the Department and I would, of course, welcome a meeting with the Hon. Member to gauge his views. I presume he would want to base that on the views expressed in the report and wait till that point but, of course, I am more than willing to have that meeting earlier if he would so wish.

**CHIEF MINISTER**

**Freedom of Information Act  
Plans to introduce**

1.3. The Hon. Member for Douglas South (Mrs Beecroft) to ask the Chief Minister:

135 *When he plans to introduce a Freedom of Information Act?*

**The Speaker:** Question 3. Hon. Member for Douglas South, Mrs Beecroft.

140 **Mrs Beecroft:** I ask the Question standing in my name.

**The Speaker:** I call on the Chief Minister, Hon. Member for Ramsey, Mr Bell, to reply.

**The Chief Minister (Mr Bell):** Thank you, Mr Speaker.

145 In my statement to Tynwald when I was elected as Chief Minister, I indicated that to help build trust between Government, Tynwald and our people I would propose to introduce a Freedom of Information Bill. However, I also stated the importance of recognising that such a piece of legislation might come at a high cost and that also there are, and will continue to be, areas of Government activity where confidentiality has to be protected.

150 The Bill which was introduced into the House by the previous administration was not accompanied by a full impact assessment, so the costs of introducing a Freedom of Information Act into the Isle of Man are unknown at the present time.

155 Mr Speaker, in the current financial climate, I think that it would be irresponsible for the new administration to commit to introducing a Bill into the Branches before a full assessment of its financial impact is undertaken. I can confirm that the Council of Ministers will be considering a paper on this subject of freedom of information at its meeting this week. With Council of Ministers' approval, the necessary work to undertake an impact assessment and other preparatory work will be given a high priority within the Chief Secretary's Office with immediate effect. I undertake to make a statement at the February 2012 sitting of Tynwald at the latest to update Hon. Members on the progress made by the Chief Secretary's Office and give a clear commitment on how the Council of Ministers intends to take this matter forward.

160 Mr Speaker, as a provisional measure ahead of my statement, I can confirm that I have indicated to His Worship the High Bailiff, who is Commissioner under the current Code of Practice on Access to Information, that I intend to strengthen the Code so that the Departments and other bodies are required to comply fully and without demur with any determination made by the Commissioner. This change reflects the recommendation by the previous Commissioner in his 165 2009 Annual Report to Tynwald, and I hope that such a move will be welcomed by Hon. Members and the public alike.

170 As the proposed amendment to the current Code and other initiatives demonstrate, the Council of Ministers is committed to the responsible extension of the public's right to Government information, and this commitment builds on the significant advances that have been made in this regard in recent years.

**The Speaker:** Mrs Beecroft, supplementary.

175 **Mrs Beecroft:** Thank you, Mr Speaker.

Given that this has been going on since 1999, when the first Committee looked at it, and Questions have been asked since 2004, I would be grateful if the Chief Minister would agree with me that it really needs to be looked at, with a matter of urgency, in this House.

180 Also, he refers to high cost, but then he says the cost is unknown – and the initial impact assessment was £150,000. Would the Chief Minister agree with me, when the final impact assessment is finalised, if it would be appropriate for all Members to be able to see that impact assessment, to see how it is suddenly rising from £150,000 to an unknown at the moment high cost?

185 I thank the Chief Minister for the rest of his assurances and I do look forward to seeing his report in 2012.

**The Speaker:** Chief Minister to reply.

190 **The Chief Minister:** Mr Speaker, I have only been Chief Minister for three weeks and I cannot comment on the timeframe of the previous administration in that context. However, I just reiterate my commitment to the introduction of a Freedom of Information Bill, and as I have indicated in my reply, it will be brought forward at the earliest opportunity.

195 As far as the high cost is concerned, Mr Speaker, we are basing that at the moment on the experience in Jersey, where the cost ran into many millions to actually get it established and I think there is an annual running cost of somewhere in the region of £1 million a year. It would be irresponsible, as I said in my reply, Mr Speaker, for Council to rush ahead with the introduction of this legislation at this particular time until we have costed it out exactly and we know precisely what the implications might be, because failure to do so will only mean, in the present climate, that funds will have to be taken away from other public services to pay for this admittedly important piece of legislation.

**The Speaker:** Hon. Member for Douglas East, Mrs Cannell.

205 **Mrs Cannell:** Thank you, Mr Speaker.  
Can the Chief Minister advise the House, what is happening with the Bill that was brought forward at the last sitting of the House of Keys, prior to the summer recess, by his predecessor, under the guise of 'this will now go out to public consultation'? Is that at a public consultation? Is it being consulted on by the public? Where is it?

210 **The Speaker:** Chief Minister to reply.

**The Chief Minister:** The Bill, as drafted and presented for its First Reading, is part of the review which will be taking place by the Council of Ministers and by the Chief Secretary over the next few months.

215 **The Speaker:** Hon. Member for Douglas North, Mr Houghton.

**Mr Houghton:** Thank you, Mr Speaker.  
As the newly appointed Chief Minister was a member of the last Council of Ministers, can he describe how this Bill was brought forward to this Hon. House in the previous term, for consideration by Members, now that it seems quite likely that the Council of Ministers have got very serious concerns about the costing of the impact assessment?

225 Can the Chief Minister advise how it was brought forward for First Reading in the first place, as a member of the former Council of Ministers?

**The Speaker:** Chief Minister.

**The Chief Minister:** It was brought forward at the instigation of the previous Chief Minister, Mr Speaker, and as I say, we are now in a new administration and it will have fresh priority.

#### **Rio Convention Extension to Isle of Man**

1.4. The Hon. Member for Douglas North (Mr Henderson) to ask the Chief Minister:

230 *When the Rio Convention will be extended to the Isle of Man?*

**The Speaker:** We turn to Question 4. Hon. Member for Douglas North, Mr Henderson.

235 **Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.  
Ta mee shirrey kied yn eysht y chur ta fo my ennym. I beg to ask the Question in my name.

**The Speaker:** Chief Minister to reply.

240 **The Chief Minister (Mr Bell):** Mr Speaker, a letter formally requesting the United Kingdom to extend its ratification of the Rio Convention on Biological Diversity to the Isle of Man was sent to the Ministry of Justice on 17th February of this year. Since that time, the Chief Secretary's

Office has been in regular contact with the UK, which is undertaking its internal and international processes before the Convention can apply to the Island.

245 I understand that DEFRA has very recently completed its consideration of the Island's compliance with the Convention's provisions. The next step will be for the Ministry of Justice to take the matter forward with the Foreign and Commonwealth Office, with a view to a formal declaration being submitted to the United Nations to extend the Rio Convention to the Island. I would advise, though, that this process may yet take some time.

250 **The Speaker:** Mr Henderson.

**Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.

I thank the Ard-shirveishagh for his Answer and we note the positive moving forward of this very important Convention and what it means for the Isle of Man.

255 Can he confirm that we will be monitoring the progress of this, as it has been dragging on for some time now and there seems to be some resistance to moving it more quickly – maybe not from our behalf – but would he give an undertaking that the relevant authorities will be in touch with the MoJ and other bodies, to see how it is progressing and, indeed, if there is any way of speeding things up?

260 **The Speaker:** Chief Minister.

**The Chief Minister:** Mr Speaker, the Chief Secretary's Office has been in touch on a regular basis with the United Kingdom government to achieve a conclusion to this exercise, so it is not for want of trying on the part of the Isle of Man that this delay is taking place.

265 I should just point out, though, Mr Speaker, that with the quite extensive reductions in departmental resources in the United Kingdom, the Department of Justice in particular has suffered quite a substantial reduction in personnel availability. I suspect it may be something to do with a lack of resources, actually, at the other end which is causing the problem at the moment, rather than any potential problem at this end.

**The Speaker:** Mr Quirk.

**Mr Quirk:** Thank you, Mr Speaker.

275 Could I ask the Chief Minister... The Isle of Man Government is signed up to a number of Conventions which are supported universally. Would the Chief Minister ask his Office, would he circulate to the House the list of those Conventions we are signed up to, sir?

280 **The Speaker:** I leave it to the Chief Minister to answer, but that is really nothing to do with the Question.  
Chief Minister.

**The Chief Minister:** I do not know which Conventions the Hon. Member is talking about.

285 **The Speaker:** Mr Henderson.

**Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.

290 Would the Ard-shirveishagh give an undertaking to brief Members, as and when we get information, on the positive progression of extending the Rio Convention to the Isle of Man; and would he agree that relevant officers will keep reminding our friends across the water – if I can put it that way – to see where we are up to and if there are any issues holding this matter up?

**The Speaker:** Chief Minister.

295 **The Chief Minister:** Yes, Mr Speaker, my officers will be monitoring this very carefully. It is an important issue and we are anxious to get this exercise finished as quickly as possible.

So my officers will certainly continue to press the UK for an early solution to this and, certainly, as the conclusion arrives, I will most certainly give a briefing to Members and make sure Members are fully informed of the outcome.

300 **The Speaker:** A final supplementary, Mr Henderson.

**Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.

Again, I thank the Ard-shirveishagh for his positive answers.

305 One further item, Vainstyr Loayreyder: would the Ard-shirveishagh agree that, if this Convention is extended to the Isle of Man, although notwithstanding the important financial issues, it would be a feather in the Island's cap and increase our international status with this Convention being in place?

310 **The Speaker:** Chief Minister.

**The Chief Minister:** Yes, certainly, Mr Speaker, it highlights the responsible approach the Isle of Man Government and the people of the Isle of Man take to such important issues as this, and I think, once again, along with the other actions we have taken in other areas over the last few years, it shows that the Isle of Man is, indeed, a responsible international partner in all these issues.

## TREASURY

### International retail businesses Tax revenue

1.5. The Hon. Member for Michael (Mr Cannan) to ask the Minister for the Treasury:

*If he will (a) investigate methods of improving a tax or levy on international retail and supermarket businesses in order to recoup revenue that is being lost to the UK tax authorities and (b) ask for such assessment to be reported back to the House of Keys by the end of November 2011?*

Question withdrawn.

320 **The Speaker:** Question 5, Hon. Members, has been withdrawn.

### Manx Radio Accounts

1.6. The Hon. Member for Douglas South (Mrs Beecroft) to ask the Minister for the Treasury:

*In regard to the Radio Manx accounts to 31st March 2011 –*

*(a) what the potential National Insurance liability mentioned in Note 15 refers to;*

*(b) if he will provide a full breakdown of turnover and operating expenses;*

325 *(c) whether from 1st October 2009 non-executive directors received a salary rather than a fee and are therefore entitled to membership of the Pension Scheme and any additional costs incurred by non-executive directors receiving a salary rather than a fee; and*

*(d) whether there has been any increase in directors' salaries since 31st March 2011?*

330 **The Speaker:** We turn to Question 6. Hon. Member for Douglas South, Mrs Beecroft.

**Mrs Beecroft:** I beg to ask the Question standing in my name.

**The Speaker:** I call on the Minister for the Treasury, the Hon. Member for Ayre, Mr Teare.

335 **The Minister for the Treasury (Mr Teare):** Thank you, Mr Speaker.

Turning to part (a), the potential National Insurance liability referred to in Note 15 of the annual report and accounts of Radio Manx Ltd for the year ended 31st March this year is in respect of a small number of employees who were formerly partly remunerated on a commission basis, and have paid incorrect contributions, based upon the relevant contracted out pensions legislation in force at that time. As a consequence and, in the interests of transparency, the company has disclosed, in both its 2009-10 and 2010-11 accounts, that it may be liable for

additional National Insurance payments. Any extra payments that may arise are not expected to be significant, because of the small number of employees involved, all in all.

345 Part (b): Mr Speaker, whilst the total turnover and operating expenses are not analysed in detail in the annual audited accounts of Radio Manx Ltd, the totals disclosed do satisfy the requirements of the United Kingdom Generally Accepted Accounting Practice and comply with the Isle of Man Companies Acts 1931 to 2004.

350 A further breakdown of figures would be outside the disclosure requirements of the applicable law and the relevant accountancy practice and would put Manx Radio at a disadvantage, compared with its commercial competitors. I am sure, however, that the Managing Director of Radio Manx Ltd would be prepared to assist with answers to specific questions, provided that the company's commercial confidentiality is not compromised.

355 Part (c): the change from directors' fees to directors' salaries came about as a result of Treasury's Income Tax Division clarifying the treatment of directors' remuneration in 2009-10. For those Hon. Members interested, the relevant tax practice notes are 162-10 and 163-10. This was not a move instigated by the directors themselves. Moreover, there was an additional cost to the company arising from this change through increased employer's National Insurance contributions. Although the non-executive directors are deemed to be employees for the purposes of the Income Tax Instalment Payments and National Insurance, in accordance with the practice notes mentioned, they are office holders and not employees. They are not entitled to holiday or sick pay and have not been offered, or indeed existing directors have not requested, membership of the Radio Manx pension scheme.

360 Turning to part (d), there have been no increases in directors' salaries since 31st March 2011.

365 **The Speaker:** Supplementary, Mrs Beecroft.

**Mrs Beecroft:** Yes, thank you.

370 If I recall correctly, if I heard correctly, this National Insurance liability – or the potential National Insurance liability – has been going on since 2009. Could the Minister confirm when he believes that this will be resolved? I know he says it is not significant, but could he give an indication of the order of the amount that is involved?

375 Part (b): I am sure it is compliant with all UK and Manx policies, as far as the accounts are concerned, but it was more detailed information that I was actually requesting. I know he said we can go and see the Director at Manx Radio, but I wonder if the Minister would prefer to obtain this information and circulate it to Members as a confidential nature?

Thank you.

**The Speaker:** Minister to reply, Mr Teare.

380 **The Minister:** Thank you.

I would expect that the National Insurance issues will be resolved in due course. I am unable to give a timescale for that, and I do not think it is appropriate that the Treasury should interfere in it. These matters will be resolved in due course. As I say, it is not a major issue. We do not expect that the financial implications will be substantial. There are only four employees, and the figures are quite modest, as I understand it.

385 Detailed information: I must respect commercial confidentiality and, on previous occasions, when some information has been released on a confidential basis, unfortunately that has not been respected so, whilst I appreciate your concern, I would not want to release the information.

390 **The Speaker:** Mr Houghton.

**Mr Houghton:** Thank you, Mr Speaker.

395 Can the Minister disclose how many non-executive directors there are at Manx Radio, what is their annual remuneration and is it pensionable?

**The Speaker:** Treasury Minister.

400 **The Minister:** As I said in my original Answer, Mr Speaker, it is not pensionable and neither have they made any approach for it to be made pensionable. There are four, as I understand it, non-executive directors, including the Chairman, and their total emoluments, as per the 2010-11 accounts, came to £28,086.

**Mr Houghton:** Each?

405 **The Minister:** In total. Total emoluments.

**Fuel costs  
Help for motorists**

1.7. The Hon. Member for Onchan (Mr Hall) to ask the Minister for the Treasury:

*What initiatives the Treasury has considered to lower fuel costs on the Isle of Man and what his policy is on introducing initiatives similar to those being put forward by the UK government to help island motorists on the Orkneys, Western Isles and Hebrides?*

410 **The Speaker:** Question 7, Hon. Member for Onchan, Mr Hall.

**Mr Hall:** Thank you, Mr Speaker.  
I beg to ask the Question standing in my name.

415 **The Speaker:** I call the Minister for Treasury, Mr Teare, to reply.

**The Minister for the Treasury (Mr Teare):** Thank you, Mr Speaker.

The Treasury is aware of the UK proposal and did consider the possibility of applying to the EU to operate an equivalent scheme in the Isle of Man, as was made clear in the Treasury Minister's Answer to the Hon. Member for Rushen, Mr Watterson, in this Hon. House on 22nd March this year.

420 The fact is that a similar 5p per litre rebate scheme in the Island would reduce Government's revenue by around £3 million in lost Excise Duty and VAT. Given the cost and the reality that Government cuts are already necessary to balance the Island's budget, Treasury has concluded that rebating the increase for motorists at the expense of all residents would not be in either the public's or the Island's best interest and therefore has no intention of introducing, or seeking to introduce, the scheme on the Island.

425 Thank you, Mr Speaker.

430 **The Speaker:** Supplementary, Mr Hall.

**Mr Hall:** Thank you, Mr Speaker.

Has the Treasury ever used the Customs and Excise Act 1979 to reduce the fuel duty on the Island and, if so, can he circulate this to Members, and why?

435

**The Speaker:** Treasury Minister.

**The Minister:** It is being used at the moment in respect of biofuel. It is 2.2 pence a litre, which was originally 6d in old money terms.

440 Where we stand now is... some years ago that rebate was extended to other road fuels and there was very little impact at the pumps. That was not passed through to the consumer and, interestingly enough, when the 2.2 pence per litre rebate was withdrawn, the price at the pumps stayed the same.

445 **The Speaker:** Mr Hall, further supplementary.

**Mr Hall:** Yes, thank you, Mr Speaker.

450 Whereas the extra income to the Isle of Man Treasury would no doubt be very helpful in these challenging times, does the Minister have any projections as to how this will affect inflation? Is he looking at ways to help mitigate high fuel costs on low and fixed incomes, particularly the most vulnerable and pensioners? If he has not, would he do so and advise this Hon. House at the next sitting?

455 **A Member:** Hear, hear.

**The Speaker:** Minister to reply.

460 **The Minister:** In terms of the pensioners, the impact of this, as the Hon. Member who has just resumed his seat will be aware, will be reflected in the uprating, because it is uprated by reference to the inflation index. So it is already covered there.

**The Speaker:** Mr Hall.

465 **Mr Hall:** Thank you, Mr Speaker.

Does the Minister agree that the petrol and diesel are a necessity in our economy at the moment, the same as domestic fuel, and we should not have to pay extortionate prices because we live on an Island? Does he agree that, in the interests of fairness to the people and businesses, he should reverse his decision and execute the Customs and Excise Agreement 1979 and act to reduce the fuel duty?

470

**The Speaker:** Minister to reply.

475 **The Minister:** As previously mentioned, our experience in the past would indicate that that would not be passed on in full at the pumps to the consumer. I would just refer the Hon. Member to his party's manifesto: one of the main planks of the manifesto is to ensure Government expenditure is less than Government income by the year 2010-14. How, if we are going to back off at this stage, is he going to balance his budget? *(Laughter)*

480 **Mr Houghton:** You are not answering the questions, Minister.

**The Speaker:** Mr Karran, Hon. Member for Onchan.

485 **Mr Karran:** Would the Minister not agree that the situation is that, as far as fuel is concerned, it is a key component as far as the economy is concerned, and would he not agree that the issue being raised by the Hon. Member for Onchan should be raised at the next Council of Ministers meeting?

**The Speaker:** Treasury Minister to reply.

490 **The Minister:** I am sure that the Hon. Member who has just resumed his seat is in an ideal position to do that, sir. *(Laughter)*

## COMMUNITY, CULTURE AND LEISURE

### Director of Public Transport Term of contract

1.8. The Hon. Member for Ramsey (Mr Singer) to ask the Minister for Community, Culture and Leisure:

- (a) *How long the contract given to the Director of Public Transport was; and*
- (b) *when it terminates?*

495 **The Speaker:** Question 8, Hon. Member for Ramsey, Mr Singer.

**Mr Singer:** Thank you, Mr Speaker.  
I beg to ask the Question standing in my name.

500 **The Speaker:** I call on the Minister for Community, Culture and Leisure to reply.  
Mr Crookall.

**The Minister for Community, Culture and Leisure (Mr Crookall):** Thank you, Mr Speaker.

505 The Director of Public Transport is employed on a permanent, full-time basis and this remains the case.

The Department has recently written to all Members to give a full independent answer to all those concerns that have been passed to it, not one of which has been found to have any substance.

510 We have received an independent report into the allegations that the Director chased railway staff up the platform during redundancy procedures. Again, none of the allegations were found to be justified. Quite simply, the CCTV images showed that it did not happen.

I would ask Hon. Members to bear in mind that, like any other Department, we have procedures for dealing with complaints and concerns – procedures that are available to staff and to the public – yet, despite the presence of an established procedure to deal with allegations of harassment, it seems that, in this case, the matter was played out in detail in the media and, indeed, in this House and another place.

515 Hon. Members will be aware that, earlier this year, I voiced my own concern regarding the Director of Public Transport and how he dealt with certain issues. This is now down to me to sort out with him, in a way that I see fit and proper. I am not going to pretend that everything done by everyone in my Department will be beyond question and I am happy to address any concerns raised with me.

Hon. Members, let us please not put ourselves in the position of being the ones who could be accused of bullying and harassment. Bring your concerns to me and I will address them honestly and openly.

525 Thank you, Mr Speaker.

**Mr Watterson and Mr Teare:** Hear, hear. (*Interjection by Mr Houghton*)

530 **The Speaker:** Hon. Members, I would say to those responding to Questions that, of course, while they are entitled to answer in any way they see fit, the actual Question on the Order Paper was how long is the contract (**Mr Houghton:** Hear, hear.) and when it terminated. (**Mrs Cannell:** Hear, hear.) The information given by the Minister does not, on the face of it, relate to the Question on the Paper. (**A Member:** Hear, hear.) I simply make that point.

535 Mr Singer, do you have a supplementary?

**Mr Singer:** Only to thank the Minister for, certainly, the first part of his Answer. The second part was extremely interesting and no doubt we will be able to pursue that in the future.

540 So you confirm, then, that it was not a two-year contract which has then been extended? That was the only supplementary.

**The Speaker:** Minister to reply.

**The Minister:** It was not, sir, no.

545 **The Speaker:** Mrs Cannell, Hon. Member.

**Mrs Cannell:** Thank you, Mr Speaker.

550 Is it not a fact, Hon. Minister, that when you say that this individual is employed on a permanent, full-time basis, he is in fact on a three-year Work Permit? So how can it be a permanent, full-time basis, when, in my calculation, the Work Permit is probably about to run out?

**The Speaker:** Minister to reply.

**The Minister:** Thank you, Mr Speaker.

555 I am not aware that he is on a Work Permit but, if he is, I will certainly look into it. As we are at the moment, he is on a permanent contract, sir.

**The Speaker:** Mrs Cannell.

560 **Mrs Cannell:** Thank you, Mr Speaker.

Looking at the possible scenarios that might flow, would the Hon. Minister agree with me that he is putting himself and the Department and the House in a very peculiar position this morning, given that if there are objections raised at the renewal of the Work Permit process by others outside of this Chamber, that may result in the Work Permit not being extended or renewed? (**A**

565 **Member:** Hear, hear.) Is the individual then still regarded as being on a full-time contract with Government?

**The Speaker:** Minister, you may or may not be in a position to answer this further line of questioning, which is not directly related to the original Question, but Minister.

570 **Mrs Cannell:** It is to do with the individual.

**The Minister:** Thank you, Mr Speaker.  
I think the Hon. Member who has just resumed her seat will be well aware that if the Work Permit is withdrawn then the job goes and we will have to readvertise it. I think that is right. If I am wrong, I stand to be corrected.

**Winter bus timetable  
Publication; implementation; consultation**

1.9. The Hon. Member for Ramsey (Mr Singer) to ask the Minister for Community, Culture and Leisure:

- (a) When the winter bus timetable will be (i) published; and (ii) implemented; and*
- (b) what consultation on the winter bus timetable has taken place and with whom?*

580 **The Speaker:** Question 9, Hon. Member for Ramsey, Mr Singer.

**Mr Singer:** Thank you, Mr Speaker.  
I beg to ask the Question standing in my name.

585 **The Speaker:** Again, I call Mr Crookall, Minister to reply.

**The Minister for Community, Culture and Leisure (Mr Crookall):** Thank you, Mr Speaker.

590 The intention of the winter timetable is to allow for a reduction in service, when the main income is earned in the summer months, and to refine the core network with the least possible disturbance to passengers. Any changes will be to rationalise provision against demand to ensure that the service can operate as efficiently as possible.

595 The Public Transport Division is still working on plans for a winter bus timetable, so I am sorry but, at this time, I cannot give a firm date for its publication or implementation. However, the sooner a winter timetable can be instituted, the sooner savings can be made in respect of mileage.

600 With respect to consultation, the Department consulted on the new bus network, as this was a major revision. There has been no previous practice on consulting on smaller revisions. Tynwald put a framework in place whereby the Road Transport Licensing Committee has a process in order to allow comment on changes to the timetable. The Department will follow the statutory process after reviewing the timetable, based on experience and data.

Thank you.

605 **The Speaker:** Mr Henderson.

**Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.  
Can the Shirveishagh confirm... when he says there will be a review of services and efficiencies in looking at what can be cut back from the summer services to the core winter services, can he give us an assurance that the services that have been decimated at Governor's Hill and Willaston will not be further affected by this new approach?

**The Speaker:** I do not want this Question widened out to specific areas within the Island, but Minister to reply.

615 **The Minister:** To use the words of the Hon. Member who has just resumed his seat, there will be no 'decimation', sir.

**The Speaker:** Mr Singer.

620 **Mr Singer:** Can I ask the Hon. Minister why he is not going to publish the winter timetable until we actually get to what is going to be towards the middle of the winter? Surely the public are entitled to know earlier on in the year what services are going to be reduced and what are not going to be reduced.

625 When he says there is no consultation, are the public not entitled to make some comment, as they are the people who are going to be affected – the users of the service – and there are people such as the employees, the local authorities, the Members of Tynwald, and user groups such as TravelWatch, which are – certainly the last group – experienced in travel? Surely they should be entitled to comment on a timetable which is actually going to reduce the services.

630 Finally, would the Minister confirm to me that this reduced timetable, which has had no consultation, will not, after that, become the permanent timetable?

**The Speaker:** Minister to reply.

**The Minister:** Thank you, Mr Speaker.

635 To take the last point first, this will not become the permanent timetable. We will revert back to what we have at the moment.

If we go out to consultation, he knows, Government procedure is six weeks, which will take us nearly up to Christmas time now, and then we will have to go through the RTLC and be advertised. We will nearly be out of the winter by then, Mr Speaker.

640 We are looking at a few probably minor changes, after a *major* review of the system, and we think that is all that is necessary at the moment, sir.

**Mr Houghton:** A complete change.

**The Speaker:** Mr Singer.

645

**Mr Singer:** Whilst the Minister says they are minor changes, it is said that, for example, in my area in Ramsey, on certain routes, the number of buses are going to be halved. Would the Minister say that is going to be a minor change, or not?

650 **The Speaker:** Minister to reply.

**The Minister:** I do not know where the Hon. Member gets his ‘halving’ of the service from, but I will be interested to see if he could relay that to me. I would be delighted, Mr Speaker.

655 **Mr Singer:** It will be a pleasure, Minister.

**The Speaker:** Mrs Cannell.

**Mrs Cannell:** Thank you, Mr Speaker.

660 When the Hon. Minister said, in his opening remarks, that there will be a reduction in service, will he not accept that that statement in itself is going to get the travelling public very worried, in terms of ‘what reduction in service?’, and ‘will it affect me?’, and ‘will it affect me in my workplace?’, etc?

665 Further, when he states there is no previous practice on going out to consultation, will he not accept that he is the new Minister of this Department – he is the Minister and, in law, he is the Department – and that if he wants to bring in a new practice, he has got the right to do that; and that he should be exerting *his* authority, rather than let the Director of Transport continue to exert his authority in this matter?

670 **Mr Houghton:** Hear, hear.

**The Speaker:** Minister to reply.

**The Minister:** Thank you, Mr Speaker.

675 This is not the Director of Public Transport; this is me, as the Minister – as the Department if you like to put it that way – on the advice of the rest of the Department and the officers, which includes the Department and the Chief Executive, saying after a *major review* at huge expense...

680 and the Member who has just resumed her seat was in the Department at the time when that went on, although she denied a lot of knowledge of what was going on. I will make the necessary changes for this winter that are necessary to save a bit of money and then we will revert back to the summer timetable.

**The Speaker:** Mr Singer.

685 **Mr Singer:** To go back to the original Question, does the Minister not believe that any changes should be given to the public well before they occur and that if it is going to be a winter change, does the Minister not think that the public should be made aware well before the winter what changes are likely to happen?

690 **The Speaker:** Minister to reply.

**The Minister:** Thank you, Mr Speaker.

I will endeavour to make sure the public are given as much notice as possible, sir, when any changes are coming in.

695

**The Speaker:** Mrs Cannell.

**Mrs Cannell:** Thank you, Mr Speaker.

700 Whilst not wanting to go over history and through the reasons why I resigned from the Department, which I think is rather cheap to throw up by the new Minister, nevertheless, can I ask him: will he be amenable to a meeting (**Mr Houghton:** Hear, hear.) with political colleagues in the House to discuss the ongoing problems with the bus timetable?

705 **Mr Houghton:** Hear, hear.

**The Speaker:** Reply, sir.

**The Minister:** Thank you, Mr Speaker.

710 As I said to someone else in an earlier Question, I am always amenable to talk to people about any problems that the Department may have.

#### **Leisure facilities Families and young people**

1.10. The Hon. Member for Douglas South (Mrs Beecroft) to ask the Minister for Community, Culture and Leisure:

*What plans he has for the creation of leisure facilities for families and young people?*

**The Speaker:** Question 10. Hon. Member for Douglas South, Mrs Beecroft.

715 **Mrs Beecroft:** I beg to ask the Question standing in my name.

**The Speaker:** Again, I call the Minister, Mr Crookall, to reply.

720 **The Minister for Community, Culture and Leisure (Mr Crookall):** Thank you, Mr Speaker.

As Hon. Members will be aware, my Department is responsible for the operation and management of an extensive portfolio of leisure facilities and services provided at various sites located throughout the Island. This portfolio includes the National Sports Centre and regional football pitches, the Villa Marina and Gaiety complex, the Curraghs Wildlife Park and, finally, the Manx Electric Railway, Snaefell Mountain Railway and the Steam Railway.

725

Over recent years, financial investment has been made to ensure that leisure facilities provided by the Department are of a high standard and quality and meet the demands of all members of our community, whether families, young people or senior members. Recently completed capital projects include the much acclaimed and welcomed redevelopment of the Bowl Stadium, the

730 construction of Ballafletcher sports pitches and changing facilities, major improvements to the NSC, that is the Sports Institute building, new outdoor changing rooms, grandstand, raceway and track, and the refurbishment and development of the Villa Marina and Gaiety complex.

The current capital programme includes provision for a scheme to resurface each of the regional all-weather pitches located at Castletown, Peel and Ramsey high schools. As the location  
735 of the pitches suggests, this scheme in particular will be of significant benefit to our young people.

The minor capital works budget has been a vital source of funding to my Department and has enabled smaller low-cost schemes to be undertaken, providing much-needed improvements to our existing leisure facilities at the NSC, the Wildlife Park, the Villa Marina and the Gaiety Theatre, as well as the infrastructure of public transport.

740 Going forward, it is not the intention of my Department or, indeed, Government to expand the public sector leisure facilities, but we will continue to find ways to work and support the Department of Economic Development and others to encourage private sector investment and involvement in relevant schemes. For an Island of this size and population, I hope that Members will agree with me that we are extremely well served by our existing leisure and recreational  
745 facilities. **(Two Members: Hear, hear.)**

Having said this, my Department will always be open to new ideas and initiatives and would welcome the opportunity to discuss any such proposals in further detail. In the meantime, we will continue to concentrate on maintaining and improving the high standard of our existing facilities, consolidating the good work that has already been completed, and making the best of what we  
750 have, rather than seeking to provide additional leisure facilities.

Thank you, Mr Speaker.

**The Speaker:** Mrs Beecroft, supplementary.

755 **Mrs Beecroft:** Thank you, Mr Speaker.

I think nobody would actually doubt that, as far as sports are concerned, our young people are very well catered for, but I am sure, like me, everybody in this House has –

760 **Mr Shimmin:** Question.

**Mrs Beecroft:** I am coming –

**The Speaker:** Mrs Beecroft, you have the floor and I hope you will put your question.

765 **Mrs Beecroft:** There is a question. When we have been canvassing in the recent Election it has cropped up so many times that there is not enough for families to do. **(Mr Houghton: Hear, hear.)** We have lost Summerland, we have lost the Crescent Centre. It is those sort of things that are needed for indoor –

770 **The Speaker:** Mrs Beecroft –

**Mrs Beecroft:** I am coming to a question.

775 **The Speaker:** Mrs Beecroft, I appreciate that you are building up to a question, **(Mrs Beecroft: I am.)** but you must put your question and cut the preamble to a minimum. Your question, please.

780 **Mrs Beecroft:** Okay. Would the Minister not agree with me that, because of the loss of these facilities, we need to be more proactive and go out and seek private enterprise **(Mr Houghton: Hear, hear.)** and co-operation to try and get something back to our Island for family entertainment?

**The Speaker:** Minister to reply.

785 **The Minister:** Thank you, Mr Speaker.

Yes, I am more than happy to agree with the Member who has just resumed her seat and, as the new Minister for the Department and my new Members, we will be following that up in the future.

**The Speaker:** Hon. Member for Douglas West, Mr Corkish.

790 **Mr Corkish:** Thank you, Mr Speaker.

Can I offer some support to my good friend and Minister for the Department of Community, Culture and Leisure from the Division of Tourism within the Department of Economic Development. There is a commonality of purpose and interest here and rather than.... [*Inaudible*] The invitation is there for you, Minister. (*Interjections*)

795

**The Speaker:** There was no question there. There was a comment. This is Question Time, Hon. Members.  
Mr Houghton.

800

**Mr Houghton:** Mr Speaker, I will ask the Minister a question. (*Laughter*)  
Mr Speaker, will the Minister confirm to this House that he will retain the Summerland site and work as hard as he possibly can to ensure there is a public/private partnership in the construction of an appropriate leisure facility on the Summerland site just as soon as possible?

805

**The Speaker:** Minister.

**Mr Crookall:** Thank you, Mr Speaker.  
No, I cannot give that guarantee.

**Bus timetable  
Request for review**

1.11. The Hon. Member for Douglas North (Mr Henderson) to ask the Minister for Community, Culture and Leisure:

810 *If he will review the new bus timetable which has disadvantaged so many people in the Governor's Hill and Willaston Estates?*

**The Speaker:** Question 11. Hon. Member for Douglas North, Mr Henderson.

815 **Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.  
Ta mee shirrey kied yn eysht y chur ta fo my ennym. I beg to ask the Question in my name.

**The Speaker:** Again, I call on the Minister to reply. Mr Crookall.

820 **The Minister for Community, Culture and Leisure (Mr Crookall):** Mr Speaker, I would hope that some facts about this service may help to clarify what has become an emotive issue. The introduction of the new bus network has meant that certain customers may have had to change their use of the buses.

825 Willaston service was reduced from three journeys to two journeys per hour; however, with that has come an increased service, with a through service to Onchan. My predecessor approached the Road Transport Licensing Committee, as the Hon. Member for Douglas North is aware, with a suggestion to cut the 22 service back so that it would only serve Willaston and Governor's Hill. Whilst this would have improved services to these estates, the wider impact meant that the RTLC refused the application, as evidence showed that 7% of passengers were using that new link through to Onchan. Others have found the service to be improved. In fact, the Governor's Hill  
830 service has increased from three journeys per hour to four journeys in off peak.

Hon. Members, since the introduction of the new bus network, passenger numbers are up and the income is up. Over the two periods October 2009 to October 2010 and October 2010 to September 2011, bus revenue for fare-box and 12-journey tickets increased by £173,688, or 7.9%.  
835 When taking fare increases into account, indications suggest there is an underlying growth figure of about 3%.

There is no intention to undertake another full review of the bus timetable, although there are plans to look at certain bus routes to see if mileage can be reduced or where changes can be made to routes where summer usage is higher than winter usage. Further investment in the fleet is planned, which will lead to further savings in the fuel costs, as well as increased reliability and  
840 comfort.

I can assure Hon. Members that I am well aware of the importance of public transport on this Island and, for that reason, as I have already indicated earlier, I do not plan to delegate political responsibility for public transport, but to work closely with the division and do it myself.

845 **The Speaker:** Mr Henderson, supplementary.

**Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.

850 Can I ask the Shirveishagh, in reference to my Question, if he is indicating that everything is all hunky-dory with his new timetable, will he agree to go back and review the massive complaints file that sits within his Department, from hundreds of people, I would suspect, and in special reference to my Question to the Governor's Hill estate and the Willaston estate, where things are *not* all hunky-dory (**Mr Houghton:** Hear, hear.) and people *are* upset in both areas, (**Mr Houghton:** Hear, hear.) – whether he likes to agree that or not – and have a review of those particular routes, and in special reference to pensioners and people finding it more difficult now to make double bus journeys and connections to the new hospital?

855

**Mr Houghton:** Hear, hear.

860 **The Speaker:** Minister to reply.

**The Minister:** Thank you, Mr Speaker.

865 I will more than happily sit and go through the hundreds of complaints that have been received and I will do that on my own, rather than with the Director, so I am not influenced by anybody and nobody can have any outside influence on me, but as the Hon. Member who has just resumed his seat is a Member of Treasury, he will accept that we have to make savings and, as I have already given you the figures, that is what is happening here.

865

870 Yes, a few people have been put out by the changes, as was when we closed some of the clinics for the podiatry and things like that. It is a fact that these things are going to happen. I am sorry about it, but this is what I have inherited at the moment and this is what I have got to deal with. I will deal with it, Mr Speaker.

870

Thank you.

**The Speaker:** Mr Henderson.

875 **Mr Henderson:** Vainstyr Loayreyder, thank you. Gura mie eu.

875

880 I am quite happy for the Shirveishagh to make savings and efficiency drives within his Department, if he can acknowledge that. What I am *unhappy* with is that when certain measures are considered to be over the top, and there are one or two routes in particular we are talking about, but has had a major impact on –

880

**The Speaker:** A question, please.

885 **Mr Henderson:** – a large amount of people and if that is the issue, he could look at that in his review?

885

**The Speaker:** Would you look at that in the review, Minister?

**The Minister:** I am happy to look at any evidence the Hon. Member is willing to give me, sir.

890

**The Speaker:** Mr Singer.

895 **Mr Singer:** Could the Minister confirm from his last statement that he actually believes it is only a few people that have been put out by the change in the bus timetables? Is that what he believes?

895

**The Speaker:** Minister.

900 **The Minister:** Mr Speaker, it is terminology. A few might be 10; it might be 20, sir. I will review that and have a look at the file, sir.

900

**The Speaker:** Mr Houghton.

**Mr Houghton:** Thank you, Mr Speaker.

905 The Minister has agreed his willingness to meet with Members and I thank him for that. Would he meet us on Willaston estate and at Governor's Hill so that we can show him exactly what the situation is and he can see it for himself? Would he attend to that, sir?

**The Speaker:** Minister to reply.

910 **The Minister:** Mr Speaker, the answer is no, because I will happily meet with you in the office. I do not see what point there is in standing at a bus stop or standing anywhere on Governor's Hill estate or Willaston... will make to the conversation.

**The Speaker:** Mr Houghton.

915 **Mr Houghton:** Mr Speaker, the Minister would say that this is not a question, it is a statement: the Minister would see nothing, only empty buses going about.

## SOCIAL CARE

### Care system Help for leavers

1.12. The Hon. Member for Douglas South (Mrs Beecroft) to ask the Minister for Social Care:

*What plans he has to assist young people when they first leave the care system at the age of sixteen?*

920 **The Speaker:** We turn to Question 12. Hon. Member for Douglas South, Mrs Beecroft.

**Mrs Beecroft:** I beg to ask the Question standing in my name.

925 **The Speaker:** I call the Minister for Social Care, the Hon. Member for Douglas East, Mr Robertshaw.

**The Minister for Social Care (Mr Robertshaw):** Thank you, Mr Speaker.

930 Whilst it is the case that young people who become looked after remain within the care system until they are 16 years of age in the UK, in the Isle of Man this age is 18 years old, unless there is a planned revoking of a care order prior to their 18th birthday. In addition, my Department continues to provide tailored support to many former looked-after children after their 18th birthday to help them build their independence and confidence.

935 The process of planning for each looked-after young person's independence begins when he or she is 15 years of age, in order to assist their transition from the care system into adulthood. This is known as pathway planning. This is a process to assess the needs and wishes of each relevant young person in order to plan suitable support to help them build the skills and confidence they will need to live independently. This includes various skills such as budgeting, health and welfare, awareness of support services and how to access further advice.

940 Young people generally progress to a more independent living situation during the ages of 16 to 17 years, depending on their specific needs and assessment. The Department offers a range of options for all care leavers through the contracted aftercare services run by St Christopher's, and these include four supported lodgings placements providing close supervision, six semi-independent beds providing support and guidance, and eight beds providing independent living with some guidance. The aftercare community team provides ongoing support targeted at the most vulnerable young people.

945 This support is important, and I am pleased to confirm that capacity of the semi-independent provision has increased from three beds to six. In addition, there are three further supported lodgings assessments taking place which, if successful, will double the current capacity.

950 I am keen to ensure vulnerable families and young people receive the support they need. My Department has already commissioned a review of services for looked-after children and we are now considering how to deliver an improved leaving care strategy to develop clear agreements for young people when leaving care.

955 I hope the Hon. Member for Douglas South is of the view that I have dealt with her Question in a satisfactory manner, but in all conscience I believe she will also wish me to include a reference to the small number of 16 and 17-year-olds who have not specifically come from a care background but who find themselves in very difficult circumstances – namely local youngsters who end up living in isolation in houses of multiple occupancy and whose life chances may be seriously damaged as a consequence.

960 I first became aware of their existence last year and responded by becoming a director of Kemmyrk – which, as Hon. Members will know, is a charity for the homeless – in an effort to better understand the problem. As Minister, I cannot today tell you that I have yet identified a clear and comprehensive strategy to ameliorate the problem, as ultimately I believe this will come about as a result of a number of initiatives taken both by my Department and by the third sector.

965 What I can say with complete confidence, however, at this stage, is that the proposed landlord and tenant regulations will ultimately play an important role in this process and I will do all I can to see the earliest possible introduction of such regulations for consideration by this Hon. House.

Thank you, Mr Speaker.

970 **The Speaker:** Mrs Beecroft, supplementary.

**Mrs Beecroft:** Yes, Mr Speaker, thank you.

I thank the Minister for his very comprehensive reply. I look forward to hearing of ongoing progress in that area.

975 Could the Minister let us know when there is going to be a proper homeless policy, as he said he was director of the homeless charity – if Government is thinking of introducing a homeless policy?

**The Speaker:** Minister to reply.

980 **The Minister:** That, Mr Speaker, is a much broader question than targeted on the 16- to 18-year-olds, but I will endeavour to answer as soon as I possibly can in detail.

**Mrs Beecroft:** Thank you.

## INFRASTRUCTURE

### Private pet cemeteries Legal framework

1.13. The Hon. Member for Douglas South (Mrs Beecroft) to ask the Minister for Infrastructure:

985 *If the Minister will consider the introduction of a planning order to create a legal framework for operating private pet cemeteries?*

**The Speaker:** We turn to Question 13. Hon. Member for Douglas South, Mrs Beecroft.

990 **Mrs Beecroft:** I beg to ask the Question standing in my name.

**The Speaker:** I call the Minister for Infrastructure, the Hon. Member for Douglas South, Mr Cretney.

995 **The Minister for Infrastructure (Mr Cretney):** Mr Speaker, I recognise that this is an emotive and sensitive issue and we need to find a solution.

1000 The Hon. Member for South Douglas is very aware of the involvement of myself and Mr Quayle MHK on behalf of many residents, Island wide, relating to the Cronk Dhoo cemetery issue, which is deeply distressing for many. The advice I have received from planning officers is that development orders merely allow for the use of land for a particular purpose or development. They cannot secure the long-term operation of a pet cemetery. Consequently, they are not the appropriate tool to meet the needs of pet owners.

However, I have asked senior planning officers to consider this issue to see how such matters are dealt with in other jurisdictions and I will report back on this as soon as I can to Hon.

1005 Members. However, it must be recognised that this cannot be seen as a resolution to the existing situation.

**The Speaker:** Supplementary, Mrs Beecroft.

1010 **Mrs Beecroft:** Thank you.

I would be grateful if the Hon. Minister could give me a timeframe for when he anticipates being able to report back on a possible solution going forward, so this unfortunate and distressing situation cannot occur again.

1015 **The Speaker:** Minister to reply.

**The Minister:** There are two situations. There is the existing situation and the more permanent situation.

The existing one, I have a... I am going to meet the owner of the land on which a pet cemetery was given planning permission in 1994 shortly.

1020 In relation to the longer-term issue, the one I have asked my officers to look into, as I have promised, I will report back as soon as possible on that.

## HEALTH

### NHS dental services

#### Waiting lists

1.14. The Hon. Member for Douglas North (Mr Henderson) to ask the Minister for Health:

1025 *If he will make a statement on NHS dental waiting lists; how many people are waiting to be allocated an NHS dentist; and what the longest period is, which any patient has had to wait for treatment in the last 12 months?*

**The Speaker:** Question 14. Hon. Member for Douglas North, Mr Henderson.

**Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.

1030 Ta mee shirrey kied yn eysht y chur ta fo my ennym. I beg to ask the Question in my name.

**The Speaker:** I call on the Minister for Health to reply, the Hon. Member for Glenfaba, Mr Anderson.

**The Minister for Health (Mr Anderson):** Thank you, Mr Speaker.

1035 Whilst this Question is similar to a previous Question from the Hon. Member, I can update him as follows.

1040 There are at present 2,411 people awaiting allocation to an NHS dentist. This number can and does fluctuate for a number of reasons, including people moving to the Island or deciding that they wish to transfer to the NHS from a private dental practice. Over the last three months, there has been an average of 230 people added to the list.

1045 The current estimated waiting time to be allocated to an NHS dentist is subject to a number of factors, including the capacity of dentists to accept new patients into their practices, and the current financial issues that face us all. The Department continues to actively seek to reduce the number of people awaiting allocation and officers have recently visited all the contracted dental practitioners, in order to discuss their current contracts, their achievement of targets, and the number of patients that they currently have allocated. This has resulted in an agreement to place a minimum of 400 from the allocation list with contracted dentists over the next couple of months, with the potential for further allocations to follow. We are also in the early stages of looking at some ways in which we might be able to create further capacity within existing resources. This will result in no-one waiting for more than 12 months in order to be allocated to an NHS dentist.

1050 At present, there are 13 patients who have been waiting longer than 18 months, and the longest is from 11th March 2009. All of these patients have been offered an NHS dentist, but have declined, as they only want a dentist in their local area.

1055 Of course, any person not registered with a dentist and awaiting allocation may access NHS salaried dentists, should they require any urgent or emergency treatment. In the past year, the number of people allocated to an NHS dentist totals over 1,200 and Hon. Members will be pleased to note that, in the last three years, 4,500 patients have been allocated to an NHS dentist, resulting in the allocation list now being less than half of what it was in 2008.

1060 **The Speaker:** Mr Henderson

**Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.

1065 I thank the Shirveishagh for his positive Answers and the news of the ongoing situation of trying to allocate more patients to the NHS dentists.

I would ask him if he would also review the factors surrounding people trying to get emergency treatment and maybe report back to the House when he can, or in an electronic circulation to Members on the procedure for somebody who requires urgent treatment who is not allocated to NHS dental treatment. Is he aware that sometimes there are problems where people do not seem to be able to get an appointment for urgent treatment? If he could look into that for us, I would be very grateful, Vainstyr Loayreyder.

1070

**The Speaker:** Minister to reply.

1075 **The Minister:** I am more than happy to circulate Hon. Members with the information the Hon. Member has asked for.

**Standing Order 3.5.1(2) suspended to allow continuation of Question Time**

**The Speaker:** Now, Mr Quirk, Hon. Member for Onchan.

**Mr Quirk:** Mr Speaker, I beg to move:

*That Standing Order 3.5.1(2) be suspended to permit the remaining Questions for Oral Answer to be taken at this sitting.*

1080 **The Speaker:** Mr Houghton.

**Mr Houghton:** I beg to second, sir

**The Speaker:** Is that agreed, Hon. Members? Division called. The suspension of Standing Orders requires 16 votes.

*A division was called for and electronic voting resulted as follows:*

<b>FOR</b>	<b>AGAINST</b>
Mr Quirk	Mr Hall
Mr Ronan	Mr Watterson
Mr Crookall	Mr Skelly
Mr Anderson	
Mr Bell	
Mr Singer	
Mr Teare	
Mr Cannan	
Mr Cregeen	
Mr Houghton	
Mr Henderson	
Mrs Beecroft	
Mrs Cannell	
Mr Robertshaw	
Mr Shimmin	
Mr Corkish	
Mr Cretney	
Mr Gawne	
The Speaker	

1085 **The Speaker:** With 19 votes for and 3 votes against, the motion carries. *(Interjection)*

**Cancer patients  
Level of treatment**

1.15. The Hon. Member for Onchan (Mr Hall) to ask the Minister for Health:

*Whether cancer patients on the Isle of Man are entitled to the same level of treatment as cancer patients in the UK?*

1090 **The Speaker:** We therefore turn to Question 15. Hon. Member for Onchan, Mr Hall.

**Mr Hall:** Mr Speaker, I beg to ask the Question standing in my name.

**The Speaker:** The Minister for Health, Mr Anderson, to reply.

1095 **The Minister for Health (Mr Anderson):** Thank you, Mr Speaker and I thank the Hon. Member for giving me the opportunity to provide (*Laughter*) information on the Department's policy on the provision of treatment of cancer patients.

1100 Mr Speaker, the provision of cancer treatments is not universal or consistent, as it varies within the United Kingdom. Scotland, Northern Ireland and Wales follow the same general policies as the Isle of Man and our provision of treatment is thus very similar indeed. Our net division is slightly different from England, however, in that England chose to respond to political and public concern by creating the cancer drug fund (CDF), a specialist fund using new money from outside the NHS budget to pay for cancer drugs which are not yet approved by the UK National Institute for Health and Clinical Excellence (NICE).

1105 The Isle of Man had, and still has, no intention of setting up such a fund, since (a) we have an established policy, recommended by our Clinical Recommendations Committee (CRC) that we do not fund drugs or treatments which have not been found to have been cost effective by NICE, or an equivalent authoritative body. (b) The Isle of Man has many greater priorities in cancer services, where investment would offer better health gain, for example, setting up of a multi-disciplinary team, the appointment of nurse specialists etc, including breast screening. (c) The drugs which have been funded from the specialist fund in England may only prolong life by a few weeks to a few months. Importantly, none of these are curative. Finally, (d) the drugs must invariably have a cost wholly disproportionate to any benefit which they may offer.

1110 Mr Speaker, in summary, we offer the same treatment for cancer patients as much of the UK, only differing significantly from England over the creation of a CDF, which we feel is not a clinically effective use of our resources. Whilst it has been, and remains, our formal policy not to fund such treatments, individual requests for exemptions from the policy can still be considered by the CRC exemptions subcommittee.

1120 **The Speaker:** Mr Hall, supplementary.

**Mr Hall:** Thank you, Mr Speaker.

1125 Does the Minister not think, or does he not agree with me, that, given one in three people will develop cancer at some time in their lives, one in four will die of cancer and, according to NICE estimates that a population similar to ours can expect to treat 23 cases of advanced breast cancer per year, then does he not think it is imperative that he creates and establishes an equivalent cancer drug fund in the Isle of Man for our patients, to recognise the issues surrounding access to some of the most advanced and the latest cancer drugs, until we can then introduce a new value-based approach to medicine pricing, therefore putting an end to this shameful situation that we find ourselves in?

1130 **The Speaker:** Minister to reply.

1135 **The Minister:** I think the Hon. Member needs to temper his remarks in relation to the amount of money we are actually spending on cancer drugs. It is very important to recognise the CDF fund which England uses – Northern Ireland, Scotland and ourselves do not – is for drugs that are not recommended by the National Institute for Clinical Excellence. They have not proven to be cost-effective and, importantly, this group of drugs have been proven not to actually cure cancers. We would like to put the majority of our money into drugs that actually cure cancer and not prolong death.

1140

**The Speaker:** Mr Henderson.

1145 **Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.  
Would the Shirveishagh agree with me, notwithstanding his comments just now with regard to NICE regulations, that in fact, there is substantial clinical data available that show that some of these unregistered drugs are, in fact, in clinical trials showing to be worthwhile and cost-effective, and it would pay the Department big dividends to further its enquiries into these matters and collect further clinical data from the trials, Vainstyr Loayreyder?

1150 **The Speaker:** Minister to reply.

1155 **The Minister:** I would say, in relation to that supplementary from the Hon. Member, if these drugs were cost-effective, then the National Institute of Clinical Excellence would be recommending them.

**The Speaker:** Mr Henderson.

1160 **Mr Henderson:** Does he agree with me that, in fact, the equivalent in the Scottish health authorities have already progressed one or two of these drugs ahead of any NICE recommendations because they can see the value of them?

**The Speaker:** Mr Anderson

1165 **The Minister:** It is up to any jurisdiction, Mr Speaker, to make decisions on individual drugs. However, we do it on a clinically based system and I think we are better sticking to that system and that we put our resources into actually preventing and curing cancer.

1170 **The Speaker:** Mrs Beecroft.

**Mrs Beecroft:** Thank you.  
Would the Minister agree with me that our citizens are disadvantaged to those in England as concerns cancer drug treatment, and to have the equivalent, pro rata per head of population, would only cost us about £320,000 a year? Would the Minister agree with me that that is not a huge amount to be asking for?

**A Member:** From where?

1180 **The Speaker:** Minister for Health.

**The Minister:** Mr Speaker, it is a huge amount to my budget and unfortunately that would need cuts in other areas.

1185 I have already said that the Department has considered prioritisation of drugs and it is better to prioritise drugs that will actually cure people, rather than actually delaying death by a few weeks or months.

**The Speaker:** Mr Hall.

1190 **Mr Hall:** Thank you, Mr Speaker.  
Does the Minister agree that decisions about the use of drugs should be taken by clinicians and cancer specialists who treat cancer patients, and not by politicians or civil servants?

**Mr Watterson:** Hear, hear.

1195 **The Speaker:** Minister for Health.

**The Minister:** Yes, Mr Speaker.

1200 **A Member:** Absolutely.

**The Speaker:** A further supplementary, Mr Hall.

**Mr Hall:** Thank you, Mr Speaker.

1205 Does the Minister agree that in approving... in not approving, should I say, a specific drug for a constituent of mine, which he is well briefed on, he is, in effect, limiting the effective treatment options that are available? More importantly, does he agree he is denying my constituent a treatment option which does have proven benefits in improvement of quality of life and life expectancy?

1210 Does he also realise, in this particular case for this particular drug, that the NICE guidelines clearly... It was off the initial briefing from this, and subsequently the final guidance has not yet been made. Does he realise that the NICE Chief Executive has said that until NICE issues final guidance, which is in December, NHS bodies should make decisions locally on the funding of specific treatments? My constituent cannot wait until December for final guidance, so will he review it?

1215

**The Speaker:** Minister, you need not answer that part of the question that relates to a specific case, but insofar as the general issues raised, you may respond.

**The Minister:** Yes, I will steer clear of those issues, Mr Speaker.

1220

The Hon. Member knows very well that we have a Clinical Recommendations Committee and we have a subcommittee of that, where exceptions can be applied for, and that system is robust to deal with any applications in this way. That is taking place.

## ENVIRONMENT, FOOD AND AGRICULTURE

### Countryside Care Scheme Subsidies

1.16. The Hon. Member for Ramsey (Mr Singer) to ask the Minister for Environment, Food and Agriculture:

1225 (a) How much in total has been paid in subsidies to date under the Countryside Care Scheme;  
(b) what the (i) average figure and (ii) maximum figure paid to an applicant is; and  
(c) how much the projected total subsidy to be paid for (i) this financial year and (ii) the financial year 2012-2013 is?

**The Speaker:** Question 16. Hon. Member for Ramsey, Mr Singer.

1230

**Mr Singer:** Thank you, Mr Speaker.

I beg leave to ask the Question standing in my name.

**The Speaker:** To reply, I call on the Minister for Environment, Food and Agriculture, the Hon. Member for Rushen, Mr Gawne.

1235

**The Minister for Environment, Food and Agriculture (Mr Gawne):** Gura mie eu, Loayreyder.

1240 I am delighted to have this opportunity to discuss Manx agriculture and the essential role it fulfills in the Isle of Man. It is my firm belief that food and environmental matters are two of the biggest issues facing humanity this century.

1245 The Countryside Care Scheme is the main financial support measure in the Department's Agricultural Strategy. Tynwald unanimously approved the Department's Strategy in April 2008, acknowledging the following aims: (1) a reliable, stable and self-reliant industry, capable of feeding the Manx nation with a diverse range of food products, including our staple foods; (2) an efficient production system combined with a tailored market focus and a strong, clean Manx brand image so that a reliable profit can be obtained from the marketplace; and (3) responsible custodians of our countryside, natural heritage and food larder, whose contribution is trusted and valued by the Manx people.

1250 There are currently around 350 applicants to the scheme. Their enterprises vary greatly both in size and intensity. I have circulated to Members an extract from the Department's website that breaks down – or at least I hope I have – (*Interjections*) Well, in that case, apologies for that – yes, it is probably in the post. Apologies for that: I will have circulated to Members an extract from the

Department's website, that breaks down expenditure under the Scheme, which gives a better understanding of the spread of payments under it.

1255 However, in answer to the specific question, since the Scheme came into operation in April 2009, £16,901,548 has been paid out under the Scheme. This covers financial years as follows: in 2009-10, the Department paid out £5,400,665 to 354 applicants; in 2010-11, the Department paid out £6,269,592 to 353 applicants; and for the current financial year, the Department has paid out so far £5,231,291 to 342 applicants to date.

1260 I should say that, in an answer to the Hon. Member for Onchan, Mr Karran – I think it was last year – it was pretty clear that the overwhelming majority of these applicants were receiving less than £15,000.

1265 The average figure paid out to an individual applicant in the last financial year was £17,761. The maximum figure was £134,137. For the current financial years, this is projected to be an average of around £20,420 and a maximum of £147,090. The total of projected payments for the current financial year is forecast at £7,316,448. I cannot determine the 2012-13 expenditure until the Budget has been agreed by this House, and indeed until we know exactly who is going to apply and whether they are going to be eligible, but I would imagine it would be a similar figure to this year.

1270 The 2008 strategy was a radical departure from the way Government had historically supported the industry. Decades of support for undertaking specific actions – such as rearing an animal, growing a specific crop or producing a litre of milk – had resulted in Government becoming a key driver of many agricultural business activities and had driven a wedge between the farmers and the marketplace. The 2008 strategy capped the farm subsidy budget at £7,625,000 per annum and began a gradual transfer from specific production-related support to the Countryside Care Scheme, which is conditional on farmers maintaining the land in good agricultural and environmental condition. As the old subsidies have reduced, Countryside Care Scheme payments have increased; however, the overall budget has remained static.

1280 Under the Scheme, farmers are required to comply with two sets of standards in order to qualify for their payment. There are 14 statutory management requirements, which cover diverse items such as conservation of flora and fauna, identification of animals, and food and feed legislation, to name but three. Additionally, there are 18 standards of good agricultural and environmental condition. These are subdivided into standards which farmers must follow to reduce soil erosion, maintain soil organic matter and to provide minimum levels of maintenance required on farms, such as undergrazing, maintaining field boundaries and keeping the landscape free of waste materials and scrap. Farms are inspected to ensure they are meeting the standards. Financial penalties are applied where this is found not to be the case.

1285 As a consequence of this strategy and the Countryside Care Scheme, the marketplace has increasingly become the driver of agricultural production. We are witnessing increased evidence of farmers becoming more entrepreneurial and taking a greater interest in the marketing of their output. Nevertheless, many others have found greater market influences a challenge, as they consider how to restructure their businesses.

1295 Among the industry, there was a broad acceptance that the old subsidy system needed to change and farmers must produce for a genuine market. However, there is often resistance to change, when producers are required to consider the implication of the change to their individual business. I accept a few see a return to production subsidies as a comfortable safe haven, but this is clearly a false hope, as we simply cannot afford to subsidise production that is not valued by the marketplace. A return to production subsidies is not a viable option and is not supported by the main representative organisation for farming, the Manx National Farmers' Union.

1300 Production subsidies distract farmers from the true market, encouraging them to produce for a government scheme, rather than the paying customers. They also commit Government to an ongoing commitment to increased subsidies over time. Subsidies will never be able to react quickly enough to reflect customer requirements.

1305 **Mr Watterson:** Bet you're glad you asked now! *(Laughter)*

**Mr Singer:** I've forgotten what I asked! *(Laughter)*

1310 **The Minister:** It is written on the Order Paper, if you need to remind yourself.

The Department is currently considering amendments to the Countryside Care Scheme and would very much welcome any thoughts or suggestions which Hon. Members may have, to ensure a vibrant and successful food production system is developed.

Gura mie eu.

1315 **Several Members:** Hear, hear! (*Interjections*)

**The Speaker:** Before I call on the questioner, I really must say to Ministers that they must take care to answer the Question that is on the Order Paper (**Mr Houghton:** Hear, hear.) – which the Minister did, very clearly; but he then went on to give a very lengthy statement, not related directly to what was on the Order Paper.

1320 I would say to Ministers, tempting as that might be, I can hardly keep in order those asking Questions who are tempted to stray into wider issues, if Ministers themselves do not confine their Answers to the specifics on the Question Paper. (**Several Members:** Hear, hear! ) I will not allow this trend to develop – if I can help it! (*Laughter*)

1325 Mr Singer.

**A Member:** That will take a strong speaker, Mr Speaker!

**Mr Singer:** I am not quite sure, Mr Speaker, whether I should thank the Minister for his Answer, (*Laughter*) but I will give him the benefit of the doubt.

1330 Would the Minister agree that, at a time when food prices are rising at double the rate of inflation, the production of home-grown food would reduce imports and boost our economy, and that therefore, in 2011, the Countryside Scare (*Laughter*) – I do not think it is quite that – the Countryside Care Scheme 2008 is not suitable at this time?

1335 What justification can be given for paying farmers to not produce food in our present financial situation, and will he consider urgently that any subsidies to farmers go towards food production, not producing a pretty countryside?

**A Member:** Hear, hear.

1340 **The Speaker:** Minister to reply.

**The Minister:** Gura mie eu, Loayreyder.

1345 Perhaps my previous Answer predicted the supplementaries which were read out so eloquently by the Hon. Member for Ramsey, and I would refer him to the Answer I gave, which was absolutely explicit.

1350 What we have at the moment is farmers who are almost getting a return from the market which is about the same as it costs them to produce the livestock. We are almost getting to that point now. If we want to go back to a position where we subsidise food production so farmers have to be subsidised to produce things, we are not going to get the market relationship – which is really, really important – we are not going to have diversification in food production on the Isle of Man. We will have exactly what Government says farmers should produce produced by the farmers. If that is what we really want, and we want the continual decline in agriculture that we have seen over all my lifetime, then we can go back to production subsidies, but I really very strongly advise and urge this House not to go down that route.

1355 **The Speaker:** Hon. Member for Michael, Mr Cannan.

**Mr Cannan:** Thank you, Mr Speaker.

1360 I would just like to say to the Minister how delighted I was to hear that farmers now have some 32 different statutory requirements and standards to adhere to. I am sure that I understand now some of the complaints coming from my constituency, that indeed some of the farmers are spending less time on their tractors and more time in their offices, having to complete paperwork, rather than actually producing any goods.

1365 But to move on to the real point here, will the Minister actually agree that the real cost of the Countryside Care Scheme is a failing Meat Plant, a diminishing meat supply chain, a concerned farming industry and continued loss of revenue from the Isle of Man through the export of live animals, that urgent action is now required and that urgent action probably includes a return to some form of productivity-based subsidy system?

1370 **A Member:** Hear, hear.

**The Speaker:** Minister to reply.

1375 **The Minister:** I am sure the Hon. Member for Michael will not be surprised to learn that I do not agree with what he is saying, in terms of returning to a production-based subsidy. I think it would be a mad idea, bearing in mind we have only just moved away from production, for the reasons I gave in my initial Answer, which will be on *Hansard*, I am sure, for those who lost the will to continue to listen.

1380 I will go back to the perhaps slightly... well, I do not think it was flippant; the initial remarks which the Hon. Member made in relation to the 32 standards. Actually, farmers need to recognise that this is the real world. That is the world in which businesses operate. That is what supermarkets require. Now, if our farmers want to ignore all these standards and produce substandard food, then that is their choice, and if they do produce that substandard food, if they are not prepared to meet all the standards that food processors and the marketplace require of them, then they will get substantially less for their produce. If that is what the Hon. Member for Michael is suggesting we do, so be it.

1385 However, I would refer the Hon. Member for Michael to my comments when I moved that the Scheme be introduced – and it was 2009, not 2008 – this was 17th December 2008, moving the Scheme to be introduced in 2009:

‘The Department is already acknowledging the crucial part played by the Meat Plant...’

1390 This is a quote from what I said in my opening remarks:

‘... through financial support for its public service role in a three-phased approach, which we have already outlined to our colleagues in Treasury. The first three-year phase from 2008 to 2010 is intended to demonstrate our commitment to its role and to ensure equitable slaughter costs for our farmers’

and then I went on to say, actually, ‘our farmers’ animals’ rather than perhaps ‘the’ farmers.

‘Phase 2 will be the most expensive as we continue this commitment during the period immediately following the expected loss of the EU red meat derogation in January 2011.’

Then I went on to say:

‘This is likely to be a period of market upheaval and we understand the costs of the crucial services provided by the Plant will be at their highest.’

1395 So this is not something that was not predicted. When I went round explaining to farmers what we were proposing with the Scheme I made it absolutely clear that this year was going to be the most troublesome year. It was going to be the most difficult year because it was going to be the first year where farmers were producing without subsidy. Farmers have been subsidised to produce food for most... well, all of my lifetime, but certainly most of my father’s life and he has been farming all his life. They have known nothing else.

1400 It is very difficult to expect them, in less than 12 months, to move from a wholly subsidy-driven production system to a system whereby they decide, based on what the marketplace tells them, what they are going to produce. I really think you need to give this a little bit more time, but I do acknowledge – and I think it is really important that I do not sound as though I am in some way dismissive of the Hon. Member for Michael – the concerns that farmers have out there. Certainly, I have already had several meetings with directors of the Fatstock Marketing Association to try and make sure that we do come up with some positive solutions for the Meat Plant. We need to stop the haemorrhage of stock off the Island – absolutely clear about that – but it needs to be done by development of a marketplace which encourages livestock to stay on the Island, rather than us introducing artificial measures.

1410 **The Speaker:** Hon. Members, just to remind us all that the purpose of Question Time is to pose Questions and give Answers, not make long policy speeches. I trust that will be borne in mind.

Mr Houghton.

1415 **Mr Houghton:** Thank you, Mr Speaker.

In view of the fact that there can be as many as six wagons of cattle and sheep leaving the Isle of Man each week, how can the Minister correlate what he has been demonstrating this morning in this policy and that of the Countryside Care Scheme and what is actually happening which is leading, or has led, to the failure of the Meat Plant which is to be taken over by Government?

1420

1420 **The Speaker:** Minister to reply.

**The Minister:** Gura mie eu, Loayreyder.

1425 It is difficult sometimes to acknowledge that not all Members have the same geeky – or perhaps ‘nerdy’ – interest in agricultural politics as I have and I apologise if that is the case. That said, what we are trying to do here is revolutionise the whole way in which we produce food on the Isle of Man. At the first sign of trouble we are proposing to run back to safety and not bother with revolutionising the way in which we produce food on the Isle of Man.

1430 If that is what Hon. Members want, the comfort blanket of what we have always done in the past is available to us – that is very easy for us to do. It would probably involve increasing administration costs in the Department, but, yes, if we want to run back to the safety of production systems where there will be at least a pretence of some sort of farming going on in the Isle of Man, that is fine, but production should be driven from the marketplace. Now, that does not come naturally for me to say that because I am not right of centre. I tend to be from the left of centre position. There are lots of people who are right-of-centre politicians in here calling for Government intervention into the marketplace and I am surprised at that, I have to say.

**The Speaker:** Mr Cannan.

**Mr Cannan:** Thank you, Mr Speaker.

1440 Indeed, I do want to say to the Minister that I am sure we all share the need sometimes to change things, but when change is possibly at the expense of the supply chain completely failing on the Isle of Man, and the meat industry failing to meet the demand from the public for consumption of meat, then I think it becomes a very important and urgent issue.

1445 Would the Minister agree with me that this is currently an important issue, that his Department is taking immediate steps to change this and not waiting for the revolution to actually complete its course?

**The Speaker:** Minister to reply.

**The Minister:** Gura mie eu, Loayreyder.

1450 I would count myself amongst the revolutionaries on this particular issue, so it is clearly an essential part, an essential role, of the Department to be involved in this.

1455 I certainly have been immediately grasping these issues and trying to sort out some of the problems that we are currently facing. I expect there will be announcements in the next week or so as to how we are going to deal with this. I am not keeping things from Hon. Members here. I am not trying to be mysterious. All I can say is that we are currently working very closely with both the FMA, the Manx National Farmers’ Union and a variety of others, to try and come up with a better solution than we currently have.

1460 I do agree that there are some quite serious failings at the moment, which would have been there, with the production system – those failings would have been there, but they would have been buried, because we would throw all this money out, through all these production subsidies, and no-one would notice that there was any problem because the production subsidies were there. Farmers would notice, because they would notice the fact that their bills were rocketing – oil prices, fertiliser prices and the like – but they were not getting any more out of the marketplace, because the plants which they were effectively subsidising through production subsidies were continuing to be inefficient.

1465 I should point out that the Isle of Man Meat Plant has, over the course of the last two years, driven out £1.5 million-worth of savings in its production line. That is good news, but there are other factors here as well, which perhaps are outwith their control.

1470 **The Speaker:** I am going to take two further questions (**A Member:** Hear, hear.) before I call on the original questioner. (**A Member:** Hear, hear.)

Mr Cregeen, Hon. Member for Malew and Santon.

1475 **Mr Cregeen:** Thank you, Mr Speaker.

Is the Minister aware of a number of concerns from farmers that they seemed to think that there were a number of people who were very much aware beforehand how to get the most out of the Countryside Care Scheme? What is his Department doing to assist some of the small farmers with initiatives so that they can diversify? (**A Member:** Hear, hear.)

1480 When he says about the Meat Plant making savings, just the extent of that £1 million plus, was it not over-bureaucratic and over-manned in the first place and was poorly mismanaged in the first place, so it is getting that into place, all those savings now, which it should have been done years ago?

1485 **The Speaker:** Reply, sir.

**The Minister:** Absolutely, in answer to the final part, it is absolutely correct. These inefficiencies were hidden by the fact that we had production subsidies, so we would have been losing substantially more under the production system. So this is entirely what we are about here.  
1490 This is the whole point of making the whole of our food production system a far more market-driven place to drive out the inefficiencies.

Certainly, I am very supportive and the Hon. Member will be aware in 2008, when we came to Tynwald with the strategy for food production and agriculture, of the need for farm diversification support. That is absolutely essential and I will certainly be doing what I can to ensure that that support is available.  
1495

I do not believe... I will not say I hear rumours from farmers that certain farmers knew and they were trying to get more money out of the Countryside Care Scheme than perhaps they should have had. I do not really believe that there is very much behind that but, in any case, the fact that we have now moved, or we are moving, away from... [*Inaudible*] payments on to a more flat rate payment means that those inequities will soon be diminished.  
1500

**The Speaker:** Mr Houghton.

**Mr Houghton:** Thank you, Mr Speaker.

1505 Bearing in mind the Minister did not answer my previous question, can I ask him if he can confirm to this Hon. House whether or not there is, indeed, a subsidy paid to farmers to export animals off the Island? If there is not, why are they doing it?

**The Speaker:** Minister.

**The Minister:** There clearly is not a subsidy for farmers to export animals off the Island.  
Bearing in mind what you said about wanting short answers to extremely difficult questions, I will do my best. Across the whole of Europe, single farm payments have been introduced two or three years before we introduced ours. As a result of that, farmers only have to produce things if they are going to get a reasonable return from the marketplace. As a result of that, they have stopped producing as much as they produced in the past. They have produced less food. So when there is less food available, the price has to go up. Our farmers are currently benefiting from that.  
1510

At the moment there are some really serious disconnects which, sooner or later, are going to have to be resolved in the UK and EU meat markets, whereby livestock is receiving extremely high prices, but those prices are probably just about enough to make it worth farmers to continue producing the livestock. So the livestock price is probably about right, if we are looking at the cost of production, but that cost of production is not being passed on to consumers in anywhere near the amount that it should be.  
1520

Let us be absolutely straight about what production subsidies primarily were about: they were about subsidising the cost of food to the consumer. That was the primary role of production subsidies. That is why they were introduced after the Second World War. It was to reduce the cost of food, to make sure the cost of food was kept at an affordable price. It was nothing about ensuring the farmers were going to continue to produce food; it was all about that, and this is what is going to end up happening.  
1525

So, basically, the reason farmers are exporting at the moment is because they can get a really good return from the marketplace in the UK, where meat processing plants are paying over the odds, or more than they are actually getting in terms of returns from supermarkets and processors. They are actually prepared to pay that because they are in binding contracts – buy contracts – with supermarkets and wholesalers. That is why: good price across and, quite frankly, if I were a farmer, I would be very tempted to do that, too.  
1530  
1535

**The Speaker:** Final supplementary, Mr Singer.

**Mr Singer:** Thank you, Mr Speaker.

1540 The questions have turned to specifics. Can I return to the intention of my Question, as it affects the Isle of Man. I would say to the Minister, at these times, should not the general principle be that we should be producing as much home-grown food for *our* consumption as possible, and that where there are any available subsidies, these should go to the producers of the food, for actually producing the food?

1545 With respect to the Minister, is he not too close to the industry, to see the overall need of the consumers of this Island?

**The Speaker:** Minister to reply.

1550 **The Minister:** Gura mie eu, Loayreyder.

I do not think I am too close to the industry. I am trying to come forward with a solution to a problem which we are all facing – when I say ‘all’, not just Members of the House of Keys, not just the Isle of Man, not even just Britain or the European Union; the whole of the world has a very, very serious problem that it is facing in terms of food production. If you are not prepared to pay people to produce food at a rate that is at least equivalent to the cost to them of producing that food, why should they produce that food? I think that is a reasonable question to ask and I think the reasonable answer is they should not. Why should we be interfering in that marketplace?

1555 Clearly, there is a demand for food. If we want to subsidise the price of food, let us subsidise the price of food. Let us not subsidise the cost of production. I would rather see it going in at the food end, and allow farmers to get on with producing things that are what we actually want. Actually, already, since we have lost or stopped paying out production support, we are starting to see some really good products being developed that would not be developed if we stuck to the production subsidy driven system which has failed for many generations.

1560

### Seagulls

#### DEFA policy; local authority powers

1.17. The Hon. Member for Onchan (Mr Quirk) to ask the Minister for Environment, Food and Agriculture:

1565 (a) *What his policy is in regard to seagulls; and*  
(b) *whether local authorities can make byelaws to relieve any problems caused by seagulls?*

**The Speaker:** We turn to Question 17, the final Question on the Order Paper.

1570 **Mr Quirk:** Thank you, Mr Speaker.  
I ask the final Question

**The Speaker:** Hon. Member for Onchan, Mr Quirk.

1575 **Mr Quirk:** I beg to ask the final Question, sir.

**The Speaker:** I call on the Minister for Environment, Food and Agriculture, Mr Gawne.

**The Minister for Environment, Food and Agriculture (Mr Gawne):** Gura mie eu, Loayreyder.

1580 In respect of part (a) of this Question, I can confirm that amongst the gulls the commonest on the Isle of Man is the herring gull, which is a natural and typical species on the Island, and its populations here are in decline.

1585 The Manx breeding population fell by 21% between 1988 and 1989, and 28% since 1969. Since 2000 the decline has continued but it remains a species with a good population on the Island, with a little over 7,000 pairs breeding in 1999. Long-term declines in the breeding and wintering numbers in the UK, Channel Islands and Isle of Man have resulted in it becoming listed as a Red List bird of conservation concern in 2009. However, we all know that the gulls can cause problems for people due to their great adaptability in finding food and their potential for aggressive behaviour, especially in the protection of their nests. Great care is therefore necessary in preventing troublesome habits from forming.

1590

1595 Seagulls are, of course, protected, as are all of our birds, but in recognition of the need for controls in particular circumstances where issues have arisen, there are general licences provided under the Wildlife Act to prevent serious damage to livestock and foodstuffs, to protect wild birds – for instance, game – and to preserve public health or public safety, including the use of cage wraps or nets. Members who wish more detail can avail themselves on the Department’s website. Further individual licences can be provided on application for the purposes specified in section 16 of the Act, but I must stress general control of the population is not licensed.

1600 In answer to part (b), I can confirm that officers within the Department of Infrastructure are currently developing model byelaws for Douglas Town Council with a view to other local authorities adopting them as a model for their own byelaws. It is anticipated that these byelaws will prohibit or restrict the feeding of pigeons and seagulls in public spaces, which should go some way to addressing the problem. However, these measures need to be introduced in conjunction with a well-thought-out action plan that should include an awareness raising campaign by the local authority, advising on the new requirements and other issues, such as bird proofing.

1605 There are many simple measures that can be introduced to prevent birds nesting and roosting within our towns and villages. My Department is currently drafting a guidance advice note that can be used by the local authority, should they wish to implement the byelaws and take proactive action.

1610 I also understand that local authorities which do decide to take positive action can make an application to the Regeneration Fund for financial assistance towards the preventative works they plan to do.

In essence, Loayreyder, this is an issue for local authorities, but I am more than willing for officers of my Department to offer guidance and advice, where we can.

1615 **The Speaker:** Mr Quirk.

**Mr Quirk:** Thank you, Mr Speaker.

I thank the Minister for his brief statement. *(Laughter and interjections)*

1620 With reference to... *[Inaudible]* I do have, will the Minister not agree with me that public places – which means the public have access to – if it is on an estate and in a private dwelling, and individuals are feeding these birds which should be naturally out at sea, will he not agree with me that the relevant byelaws should be brought in as soon as possible?

1625 I am just wondering whether the Minister can maybe circulate a consultation document, or is it to have consultation with the other local authorities?

**The Speaker:** Minister to reply.

1630 **The Minister:** I did point out – and apologies to the Hon. Member for Douglas South for this – this is an issue which is being progressed by the Department of Infrastructure, since the byelaws and my Department has to give what advice it can. However, ultimately, this is a matter for local authorities, so if local authorities wish to progress with byelaws as a matter of urgency, then local authorities can.

1635 What we know, from the answers I have given, are that the Department of Infrastructure and the Department of Environment, Food and Agriculture are available to provide good advice.

**The Speaker:** Mr Quirk.

**Mr Quirk:** Final question, Mr Speaker, if I could.

1640 Would the Minister for Agriculture not give us an indication if he is aware that the Minister for DoI, Mr Cretney, is he well down the road to provide those byelaws for public consultation?

**The Speaker:** If you can reply, Minister.

**The Minister:** Gura mie eu, Loayreyder.

1645 I am absolutely sure, and I have full confidence in my colleague, the Minister for Infrastructure, that he will be taking this matter and giving the matter the attention that it deserves. *(Laughter and interjections)*

1650 **The Speaker:** Hon. Members, that brings us to the end of Questions for Oral Answer. There are four Questions for Written Answer, and the replies have been distributed.

## Written Answers

### COMMUNITY, CULTURE AND LEISURE

#### Director of Public Transport

#### Previous experience

2.1. The Hon. Member for Ramsey (Mr Singer) to ask the Minister for Community, Culture and Leisure:

*If he will list the experience of the Director of Public Transport in the running of fare paying passenger public service transport routes other than school services prior to his present employment?*

1655 **Answer:** The Director of Public Transport was directly involved in the operations of local bus operations for 30 years and six months prior to arriving on the Isle of Man. This included running fare paying public service routes.

1660 The Director of Public Transport was appointed on the basis of having the necessary qualifications and experience to run the Division. The panel was satisfied of that fact and the Department was, and remains, satisfied that is the fact and that the Director has substantial experience in running fare paying services.

1665 The Director's employment has been the subject of extensive scrutiny, far in excess than the Department feels is necessary. This is a key role and one which was subject to a thorough interview process, part of which was to assess the experience gained in previous employment, which included long service in running major UK public bus service providers.

1670 The Department remains entirely confident that the recruitment was done properly, that the appointment of the current Director was correct and that the correctness of that decision has been borne out in practice over the last two years. The Department recently advised all Members of the results of its extensive review of all concerns expressed by those who are unhappy with the recent improvements to the Bus Vannin operation and is happy to restate that none of those concerns could be verified in any way.

### HEALTH

#### Noble's Hospital Operating theatres

2.2. The Hon. Member for Douglas South (Mrs Beecroft) to ask the Minister for Health:

*How many hours per week the operating theatres at Noble's Hospital are in use broken down by (a) the number of private hours and (b) NHS hours?*

1675 **Answer:** Thank you for your Question with regard to the split of operating hours for both NHS and private work.

Normally we would report in 'sessions' which are a period of 3.5 hours. I have therefore detailed my Answer in both terms:

1680 (a) The total private patient sessions per week are variable and range from four to seven sessions, therefore this equates to 14 – 24.5 hours per week.

(b) The total elective NHS sessions are 40 and therefore a total of 140 hours are available for NHS work.

1685 It should also be noted that, outside of this time, the theatre teams are available on call 24/7 to attend to patients requiring emergency surgery. NHS operations are also undertaken within the Maternity Theatre, the Minor Operations suites and the Endoscopy suite.

**ENVIRONMENT, FOOD AND AGRICULTURE**

**Civic Amenity sites  
Location; permitted waste**

2.3. The Hon. Member for Onchan (Mr Quirk) to ask the Minister for Environment, Food and Agriculture:

- (a) *If he will list the number of Civic Amenity sites around the Island; and*  
(b) *what can be disposed of at them?*

1690 **Answer:** There are currently four licensed and operational Civic Amenity (CA) sites in the Isle of Man, as follows:

(1) Northern CA site (currently located adjacent to the former Ballacallow landfills, Bride – but planned to be replaced shortly by a new and much improved facility at Balladoole Farm in the north of the Island);

1695 (2) Western CA site, St John's;

(3) Eastern CA site, Middle River, Douglas; and

(4) Southern CA site, near Port St. Mary.

Although the original Braddan Civic Amenity Site at Snugborough ceased operations some years ago, it has remained licensed at the request of Braddan Commissioners.

1700 The Waste Strategy for the Isle of Man, as approved by Tynwald in 1990 and further confirmed since then, seeks to provide sites for householders to dispose of garden waste and other items not normally collected with their household refuse. These sites also make provision for the deposition of recyclable and reusable materials.

Household waste and commercial waste can, in theory, be accepted at all CA sites, subject to the conditions of the planning approval and the waste disposal licence.

**OVERSEAS AID COMMITTEE**

**Foreign Aid  
Payments**

2.4. The Hon. Member for Onchan (Mr Hall) to ask the Chairman of the Overseas Aid Committee (Mr Gawne):

1705 *What countries were in receipt of Foreign Aid and how much was paid to each of these countries in (a) 2008; (b) 2009; (c) 2010; and (d) 2011 to date?*

1710 **Answer:** During the period subject to this Question, 4.3 million people have been directly supported by the Isle of Man Government's Overseas Aid Committee. Despite increases in the budget up to a few years ago, the Isle of Man gives substantially less than Jersey and Guernsey in Overseas Aid.

In order to be clear, it might be helpful to differentiate between what might be termed as 'Foreign Aid' and that which is 'Overseas Aid'.

1715 Foreign Aid may constitute economic or military assistance, offered by one nation to another and, as such, the Isle of Man does not provide this type of support. Although the Isle of Man Government does support the Small Countries Financial Management Centre located at the Isle of Man Business School – which is an initiative developed via a partnership between the Isle of Man Government, the World Bank, the Commonwealth Secretariat, the Small States Network for Economic Development and Oxford University – under the programme small and developing or fragile states are offered practical advice/training and support in the Isle of Man, and funding is not paid direct to the countries/governments in question.

1720 With regard to Overseas Aid specifically, the Council of Minister's Overseas Aid budget is administered annually between calendar months April – March, and is used in order to provide support for development and emergency aid. Since 2008, 4,300,269 people have directly benefited from Isle of Man Government's Overseas Aid programme.

1725

1730 Aid is allocated in line with the policies outlined in the Council of Ministers' document on the Policy and Funding of Overseas Aid and is targeted at projects which seek to address the United Nations Millennium Development Goals, specifically in countries which are classed as 'Low' or 'Medium' on the United Nations Human Development Index. Aid is paid to Isle of Man or UK based charities, who then undertake specific projects within the countries in question.

It is worth noting that the Isle of Man Government is still significantly behind most European countries in terms of the amount of aid it gives as a percentage of Gross National Product (GNP).

1735 The tables below illustrate the amounts awarded to individual countries and the number of direct beneficiaries for the financial years 2008-2009, 2009-2010, 2010-2011 and April 2011 to September 2011.

Further information in relation to Overseas Aid spending, including the amount awarded to each individual project, can be found in the Overseas Aid Committee's annual reports. These are available on the Isle of Man Government website at: [http://www.gov.im/cso/overseas\\_aid/](http://www.gov.im/cso/overseas_aid/)

<b>Year 2008-2009</b>	
<i>Country</i>	<i>Amount (£)</i>
Afghanistan	20,445.99
Albania	21,819.00
Angola	42,563.50
Bangladesh	47,864.00
Belize	1,500.00
Brazil	22,000.00
Burkina Faso	15,318.00
Burma	50,000.00
Cambodia	93,571.00
Democratic Republic of Congo	68,832.84
East Timor	4,710.00
Ethiopia	156,469.00
Gambia	29,842.00
Gaza	33,333.00
Haiti	49,666.00
India	224,905.00
International Project (Multi-Country)	21,000.00
Kenya	156,694.99
Laos	36,228.00
Lesotho	50,288.00
Liberia	27,359.00
Madagascar	25,260.29
Malawi	45,620.00
Mali	30,000.00
Mauritania	20,775.00
Mongolia	58,737.00
Mozambique	76,217.00
Nepal	58,771.00
Nigeria	32,266.00
Pakistan	19,801.00
Papua New Guinea	39,933.00
Peru	96,322.00
Philippines	25,692.00
Romania	13,293.00
Rwanda	45,060.00
Senegal	10,000.00
Sierra Leone	78,124.00
Sri Lanka	20,020.78
Sudan	25,750.00
Tanzania	123,161.00
Tibet	19,908.98
Uganda	65,699.99
Vietnam	20,000.00
Honduras	27,252.00
Zambia	64,440.00
Zimbabwe	20,000.00
<b>Number of direct beneficiaries</b>	<b>346,577</b>

<b>Year 2009-2010</b>	
<i>Country</i>	<i>Amount (£)</i>
Afghanistan	30,000.00
Angola	29,950.00
Bangladesh	58,240.00
Burkina Faso	25,000.00
Burma	30,968.00
Burundi	40,103.00
Cambodia	64,776.00
Chile	10,000.00
El Salvador	20,000.00
Ethiopia	122,685.00
Gambia	100,000.00
Gambia & Guinea Bissau	100,000.00
Haiti	126,690.00
India	141,010.00
Indonesia, Vietnam and Philippines	50,000.00
Kenya	177,657.00
Lesotho	67,400.00
Liberia	293,776.47
Mongolia	25,455.00
Mozambique	20,287.00
Nepal	55,945.00
Niger	24,894.00
One World Charity Challenge	10,500.00
Pakistan	15,000.00
Romania	6,000.00
Rwanda	98,493.00
Rwanda	98,493.00
Senegal	14,915.00
Sierra Leone	578,164.00
Somalia	30,000.00
Sri Lanka	25,106.00
Zambia	95,000.00
<b>Number of direct beneficiaries</b>	<b>939,998</b>

<b>Year 2010-2011</b>	
<i>Country</i>	<i>Amount (£)</i>
Bangladesh	61,097.00
Burkina Faso	35,000.00
Cameroon	54,689.00
Colombia	26,677.00
Democratic Republic of Congo	111,740.00
Eritrea	44,252.00
Ethiopia	113,287.00
Gambia/Guinea-Bissau	200,000.00
Guatemala	25,000.00
Haiti	20,000.00
India	45,588.00
Kenya	50,000.00
Kyrgyzstan	50,000.00
Lesotho	64,031.00
Liberia	306,074.88
Madagascar	52,770.00
Mozambique	61,536.00
Nepal	29,000.00
Niger	100,000.00
Nigeria	62,498.00
Pakistan	185,000.00
Sierra Leone	411,467.00
Sri Lanka	41,360.00
Tanzania	44,004.00
Uganda	118,026.00
<b>Number of direct beneficiaries</b>	<b>1,217,548</b>

<b>Year April 2011-September 2011</b>	
<i>Country</i>	<i>Amount (£)</i>
East Africa	150,000.00
Ethiopia	65,813.00
Ivory Coast	25,000.00
Kenya	174,619.00
Liberia	49,189.00
Madagascar	28,500.00
Malawi	74,954.00
Mozambique	31,620.00
Namibia	25,000.00
Nepal	103,642.00
Niger	20,000.00
Nigeria	50,636.00
Pakistan	30,000.00
Romania	71,500.00
Rwanda	15,000.00
Somalia	50,000.00
South Africa	900.00
Sudan	50,000.00
Tibet	10,000.00
Turkmenistan	47,055.00
Yemen	50,000.00
Zimbabwe	68,545.00
<b>Number of direct beneficiaries</b>	<b>1,796,146</b>

*The House adjourned at 11.46 a.m.*