



HOUSE OF KEYS OFFICIAL REPORT

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PROCEEDINGS

DAALTYN

(HANSARD)

Douglas, Tuesday, 8th November 2011

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The House adjourned at 10.33 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 R H Quayle (Middle); 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.

Members: Good morning, Mr Speaker.

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

PRAYERS

The former Chaplain of the House of Keys

Procedural

The Speaker: Hon. Members, may I remind you that nominations for election to the Legislative Council should be given to the Secretary of the House by 5.00 p.m. on Friday, 25th November.

Welcome to visitors from the Danish Folktinget Official Report

10 **The Speaker:** I would like to take this opportunity to welcome three visitors from the Danish Parliament: Ms Melina Laubech, Mr Hans Peter Rolfsen and Mr Lars Busch Nielsen. They are officials from the Danish *Hansard* office who have come to see our system for preparing the Official Report. I hope they enjoy their stay with us and they find it instructive.
You are most welcome.

15 **Members:** Hear, hear.

Questions for Oral Answer

TREASURY

CinemaNX Ltd Deposit account

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

Whether CinemaNX still has a deposit account of £25,000,000 with a maturity date in August 2012; how many subsidiary companies CinemaNX Limited owns; and whether CinemaNX Limited has given any parental guarantees to any of its subsidiary companies which could affect its ability to return the £25,000,000 plus interest to Government should the contract not be renewed?

The Speaker: Hon. Members, we now turn to Item 1 on the Order Paper, Questions for Oral Answer.

I call on the Hon. Member for Douglas South, Mrs Beecroft, to ask the first Question please.

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

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

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

25 In respect of the first part of the Question, the answer is yes, there is still a deposit containing £25 million, which matures in August 2012.

In respect of the second part of the Question, the answer is eight subsidiary companies and in respect of the third part of the Question, the answer is that there are no parental guarantees which could affect the ability of CinemaNX to return the £25 million capital as the account cannot be
30 accessed without the approval of the Treasury, who hold a first charge over it.

In respect of the interest earned on the account this will be paid to CinemaNX under the terms of the 2007 agreement in order to finance its ongoing activities.

Thank you, Mr Speaker.

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

Mrs Beecroft: Thank you, Mr Speaker.

40 Is the Minister aware that CinemaNX Music Ltd is a subsidiary of CinemaNX Ltd and that it has net liabilities – or had net liabilities – of £42,394 at 30th June 2010? Is the Minister satisfied that none of the other subsidiaries are equally, or even more insolvent?

The Speaker: Minister to reply.

45 **The Minister:** I think the Hon. Member needs to be aware that the Isle of Man Government has the first legal mortgage on the deposit and the first legal mortgage stands against anything else. I personally checked the security and I am comfortable with it.

HOME AFFAIRS

Drug squad Budget; drugs seizures

1.2. The Hon. Member for Ramsey (Mr Singer) to ask the Minister for Home Affairs:

What the designated budget was for the drug squad for the years 2009-2010 and 2010-2011; what the figure is for 2011-2012; and what his estimate is of the percentage of imported illegal drugs that were seized in the last three years?

The Speaker: Question 2, Hon. Member for Ramsey, Mr Singer.

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

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

55 **The Minister for Home Affairs (Mr Watterson):** Mr Speaker, the Constabulary have a dedicated proactive Drugs Unit which operates at both neighbourhood and national level. At any one time, up to a dozen specialist officers can be deployed to support the front-line neighbourhood policing teams, which are at the forefront of the Island's policing strategy.

60 The way the budget headings operate, the specific designated budget for the Drug Squad cannot be stripped out for the years requested, so I apologise to the Hon. Member that the data just is not available.

It is a testament to the effective work undertaken by the Constabulary that, over the course of

65 the last two years, there have been a number of occasions when intelligence has reliably shown
that enforcement activity has caused a shortage or, occasionally, a complete absence of heroin and
similar shortages of other drugs, notably cocaine. Indeed, the Chief Constable's Report shows the
value of illegal drugs seized in the last three years is almost £800,000. However, it impossible to
assess what percentage this is of the illegal drugs actually imported, except, of course, refer to the
intelligence showing that there have been shortages which may indicate a high percentage of
70 imports at times have been seized.

The Speaker: Mr Singer, supplementary.

Mr Singer: I thank the Minister for his Answer.

75 Is the Minister, therefore, saying that there are Drug Squad officers who are specifically
working within the Drug Squad, or are these officers also employed in doing work in other
sections of the Police Force, and if so, what percentage of these officers' time is spent on other
than Drug Squad matters?

The Speaker: Minister to reply.

80 **The Minister:** The officers I have referred to are specialist Drug Squad officers. However, on
an operational basis, they may be called away to assist with other areas. I would not have the
figures available for what percentage, or how many hours that they are called away for other
duties, but the primary role of these officers is specifically central Drug Squad.

The Speaker: Mr Singer.

Mr Singer: I would ask the Minister, does he actually believe that is a totally accurate answer,
90 or is it a fact that a lot of time of the Drug Squad officers is in fact spent on other matters within
the Police Force?

Is it not a fact that the seizures that are made are low-level seizures of small dealers and, in
fact, there are very few, if any, major importers from whom illegal drugs are seized and a great
percentage of drugs entering this Island are probably not seized at all?

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

The Minister: I do not particularly agree with the Hon. Member's assertion that there are huge
quantities of drugs going in that are not being seized. As I say, I have reported that, over the last
three years, almost £800,000 of drugs have been seized. That is reflected in the higher cost of
100 drugs on the Isle of Man.

What I would say is at the core of this is that neighbourhood policing is at the core of the way
we do this on the Island, so if there is good intelligence at a local level to suggest that an
individual, say, in Ramsey is growing cannabis, the local neighbourhood policing team would be
the first responder to that. They would be supported by the central Drug Squad. However, if they
105 feel that they are likely to be just a front for, say, more serious crimes such as cocaine or heroin
importation, or money laundering of the proceeds, then that, of course, would be supported even
further by others such as the Financial Crime Unit, as well as the central Drug Squad.

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

110

Mr Houghton: Thank you, Mr Speaker.

Mr Speaker, bearing in mind that most of the intelligence that comes from drugs importation in
the Isle of Man comes from the United Kingdom forces, and specifically when those forces are
seeing those offenders getting on the boat or on the plane coming to the Isle of Man, would he
115 agree with me that our Chief Constable needs to be proactive with the United Kingdom Chief
Constable from the relative areas – Merseyside and Lancashire, specifically – in order that they
arrest those offenders on the other side of the water, thus saving us the expense of incarcerating
them here in the Isle of Man?

120 **The Speaker:** Mr Watterson.

The Minister: I would certainly agree with the principle of what the Hon. Member is saying,
in terms of if the police there know that individuals are carrying drugs when they get on the boats,

125 that is something that should be tackled on the other side of the water. I am happy to mention that to the Chief Constable.

I know that there was a close working relationship with Merseyside for intelligence purposes as, indeed, all Hon. Members would expect, not least of all because, of course, that is where we acquired our Chief Constable from, so I do maintain that is one of our more important policing links, but I am certainly happy to raise the matters that the Hon. Member raises with the Chief Constable.

The Speaker: Mr Singer.

135 **Mr Singer:** If I can just take up the last point from the Hon. Member for Douglas North, is it not a fact that the tip-off that will come from the other side, that people with drugs are on the boat, and they would rather they were arrested this side, because it is then a greater offence of importing, rather than just possession?

140 Anticipating the Minister will say he is not satisfied with the percentage of illegal drugs entering this Island that are intercepted, can he assure this House that his policy will be to take action to dramatically increase the seizure of illegal drugs from both the dealers and the users, by ensuring that the Drug Squad in fact do have clear, adequate funding from his budget?

The Speaker: Minister.

145 **A Member:** Yes, they will. (*Interjection by Mr Singer*)

The Minister: I have to say we are doing the best with the staffing and the budget that we have. Tackling drugs is an issue. It fits into the context also of tackling what is equally a big problem, in terms of alcohol and other offences of that nature and these are going to be priorities for the Department moving forward.

150 Yes, the tip-offs do often come from Merseyside, but they are locally generated as well. If they know that a perpetrator or a significant quantity is coming to the Isle of Man, then there are a number of issues surrounding that. If the person goes through the criminal justice system here and is committed to a long sentence, then the chances are that they will be returned to Merseyside, anyway, for the completion of their prison sentence, so that is one element of it, in terms of the UK effectively picking up the eventual cost for their own prisoners.

155 As I say, drug and alcohol issues are going to be a priority for the Department of Home Affairs in the coming years.

ECONOMIC DEVELOPMENT

Tourism Strategy for increasing numbers

1.3. The Hon. Member for Douglas East (Mrs Cannell) to ask the Minister for Economic Development:

What his strategy is for developing an increase in tourist numbers; whether such a strategy will include contributions from sea and air carriers together with hoteliers; and what mechanisms will be put in place to measure outcomes in terms of success or failure?

160 **The Speaker:** Question 3 and I call the Hon. Member for Douglas East, Mrs Cannell.

Mrs Cannell: Thank you, Mr Speaker.
I beg leave to ask the Question standing in my name.

165 **The Speaker:** I call the Minister for Economic Development, the Hon. Member for Douglas West, Mr Shimmin.

The Minister for Economic Development (Mr Shimmin): Thank you, Mr Speaker.

I welcome the timing of this Question from the Hon. Member for Douglas East, as the Department, in conjunction with the Chamber of Commerce, is initiating a new three-year visitor

170 economy strategy. This partnership is a joint private and public sector initiative, designed to shape the future of the Island's visitor economy.

The structure comprises a main steering committee, supported by stakeholder groups, which will cover four principal areas. These are accommodation; hospitality and services; events; and travel and transport. This will provide the opportunity for sea and air carriers, as well as accommodation providers, to contribute to the strategy.

175 Examples of key areas that the new strategy will focus upon include the development of the cruise and groups markets; events-led tourism; motorsport tourism; heritage and railway tourism; technology; access and transportation; quality and service; the development of new tourism products; as well as destination marketing and communications.

180 In terms of measuring outcomes, the key performance indicator for the sector is visitor numbers. These are independently measured by the Economic Affairs division of Treasury through the Isle of Man annual passenger survey. The number of visitors has grown in the last three years from 275,000 to 287,000 in 2010. This resulted in over £90 million of visitor spend in the year 2010.

185 The Department's 2010 service delivery plan sets a target of 300,000 visitors for 2011. However, it should be borne in mind that, due to the high number of visitors from the UK, the economic downturn in that country is continuing to create challenging conditions for this important sector.

190 Our new 2012 visitor guide has already been printed to be launched on 14th November and, Mr Speaker, I would be pleased to circulate a copy to Members.

The Speaker: Hon. Member, Mrs Cannell.

Mrs Cannell: Thank you, Mr Speaker.

195 I thank the Hon. Minister for his comprehensive reply, but does he not agree with me that, although there are passenger surveys and figures given for each year in terms of the visitors to the Isle of Man, the way in which those numbers are collected, it does not separate those who are travelling for business or for family connections or, indeed, for tourists and, in fact, the Question is aimed at the increase in *tourist* numbers, not necessarily visitor numbers? Is there going to be any change in the way these figures are collated?

The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker.

205 Although the current figures do separate out those different sectors, I myself have got some concerns about the accuracy of them. I am not intending to reopen a whole level of new bureaucratic process, but I will be talking to Economic Affairs to ensure that the collation of that information is as accurate as it can be, because that is one of the main drivers for our policy. So although we do separate it out on this and another couple of issues regarding Economic Affairs data, I think it is increasingly important in the future that the Island deals with data that is factual, accurate and measurable, so that we can actually see the success of our policies.

The Speaker: Hon. Member for Malew and Santon, Mr Cregeen.

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

On the provision of facilities, will the Minister be supporting the much needed proposal for the bowling alley in Douglas, as part of his strategic need for facilities for visitors to go to?

The Speaker: Minister to reply.

The Minister: Thank you, Mr Speaker.

220 Can I congratulate the efforts of the Hon. Member for Malew and Santon to try and draw me in on something which is currently subject to a possible planning application – and I will allow that to take due course.

225 However, my Department and the tourism sector and the leisure facilities within Government would always be very keen to see very good facilities available for both the people who live on the Island and for those, indeed, who visit our shores.

A Member: Hear, hear.

230

The Speaker: Mrs Beecroft, Hon. Member.

Mrs Beecroft: Thank you, Mr Speaker.

235 Would the Minister agree with me that it is worth looking at the cost of the sleep boxes that have been proposed to create the modular hotel for the TT fortnight; whether the cost of this modular hotel would be better invested in maybe trying to get places like the Imperial and the Castle Mona open again, even if it is just for a short time? (*Interjections*)

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

The Minister: I think, Mr Speaker, there is a combination of factors here, which the Hon. Member is not quite clear on.

245 I am grateful to Douglas Corporation for taking some credit over an area my Department has been looking at for some time (**Members:** Hear, hear.) with regard to... [*Inaudible*]. We will always work closely with Douglas Corporation, but the snooze box principle was not to be a cost for the taxpayer; it was going to be self financed. Therefore, when the Hon. Member brings in those areas that are in private ownership, the idea of the Government investing in some of those important hotels is an unrealistic proposition, but that does not mean that we are not actively working with the owners in order to bring them up to a standard where they can be brought back into use.

The Speaker: Mrs Cannell, supplementary.

Mrs Cannell: Thank you, Mr Speaker.

255 I am very happy that, in fact, there are several committees going to be established, one to look at travel and transport.

260 In terms of the travel arrangements, does the Minister consider that the sea carriers, and also the air carriers, will be prepared to consider party bookings in the future – in other words, tailored package tours, whereby large groups in some instances are wanting to visit our shores in other months, other than the main season, but are prevented from doing so presently, as it is alleged that the Isle of Man Steam Packet refuses to accept party bookings? Will the Minister be able to influence that particular element of the strategy?

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

The Minister: Thank you, Mr Speaker.

270 I think it was in another place, or in this House of Keys, where we did talk about the possibility of damage done to businesses by actually making comments that cannot be backed up. We had it in the previous Question regarding the Member for South Douglas, Mrs Beecroft, and again here is reporting of anecdotal stories which do not seem to match up to the information that I have, which is actually the package tours are promoted by the sea carriers as well as some of the air carriers.

275 What we are looking at with this strategy is to involve them and embed them far more within the system to ensure that there is mutual benefit for all parties and, therefore, indirectly the Isle of Man as well.

280 So the Steam Packet do work with operators regarding package tours. If that is not accurate, then I will come back to the House, but my understanding is that we should be promoting all of these aspects, which is why the Chamber of Commerce has invited all parties to be contributors and not just the same-old, same-old. This area is a vital opportunity for us to come forward.

285 I think the entrance to Douglas is already part of the regeneration to try and enhance the facilities and the appearance of the Island and it is a matter for all parties to work together on this, and if we can try and move forward, rather than continually look back, then that will help us all.

The Speaker: Further supplementary, Mrs Cannell.

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

290 Representing Douglas East, as I do, I am very conscious of how important tourism is to the Isle of Man, being the main accommodation sector situated in Douglas East. Will the Minister accept that I am wishing to see this strategy of his work and to be very successful to continue to bring essential income and visitors – tourism – into the Isle of Man, but will he agree to have a little meeting with me afterwards, because we are, in fact, missing opportunities where the sea carriers have – and it is not just antidotal evidence – (**Mr Cretney:** Anecdotal!) I have evidence, where

they have refused up to 200 people wishing to visit the Isle of Man to have a particular conference here.

295 Finally, Mr Speaker, can I ask him what facility is open to Hon. Members and the public to be able to feed into these relevant committees in terms of the strategy, because I do, indeed, have some very valuable ideas, which might be beneficial for the future.

Mr Watterson: In all modesty!

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

The Minister: Mr Speaker, I think the Hon. Member for East Douglas has for many years been a strong supporter of tourism. We are grateful for that. It has been, and always will be, the main gateway to the Island, although our visitor package is now a lot more spread out around the Island and there are some fantastic opportunities around the countryside. (**Several Members:** Hear, hear.)

305 With regards to the example, I would be more than happy to talk to her because, obviously, if the information she can provide allows us to get better information and leverage with air carriers, or in this case, sea carriers, the better and certainly from the contributions to that, my good friend and colleague for West Douglas, Mr Corkish, is always ready and available to identify.

310

Several Members: Hear, hear!

E-gaming Work Permits

1.4. The Hon. Member for Douglas South (Mrs Beecroft) to ask the Minister for Economic Development:

How many people are employed in e-gaming; and how many of them need work permits; and of those who need work permits by those earning (a) under £25,000; (b) £25,000 to £50,000; and (c) over £50,000?

The Speaker: We turn to Question 4. Again, Hon. Member for Douglas South, Mrs Beecroft.

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

The Speaker: And to reply, the Minister for Economic Development, Mr Shimmin.

The Minister for Economic Development (Mr Shimmin): Thank you, Mr Speaker.

320 The total estimated number employed in e-gaming at December 2010 was 645. The forecast for the number that will be employed in this sector at December 2011 is 693. This information has been collated from members of the Manx e-Gaming Association and others who work within the gaming industry.

325 Turning to the second part of the Question, as at 31st October 2011, the number of Work Permits issued under the Control of Employment Act 1975 to workers from the European Economic Area in the e-gaming sector was 111. Of this total, nine employees have an annual salary under £25,000; 47 employees have an annual salary between £25,000 and £50,000; and 55 employees have a salary above £50,000.

330 In addition, Mr Speaker, I would point out that permission to work was granted to 18 workers from outside the European Economic Area under the Overseas Labour Scheme, and that scheme, which has recently been replaced by tier 2 of the points-based system, under which permission has been granted to 39 workers.

335 Information on the salaries regarding workers from outside the European Economic Area is not held by the Department. However, both the former and current schemes have entry criteria which require a high level of skills, qualifications and experience. Consequently, those salaries are likely to be relatively high.

340 I hope, Mr Speaker, the House will see the value of this sector, which in no small part, in the recent two or three years, has been the main bedrock of our ability to maintain our economic drive, and I have taken this into my area of responsibility because of its importance to the Island and to the employment opportunities it provides to our people.

The Speaker: Mrs Beecroft, supplementary.

345 **Mrs Beecroft:** I would like to thank the Minister for his comprehensive reply, but could he give us some assurance of what steps he is taking to make sure that Manx people will, in the future, have the necessary qualifications or expertise to go into this area, considering it is one of the largest sectors on the Isle of Man?

The Speaker: Reply, sir.

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

I think an excellent point. The Hon. Member is talking about the suitability of local people to be employed within this industry and to aspire and rise up this industry to some of the high-value employment opportunities and salaries involved. Certainly, I have already, on a number of issues, been approached by, and made representation to, my colleague, Mr Karran, regarding the overlap 355 between education and the NEETS issue and, indeed, any of the employment opportunities, so I think that, through school or possibly more importantly, through the College, we ought to be making sure that we have the opportunities to get the qualifications so that people can progress in this industry.

360 At the moment, as has been established, it has been important that we bring people quickly over who are able to offer, particularly, the language skills and technical skills. However, this is now such an important industry, that more and more Manx people are able to work within it and we need to make sure the training is available for them to rise.

Thank you, sir.

INFRASTRUCTURE

Lord Street bus station site Statement

1.5. The Hon. Member for Onchan (Mr Quirk) to ask the Minister for Infrastructure:

If he will make a statement on the old bus station site in Lord Street?

365 **The Speaker:** Question 5, Hon. Member for Onchan, Mr Quirk.

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

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

The Minister for Infrastructure (Mr Cretney): Thank you, Mr Speaker.

375 The Department is working to conclude the development agreement with Askett-Hawk (IOM) Ltd, in line with the previously agreed heads of terms and the report received at the June sitting of Tynwald.

The Speaker: Mr Quirk, supplementary.

380 **Mr Quirk:** Thank you Mr Speaker.
Can I ask the Minister, with reference to the long delay, when does the Minister think a full application will be before the Planning Committee? What does his Department do, because I believe he is now the Member for properties to expedite this land, which is in the centre of the town?

385 **The Speaker:** Mr Cretney.

The Minister: Thank you, Mr Speaker.

As recently as last week the developer was on Island progressing detailed discussions with the Department and, following the Tynwald sitting in June, there has been considerable discussion to

390 enable this project to move forward. It is my expectation that the development agreement will be completed in the very near future, which will enable a detailed process of design and the planning process to commence in earnest, along the time lines as previously highlighted in June.

395 **The Speaker:** Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

400 Can I just probe the Minister a little bit and just ask, when he says 'in the near future', could we have a proper timescale from his Department? I am sure that everybody on the Island is waiting for this particular land to be developed: would he not agree with me, if the agreement is not going to be filled by another party, then we need to look at something else?

The Speaker: Mr Cretney.

405 **The Minister:** As recently as three or four weeks ago, the Hon. Member was a Member of the Department (**Members:** Hear, hear.) and I understand the concern that people have that this process is taking a long time. I will do whatever I can to expedite them.

Question 6 to Written Answer

The Speaker: Hon. Members, Question 6: Mr Quirk has asked that that be given a Written Answer.

Summerland site Statement

1.7. The Hon. Member for Onchan (Mr Quirk) to ask the Minister for Infrastructure:

If he will make a statement on the old Summerland site?

410 **The Speaker:** So we turn to Question 7, Hon. Member, Mr Quirk.

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

415 **The Speaker:** Again, the Minister for Infrastructure to reply.

The Minister for Infrastructure (Mr Cretney): Mr Speaker, as Hon. Members will be aware, the Summerland site is presently owned by the Department of Community, Culture and Leisure, who have been in discussion with the Department of Infrastructure's Strategic Asset Management Unit with a view to progressing the disposal of this site.

420 Subject to any further discussion and agreement, it is likely that this site will be placed on the open market for sale.

The Speaker: Mr Quirk.

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

430 Can I ask the Minister for Infrastructure regarding this particular site, is he happy that the particular site has been left derelict for some time? It is in Government ownership and I feel there is a duty, would he not agree with me, for us to do something about this particular site, which is a blot at the other side of a fine scape on the promenade?

The Speaker: Minister to reply.

The Minister: I would agree with him completely.

435 **The Speaker:** Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

Could I ask the Minister, would his officers consider looking at the particular site with a view to looking that it is potentially a site that could be made into some temporary use? Would his Department look at that?

440 If the site was not going to be offered – well, he says it is being offered up, I do not know when it is going to be offered. When it is offered up, would he ask his officers to look at something so we could have a temporary measure on site and it would be tidied up, sir?

The Speaker: Mr Cretney.

445

The Minister: There have been some temporary uses of the site since it has been vacant. I am sure that that will continue until such time as we have a more permanent arrangement, which I hope will be sooner rather than later.

The Speaker: Mrs Cannell.

450

Mrs Cannell: Thank you, Mr Speaker.

Can I ask the Hon. Minister, who will take the decision as to whether to dispose of the land by advertising it on the market? Will it be the Department? Does it need the concurrence of the Council of Ministers?

455

Could I ask the Minister to remind the House of what the land is designated for, under current planning law, please?

The Speaker: Mr Cretney.

460

The Minister: I am not sure of the exact current designation. I thought it was something like mixed use, but I am not exactly sure.

In relation to the ultimate disposal of the site, I would certainly feel more comfortable, if I were to have the views of the Council of Ministers, in terms of that.

WATER AND SEWERAGE AUTHORITY

Water rates Changes to system

1.8. The Hon. Member for Douglas South (Mrs Beecroft) to ask the Chairman of the Water and Sewerage Authority:

What plans he has to change the system of water rates to acknowledge that some ratepayers have no water connected?

465

The Speaker: We turn to Question 8. Hon. Member, Mrs Beecroft, please.

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

470

The Speaker: I call on the Chairman of the Water and Sewerage Authority, the Hon. Member for Malew and Santon.

I beg your pardon, Mr Crookall, the Hon. Member for Peel.

The Chairman of the Water and Sewerage Authority (Mr Crookall): Thank you, Mr Speaker.

475

The issue of charging for water in a compulsory area of supply and where there is no water supply connected was considered by the Tynwald working group set up by the Council of Ministers to consider water rates. The working group's report to the Council of Ministers, dated June 2010, recommended that the anomaly within the current rating system, where water rates are currently levied on properties without a water supply is unfair and inequitable and should be stopped. Council agreed to this recommendation.

480

The Authority's board considered the financial impact of a reduction in water rates income and

485 proposals subsequently received both board and Treasury approval. The Authority sought advice from the Attorney General's Chambers regarding how the property... and the proposed amendment to the water rates could be achieved. The Attorney General's Chambers confirmed that an amendment to the primary legislation, the Water Act 1991, was required to allow the Authority not to charge a water rate on hereditaments within the compulsory area of supply which did not receive a supply of water.

490 Mr Speaker, the Authority will include a clause within the Flood Risk Management Bill, which I hope will soon be reintroduced into the Keys in the very near future to amend the Water Act 1991 to overcome the anomaly.

The Speaker: Mrs Beecroft, supplementary.

495 **Mrs Beecroft:** Thank you.

I am glad the anomaly has been recognised, and the unfairness. I would ask the Chairman, does he have any plans to issue any form of rebate or compensation to those who have been disadvantaged, due to this unfairness of the legislation?

500 **The Speaker:** Mr Crookall.

Mr Crookall: Mr Speaker, the mechanism for non-payment will be as such. The Authority does not have a list of the properties which do not have a water supply connection. Bills will therefore be sent out in the normal manner and the property or the landowners affected by the amendments to the legislation will be requested to contact the Authority.

505 Following an inspection, obviously, to confirm the property, the land, does not have a water supply, a rebate will be issued. The invoices will be amended for the subsequent years, and rebates will not be retrospective – i.e. they will only apply going back to the beginning of that year.

510 **The Speaker:** Hon. Members, that brings us to the end of Questions for Oral Answer. There is one Question for Written Answer, along with Mr Quirk's Question 6 to be answered in writing, and these replies have been distributed.

Questions for Written Answer

INFRASTRUCTURE

DoI vehicles database Road tax

1.6. The Hon. Member for Onchan (Mr Quirk) to ask the Minister for Infrastructure:

How many vehicles are on his database; and how many vehicles in each category are road taxed?

Answer: For the year 2010 there are 126,192 vehicles on the register, which contains records going back to the early 1900s. Of these vehicles, 67,817 vehicles are shown as being licensed.

515 The statistics will include many vehicles that are registered and not licensed, including motorcycles, agricultural vehicles etc. It is not a requirement to license a vehicle that is not being used on the roads.

There are also likely to be many vehicles that have been scrapped but not notified or removed from the register.

520 The number of licensed vehicles fluctuates between 67,000 and 70,000, depending on the time of year that the statistics are reported.

Category	Description	Vehicles Registered	Vehicles Licensed
A	Heavy motor cycle >125CC	10339	4926
A1	Light motor cycle <125CC	3821	928
B	Small passenger or small goods	102431	59204
B1	Vehicles with three or four wheels < 550KG	189	95
BE	Small passenger or goods + trailer >750KG	1	1
C	Large goods vehicle > 7500KG	1519	472
C1	Medium goods vehicle 3500 to 7500KG	2976	425
CE	Large goods vehicle >7500KG + trailer	102	53
D	Large passenger carrying vehicle	194	112
D1	Minibus nine to sixteen seats	214	102
F	Land/agricultural machine	3058	1025
G	Ground roller	11	6
H	Track-laying vehicle	3	1
K	Mowing machine/pedestrian-controlled	21	12
L	Electrically propelled vehicle	20	18
P	Moped	242	111
S	Steam vehicle/engineering plant	985	286
W	Works truck	66	40
Total		126192	67817

INFRASTRUCTURE

Roads 2009 inspection

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

In relation to the inspection of roads in 2009 –

(a) how much the off-Island specialist equipment and services used in this inspection cost;

(b) how many roads were identified as being in need of repair; and

(c) which roads were identified as being most urgently in need of repair; what progress has been made in repairing them; and which of them are still awaiting repair?

Answer: In 2009 two inspections were carried out by WDM Ltd of Bristol.

525 (i) A deflectograph survey of approximately 500 lane kilometres of highway at a cost of £94,058.30; and

(ii) A scanner survey of approximately 596 lane kilometres of highway at a cost of £26,523. The total cost was therefore £120,581.30 plus VAT.

Deflectograph survey

530 The deflectograph survey was carried out to establish the structural condition of the strategic and primary road network. Such a survey involves applying a load to the road surface and measuring the deflection that this causes. The more deflection, the weaker the road, and by applying factors relating to the construction and the traffic loading, the residual life of the road can be determined. Whilst this technique gives an indication of the structural condition, this needs to
535 be supplemented with visual inspection and trial excavation to finally determine condition and priority for repair.

540 The survey undertaken in 2009 identified 21 routes, which have sections of road with zero residual life, in other words, those that are likely to experience significant failure within the next 12 months, and therefore need urgent attention. Some of these roads have one small area of failure, for example the A7 in Ballabeg, but some, for example the A5 in Kirk Michael, are suffering from multiple areas of failure.

The attached list identifies the 20 priority routes and specific locations identified, using the deflectograph survey data, as being in the most urgent need of attention.

545

Scanner Survey

550 This survey was used to identify problems with the surface condition of roads rather than their structural condition. It identified areas of surface defects, poor ride quality, surface rutting etc through the use of multiple lasers. Whilst surface deterioration is perhaps less serious than structural failure, it is nevertheless of concern to the public in terms of travelling comfort. It also gives advance warning of future deterioration which, if caught early, can be treated with techniques such as surface dressing.

555 The scanner survey identified 34 routes with areas of significant surface deformation. The attached list identifies 20 of these routes which have the worst surface condition and, again, some routes have more than one area in poor condition.

560 Repairs to the roads identified by both surveys were then prioritised by number and type of defects, the number of vehicles using the section of road, and the classification of the road. Clearly, some roads will show surface deterioration associated with structural failure and, equally, other roads will not show surface failure despite being in very poor structural condition.

565 In all, 22 routes have had works either carried out already or have significant remedial work planned as part of the Department's ongoing strategic maintenance and unclassified roads maintenance programmes. The attached lists indicate the year in which works were carried out or are planned to be carried out. However, these plans are subject to continual review and delivery is dependent on the continuation of funding of the capital maintenance programmes of work.

565 It is proposed that, in future, deflectograph surveys will be carried out on a five-year cycle, with scanner surveys carried out every two to three years, which will allow the Department to monitor changes in the condition of the network and determine whether levels of investment are sufficient to stem the continual deterioration, and allow a gradual improvement to take place.

Road No	Road Name	Programme
A1	Douglas St, Peel	-
A1	Lord Street/Peel Rd, Douglas	2010-11 (Lord St)
A10	Ballaugh to Bride	-
A11	King Edward Rd/Douglas Promenade	-
A14	Bungalow to Sulby to Jurby rds) (part)	2011-12 (unclassified)
A17	Bride to Andreas to St Jude's	2014-15 (part)
A2	Ramsey to Laxey to Onchan	-
A20	Derby Rd, Peel	2010-11
A21	Ballaletcher Rd/Johnny Watterson's Lane, Douglas	2013-14 (part)
A22	Ballanard Rd/Ballaquayle Rd/Broadway, Douglas	2012-13 (part)
A24	Mines Road, Foxdale	2010-11
A26	Blackhill, Ballasalla	2012-13
A26	Glen Darragh Rd	-
A27	Peel to Patrick to Glen Maye to Dalby to Round Table	-
A29	Four Rds/Station Rd, Port St Mary	-
A3	Main Road, Foxdale	2012-13, 2013-14, 2014-15
A31	Beach Rd, Port St Mary	2013-14
A31	Howe Rd/Cregneash Rd/Sound Rd Port St Mary	-
A36	Shoulder Rd near old mines	2013-14
A36	Shoulder Rd/Sloc Rd/Ballakillowey Rd	2014-15 (part)
A38	Summerhill Rd, Douglas, near Blackberry Lane	-
A4	Kirk Michael to Peel rds) (part)	2011-12 (unclassified)
A42	Victoria St, Douglas	-
A46	Victoria Rd, Douglas	2011-12
A5	Ballalonna Bridge area	-
A5	Station Rd and Castletown Rd (part) Pt Erin	2012-13
A5	Victoria Rd Castletown from Janet's Corner to Alexander Bridge	2011-12
A6	Ballacottier Link Rd, Douglas	2010-11
A7	Ballabeg to Colby to Ballakillowey roundabout to Ballafesson Rd, Pt Erin	2013-14 (part)
A7	Bridge Rd, Ballasalla	-

A9	Andreas to Ramsey 2014-15	2012-13, 2013-14,
B10	Beinn-y-Phott Rd	2012-13
B18	Athol St, High Street, Queens Rd, Port St Mary	2010-11
B27	Saddle Rd, Douglas	-
B61	Alexander Rd, Douglas	-
B63	Derby Rd, Douglas	-
C209	Ballaquane Rd, Peel	2011-12
C245	Station Rd, Ramsey	-
C246	Bircham Avenue, Ramsey rds)	2012-13 (unclassified
C559	The Promenade, Port Erin	2013-14
C729	Pulrose Rd/Springfield Rd, Douglas	-

2009 Deflectograph results – sections of roads with zero residual life

Road No	Road Name	Programme
A1	Crosby	2014-15
A1	Douglas Rd, Peel nr Tynwald Close	-
A1	Glen Vine	-
A1	Peel Rd, Braddan nr Kirk Braddan	-
A1	Union Mills	-
A10	Ballaugh Cronk nr Ballateare	-
A10	Lhen nr Ballathona Farm Rd	-
A17	Bride village	-
A18	Straight above Waterworks Corner, Ramsey	-
A2	Ramsey Rd, Laxey nr Ballamoar Farm	-
A2	The Dhoon nr Dhoon Halt	-
A20	Derby Rd, Peel	2010-11
A24	Mines Road, Foxdale	2010-11
A26	Blackhill, Ballasalla	2012-13
A26	St Mark's nr Ballavarvane Farm	-
A27	Nr Cringle Plantation	-
A3	Barregarrow to Kirk Michael 2011-12, 2012-13, 2013-14, 2014-15	2009-10, 2010-11,
A3	Curragh Rd, St John's	2013-14
A3	Glen Moorar	-
A3	Handleys Corner	-
A3	Lezayre Rd, Ramsey (Grammar Sch to Parl Sq)	2012-13
A3	Main Road, Foxdale 2014-15	2012-13, 2013-14,
A31	Beach Rd, PSM	2013-14
A31	Howe Rd/Cregneash Rd/Sound Rd PSM	-
A36	Ballakillowey Rd nr Odins Way	-
A36	Shoulder Rd near old mines	2013-14
A38	Summerhill Rd, Douglas, near Blackberry Lane	-
A5	Douglas Rd, Ballasalla nr Homefield Park	-
A5	Richmond Hill	(old road)
A5	Victoria Rd, Castletown from Janet's Corner to Alexander Bridge	2011-12
A7	Main Rd, Ballabeg nr Vicarage Close	-
A9	Andreas to Ramsey 2012-13, 2013-14, 2014-15	2010-11 (Bowring Rd),
B18	Athol St, High Street, Queens Rd, PSM	-
C209	Ballaquane Rd, Peel rds)	2011-12 (unclassified
C245	Station Rd, Ramsey	-
C246	Bircham Avenue, Ramsey rds)	2012-13 (unclassified
C559	The Promenade, Port Erin	2013-14

Order of the Day

MESSAGE FROM THE LEGISLATIVE COUNCIL

Electoral Reform Bill 2011 Referral of constitutional principles to proposed Joint Committee

3. The House will wish to note the following Message from the Council:

The Legislative Council resolved on 25th October 2011 that it desires to refer the constitutional principles raised by the Electoral Reform Bill 2011 to a Joint Committee under Standing Order 4.7 of Tynwald Court. The Council informs the Keys of this resolution and requests the concurrence of the Keys. The Council has appointed three members to the proposed Joint Committee. If the concurrence of the House of Keys is given, the Council has resolved that the Joint Committee be given powers to take evidence and to summon the attendance of witnesses pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876.

(The Secretary of the House has received the above Message. A motion to establish a Select Committee to join with the Council will be needed if the House wishes to proceed with this matter).

570 **The Speaker:** Hon. Members, that concludes the business of the House today, Item 3 being for your information only.

The House will now stand adjourned until the next sitting, which will take place at 10.30 on 15th November in Tynwald Court.

The House adjourned at 10.33 a.m.