



HOUSE OF KEYS OFFICIAL REPORT

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PROCEEDINGS

DAALTYN

HANSARD

Douglas, Tuesday, 24th April 2012

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Present:

The Speaker (Hon. S C Rodan) (Garff);
Hon. D M Anderson (Glenfaba); Mr L I Singer (Ramsey);
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);
Mr L D Skelly and Hon. P A Gawne (Rushen);
with Mr R I S Phillips, Secretary of the House.

Business Transacted

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The House adjourned at 10.36 a.m.

House of Keys

5

The House met at 10.00 a.m.

10

[MR SPEAKER *in the Chair*]

15

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

Members: Good morning, Mr Speaker.

The Speaker: The Chaplain will lead us in prayer.

20

PRAYERS

The Chaplain of the House of Keys

25

Leave of absence granted

The Speaker: Hon. Members, I have given leave of absence to the Chief Minister, to the Hon. Member for Ayre, Mr Teare, and the Hon. Member for Rushen, Mr Watterson.

30

Procedural

Unveiling of portrait of former Speaker Brown at end of sitting

35

The Speaker: Hon. Members, you will recall that, immediately after the sitting today, there will be an unveiling of the portrait of former Speaker Tony Brown by Isle of Man artist, Svetlana Cameron, and this will take place in the Keys lobby outside, immediately after this sitting.

40

Questions for Oral Answer

45

INFRASTRUCTURE

Airport baggage handling and security machine Installation

50

1.1. The Hon. Member for Ramsey (Mr Singer) to ask the Minister for Infrastructure:

(a) Whether the new airport baggage handling and security machine will be installed by the date specified by the CAA;

55

(b) when the Department was first notified that the present system would no longer be acceptable; and

(c) on what date the present standard 1 scanners were installed?

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

60

I call on the Hon. Member for Ramsey, Mr Singer.

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

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

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

70 In answer to the Hon. Member's Question, as I stated at both the presentation to Members on 13th March 2012, a copy of which was e-mailed to all Members the following day, and at the March 2012 sitting of Tynwald, when moving the motion in respect of this Scheme, the order for the equipment and works would be placed immediately after Tynwald approval and the works would commence in April.

75 I can confirm that work commenced on schedule on 2nd April and the intention is that the project will be operational for September this year. This is a very tight timescale, but we believe we can meet it, because we must. The design and construction team are fully focused on this objective.

80 It is the United Kingdom Department for Transport, not the CAA, which has directed the Isle of Man to comply with the UK's more stringent measures, which require that standard 2 explosive detection equipment is used from 1st September 2012. In early September 2011, the Department's Airport Division was informed that L3, the manufacturer of the current standard 1 x-ray machines at Isle of Man Airport had not got United Kingdom Department for Transport certification to upgrade the standard 1 machines to standard 2. At this point the project team had to review the project and abandon the possibility of upgrading the current x-ray machines and to seek the purchase of new standard 2 machines

85 And the final part: the current standard 1 x-ray machines were installed on 12th March 2004.

The Speaker: Mr Singer, a supplementary.

Mr Singer: Can I thank the Hon. Minister for his detailed Answer.

90 Is the Minister aware of EU Regulation 1087/2011 of 27th October 2011, which amended EU 185/2010? This permits the extension of the use of standard 1 equipment until 1st January 2014 for equipment that has been installed between January 2003 and September 2006.

The Speaker: Minister to reply.

95 **The Minister:** In order to give a proper answer to that, I would have to... It is not part of this Question. I do not have that information presently, but I will happily come back to the Hon. Member whether the Department... I am sure the Department is aware, but I would not want to give an answer that was less than factual.

The Speaker: Mr Singer.

100 **Mr Singer:** Could I put the case, then, to the Minister, that his Department should have been well aware –

105 **The Minister:** I am sure they are.

110 **Mr Singer:** – and, if they were well aware, then there is possibly the scenario that the Department could have extended the use, with permission, to January 2014, and as standard 3 has to be... New standard 3, when it is put into any new airports, or any airport, by September 2014... The Department could well have sought this extension and then put standard 3 in nine months earlier than required, and that would have saved them having to spend the money on standard 2.

The Speaker: Minister.

115 **The Minister:** I think the Hon. Member is wrong, but as soon as I have got an answer, I will come back.

The Speaker: Hon. Member, Mr Hall.

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

Could the Minister please outline to this Hon. House that, given the extremely tight deadlines

125 that we are working to, in regards to the implementation of these standard 2 machines, if for any reason that that deadline... they do not get installed on time by the date and then therefore we have to go for standard 3, which are *hugely* expensive, who will be liable for the cost of this? Is the Department, if this date is missed, going to have to spend approximately £1 million for standard 3 or is it in any contract that, if this is not completed, somebody else will pick up the cost?

130 **The Speaker:** Minister.

The Minister: As I said in my original response, Mr Speaker, the clear intention and the clear message to the contractors who are performing this task on our behalf is that it must be completed by the appropriate date.

135 **The Speaker:** Mr Singer.

140 **Mr Singer:** Could I ask the Minister, then, if he would come back to the Members of this Hon. House with the answers to the following questions. Did we apply to comply with the new European Directive of 27th November 2011? What discussions did his Department have with the necessary UK departments so that we could comply? Would he also like to confirm to us, at that time, whether his Department may have needlessly cost the taxpayer several hundred thousand pounds by rushing the installation of standard 2 equipment by pushing it through the other place, when he told Members there was no choice? And would the Minister like a copy of the EU Directive from me?

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

The Minister: It is very generous of the Hon. Member to offer me a copy of his EU Directive, I am sure we have one and I am happy to come back to Hon. Members.

150 **The Speaker:** Hon. Member for Malew and Santon.

Mr Cregeen: Thank you, Mr Speaker.

155 Will the Minister confirm that it was the UK which imposed this regulation, and the rest of the UK and Europe that are outside the regulations that the Member for Ramsey has said?

The Speaker: Minister.

160 **The Minister:** That was my understanding, but I wanted to come back with a proper, factual response to Hon. Members. That is my understanding of the situation, but I will come back to Hon. Members.

165 **Motorhomes**
Abandoned vehicles and parking

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

170 *(a) What his policy is on old motorhomes left lying around housing estates and elsewhere on the Island which are not in good condition; and*
(b) if he will make a statement on places to park them?

175 **The Speaker:** We move to Question 2. Hon. Member for Onchan, Mr Quirk.

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

The Speaker: Again, Minister for Infrastructure to reply.

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

In response to part (a) of the Hon. Member's Question, the Department does not have a policy on old motorhomes left around housing estates and elsewhere on the Island which are not in good condition. It does, however, have clear legislation which allows for the removal of any

185 unroadworthy or untaxed vehicles that are left on the public highway, not just motorhomes. In many cases, such vehicles are abandoned and can be removed and scrapped.

If unroadworthy vehicles are left on housing estates, in areas that are not adopted highway, they can still be removed by the Abandoned Vehicles Officer, and if any Hon. Member is aware of examples of such vehicles, I invite them to contact the Department or myself so that we might investigate them further and act accordingly.

190 The Department is, however, currently considering introducing roadworthiness test checks for older vehicles, between 10 and 15 years old, which might help to reduce the numbers of vehicles that are not well maintained. Any proposal would, of course, be subject to consultation.

Turning to part (b) of the Question, the Department does not provide parking for vehicles that are not in good condition – if that is the Question the Hon. Member is asking, because that is how it reads. I am informed there are a number of commercial providers of parking spaces who are willing to accommodate motorhomes. Whether they would accept vehicles not in a good condition would be entirely a matter for them. The Department has a number of car parks which can be used to park motorhomes on, at a charged or permanent basis, but we would not wish to see vehicles not in good condition parked on them, whether being charged for or otherwise.

200

The Speaker: Mr Quirk, a supplementary question.

Mr Quirk: Thank you, Mr Speaker.

I thank the Minister for his Answer on this particular one.

205

Would he not be concerned, as I am, with only last year in this particular area of Onchan, in Belgravia Road, where one of these motorhomes actually blew up and ripped the side out of the vehicle? Lucky enough, Minister, that nobody was injured at the time, but it is in a park. Would the Minister not look at any regulations he does have, that if these vehicles... Some of these are parked there up to six months, for three months and are just left lying there. I have supplied some photographs to the Minister this morning regarding them. Nobody even looks after them.

210

Can I ask the Minister, before we have a death, could we look at something there to remove these vehicles which sometimes are not taxed, and when they are found out, they are taxed? The Police chase them up, but they are still left lying there.

215

The Speaker: Minister.

The Minister: Yes, in response to a Question from the Hon. Member for North Douglas in February, Mr Houghton... He asked a similar Question, and I did make it clear then that the Department has recently completed a consultation exercise to clarify and extend the dimensions of goods vehicles which cannot be permitted to park overnight in residential areas, and these regulations will be submitted to the June sitting of Tynwald. We are on the case, we are doing what we can. I have been in the Department since October. This is a matter which was clearly brought to my attention.

220

With regard to the pictures, the photographs which the Hon. Member kindly gave me two minutes before the start of this sitting... (**Mr Quirk:** Five.) Two minutes, five minutes, whatever – I do apologise if I was inaccurate. I would not want to be inaccurate to Hon. Members.

225

Please engage. The message I am trying to get over is please engage, Hon. Members. If you have a point, come and meet us, come to our office. That is what we are there for.

230

The Speaker: Hon. Member, Mr Hall.

Mr Hall: Thank you, Mr Speaker.

235

Does the Minister have concerns it is becoming an increasing problem and, given that there was a commitment in the June 2009 Tynwald regarding overnight and weekend parking of motorhomes and large vehicles, what is his view of the performance of his Department in tackling this issue since then, and also since he took office?

The Speaker: Minister.

240

The Minister: I cannot speak for the Department Members. Mr Quirk perhaps could answer on behalf of the Members who were Members at that time. I was not. What I am doing though is... I am aware of the issue. It has been clearly highlighted to me from a number of Members around this Hon. House, and as I said, we are happy to engage with any Hon. Members to try and eliminate the problems which have clearly been identified by some who have sought to engage

245 with us. I have indicated where we are trying to do things. I have indicated we will be coming back to Tynwald. I have indicated that we are looking to introduce measures to try and test the number of vehicles aged between 10 and 15 years old which may be in poor condition. We are aware that those are issues around the Island and we are on to them.

250 **The Speaker:** Hon. Member, Mr Houghton.

Mr Houghton: Thank you, Mr Speaker.

255 In view of the Minister's comments about the consultation exercise on this whole matter, which was actually concluded over 12 months ago, can he just absolutely give clarification to his earlier comments that he is bringing before Tynwald, in the June sitting this year, stipulations that will deal with large vans and motorhomes being parked for long periods of time at the side of the road?

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

The Minister: The Hon. Member is aware that there is a difference between large vans and motorhomes. There is an issue which makes the policing of motorhomes more difficult, and that is what we are trying to correct.

265 And, yes, if the consultation was a year ago and we are only where we are now, I can only apologise to Hon. Members, but I can tell you that I am going to get it sorted out.

Mr Houghton: When?

270 **The Minister:** I have indicated that I am going to come to the June Tynwald. That is what I said.

Mr Houghton: Thank you.

275 **The Speaker:** Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

Just to be helpful to the Minister, to remind him, too, that Minister Gawne was actually a Member for the Highways towards the end.

280 **Mr Gawne:** *Minister* for Highways.

Mr Quirk: Yes, well you were Member for Highways plus Minister as well. So maybe with his ministerial colleague they could chat to each other as part of a consultation exercise.

285 Getting back to the subject matter, could I ask the Minister, with reference to this, is he not concerned that other jurisdictions have legislation which cover motorhomes where they have to have a certificate of worthiness? I would ask the Minister, if he asked his Department at the Vehicle Testing Centre to examine at least three or four of these vehicles, I wonder if some of them would even pass the Isle of Man Test. Would he not agree with me?

290 **The Speaker:** Minister.

295 **The Minister:** I am happy to look at any suggestions that are made by Hon. Members, Mr Speaker, and I am also happy to talk to my ministerial colleagues or any other Member of the House of Keys at any time. The issue here is the Hon. Member was a former Member of the Department, and it seems to be something of an irony that week after week I am getting asked Questions about a Department he was formerly a Member of and had the opportunity to do something about, but I am happy to try and correct that.

300 **Mr Quirk:** Point of order, Mr Speaker.

Surely, just because you are a Member of a Department does not stop you asking questions.

The Speaker: That is not a point of order, it is an observation.
Mr Hall.

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

Can the Minister... Is it still the Department's intention to introduce operator licensing and also, is there any progress regarding amending the overnight and weekend waiting regulations, which would include the option regarding the measurement of width into the equation, which might (*Inaudible*) the situation?

310

The Speaker: Mr Cretney.

The Minister: In answer to the second part of the question, certainly that is part of the work we are currently undertaking and I thank the Hon. Member for raising that point.

315

In relation to operator licensing, it is really an entirely different subject, but I am happy to update this hon. place that work is ongoing there. We have had a consultative process, and I met with a number of smaller operators, I listened to their concerns and as soon as possible I will be coming forward with the proposals which I consider appropriate for the Isle of Man.

320

Motorhomes and trailers Taxation and parking

325

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

How many (a) motorhomes and (b) trailer motorhomes are taxed in the Isle of Man; and when his Department will bring forward regulations so that motorhomes and trailers cannot park in 30mph zones either at night or at weekends?

330

The Speaker: We turn now to Question 3. Again, Hon. Member, Mr Quirk.

Mr Quirk: I beg to ask the Question standing in my name, sir.

335

The Speaker: Minister for Infrastructure to reply.

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

In answer to parts (a) and (b) of the Hon. Member's Question, I can advise that 853 motorhomes are currently taxed on the Isle of Man. Of these, 806 are registered category B vehicles, which means they are under 3,500 kg; 43 are category C1, being between 3,500 kg and 7,500 kg in weight; and four are category C, being over 7,500 kg. There is no requirement to register trailers.

340

In response to the final part of Question 3 – when will my Department be bringing forward regulations so that motorhomes and trailers cannot park in 30-mile-per-hour zones, either at night or at weekends – I would like to clarify that trailers should not be left unhitched on a highway at any time of day or night, and that changing the overnight and weekend regulations alone will not address the problem of motorhomes parking in residential areas, as the regulations only apply to goods vehicles, not passenger vehicles. In order to be able to prevent motorhomes of any size from parking overnight or at weekends in residential areas, there needs to be a change in the Road Traffic Regulation Act 1985 and this will be provided in the new Road Traffic (Amendment) Bill, which is currently being drafted.

350

The Speaker: Mr Quirk, a supplementary.

355

Mr Quirk: Thank you, and I thank the Minister for his response on that.

The Minister: My pleasure.

Mr Quirk: Could I ask the Minister regarding the regulations, it is a simple word that the Constabulary use, it has to be six metres long, two metres high. I wonder if the Minister could probably indicate, would he be happy with a slight amendment from a private Member to remove that all out of the Bill or the legislation? Would that be helpful to the Minister?

360

The Speaker: Minister.

365

The Minister: I have indicated I am coming forward with legislation.

The Speaker: Mr Quirk.

370 **Mr Quirk:** Thank you, Mr Speaker.
Just with reference to trailed or towed caravans, is the Minister now concerned that there is a growing concern that there are a number of them which are arriving in the Isle of Man and becoming Manx registered? Can I ask the Minister, is he now concerned, too, because when they are registered there is no record of them, there is no tax disc on them and there is no plate indicating who the owners are? Is the Minister also looking at that for the future?

375 **The Speaker:** Minister.

The Minister: No, I do not think there is a specific job of work in relation to towed caravans, but I am happy to look at that.

The Speaker: Final supplementary.

Mr Quirk: Thank you, Mr Speaker.
385 Could I ask the Minister, really to be helpful, if he is happy enough to set up a little working group, I am sure Mr Houghton and myself and maybe Mr Hall, would certainly help the Department out of their difficulties regarding the 16/24 zones?

Would the Minister not agree with me, by putting some of these zones in across the Island would help people in residential areas, because the squares will not be long enough to carry trailers on them?

390 **The Speaker:** Minister.

The Minister: I am grateful to the Hon. Member for his kind offer on behalf of himself, Mr Houghton and Mr Hall, but I am quite capable of sorting this matter out. *(Laughter)*

The Speaker: Thank you, Hon. Members, that brings us to the end of Questions for Oral Answer.

The single Answer to the Written Question has been distributed.

400

Question for Written Answer

405

HEALTH

Breast cancer

Cases in 2011-12; mastectomy; breast reconstruction

410 2.1. The Hon. Member for Douglas East (Mrs Cannell) to ask the Minister for Health:

(a) How many breast cancer cases have been recorded since 31st March 2011 to 1st April 2012; and

415 *(b) of those recorded how many have –*

(i) resulted in a mastectomy; and

(ii) received breast reconstruction (A) on Island and (B) off Island?

Answer: (a) As predicted by the Department of Health, the number of new breast cancers diagnosed on the Isle of Man has fallen from the temporary peak of 93 patients recorded in 2010, following the introduction of the breast call and recall screening programme, to the current level of 63. This is a similar number to those detected prior to the introduction of screening. We do anticipate a slow year-on-year increase in the number of breast cancer diagnoses in line with the general trend in the rest of Europe and have configured our breast service to deal with this expected trend. For comparison, the following are the numbers diagnosed in previous years.

425

April 08 to March 09 = 64 cancers
April 09 to March 10 = 68 cancers
April 10 to March 11 = 93 cancers
April 11 to March 12 = 63 cancers

430

(b)(i) Of these recorded cases, 18 patients have so far undergone a mastectomy.

(ii) Of these 18 patients, three have received breast reconstruction on Island, all of these since 1st March 2012. These have all been immediate reconstructions.

435

The statistics for off-Island reconstruction are not readily available. As they are provided by off-Island hospitals, the data is not automatically captured on our IT system and would therefore have to be counted manually. There has been insufficient time to undertake this within the time available. Additionally, patients attending UK trusts for surgery may well have undergone delayed reconstruction, have therefore been diagnosed some considerable time ago and thus render any data of doubtful value. I do not, therefore, intend to expend resources on further researching of this aspect of the Question

440

I do wonder what value you expect to derive from these statistics because, as you are already aware, a diagnosis of breast cancer can result in a wide range of clinical outcomes from, at one end of the scale, monitoring with no immediate action to radical double mastectomy and further related surgery at the other extreme. Not all cases will require reconstruction, and even where reconstruction is appropriate, women can and do exercise their right to choose to either delay reconstruction or not to have it at all. These complicating factors are often far more pronounced here because of our relatively small numbers of patients compared to, for example, the North West of England. I would be very concerned at any attempt to misuse these statistics to re-ignite unjustified fears about breast surgery services which were raised in the minds of the Manx public last year.

450

Order of the Day

455

LEAVE TO INTRODUCE

Licensing Act 1995

Leave to introduce a Bill to amend Motion carried

460

3.1 The Hon. Member for Ramsey (Mr Singer) to move:

465

That leave be given to introduce a Bill to amend the Licensing Act 1995 in respect of the disposal of liquor; and drinking in public places.

The Speaker: We turn to Item 3 on our Order Paper, leave to introduce, and I call on the Hon. Member for Ramsey, Mr Singer.

470

Mr Singer: Thank you, Mr Speaker.

I am seeking leave to introduce a Bill to amend the Licensing Act 1995 in respect of the disposal of liquor and drinking in public places.

475

In various parts of the Island, there are designated areas made up (*Inaudible*) section 76 of the Licensing Act 1995, within which an offence is committed if a person consumes liquor after having been warned by a police officer not to do so, and carries a punishment on summary conviction of a fine not exceeding £500, and there are many other applications in the pipeline from different areas of the Island. There is also public confusion as to what is permitted in the present designated areas, and the Police can have problems whereby, moving across the road, a person is no longer in the designated area. By encompassing this provision Islandwide, it would eliminate the need for a large number of unsightly signs in the major towns, marking the entry to such areas.

480

Section 76 also provides an offence of refusing to dispose of an open vessel containing liquor when required to do so and gives a police officer the power to seize and dispose of a vessel containing liquor as he or she sees fit. These powers only extend to specified areas, and the

485 intention of this Bill is to extend the powers to cover the whole Island. As a member of Ramsey
Town Commissioners, I was aware of the problems being encountered by police officers in
relation to anti-social behaviour. These regularly involve juveniles and alcohol abuse. Offences of
drunkenness have increased during the past few years and there has been an increase in the
490 number of reported instances of minor criminal damage attributed to those juveniles and adults
who have been drinking. Extending the area to cover the whole Island would, I feel, provide the
Police with additional discretion to deal with inappropriate potential antisocial behaviour.

At present, a person warned within a designated area by a policeman simply has to move out of
the area and then the Police then either have to ignore the problem or go through the whole arrest
procedure.

495 When I sought information from the Department of Home Affairs, I was informed that this
proposal was included in the provisions of the 2010 Criminal Justice (Miscellaneous Provisions)
Bill. As Hon. Members are aware, this is a very large Bill and it failed to complete during the life
of the last Government. It is now to be presented as several smaller Bills.

I was informed that the provision that I am seeking was already in the Bill, but would not now
500 be presented to this Hon. House probably until 2013 or 2014. Having had discussions with the
Department and the Hon. Minister, they have offered their full support to me to bring this section
of the Bill forward.

The Bill has two provisions. It provides that where, as currently, areas may be designated
505 within which a constable may order a person to desist from consuming alcohol, a constable should
be able to order person to stop consuming alcohol in any public area of the Island; and secondly, it
provides for an officer to dispose of liquor seized from a minor, as he or she sees fit, rather than
have to seek a court order for disposal.

I would like to emphasise to Hon. Members that this provision will not stop drinking in public
510 places but make it an offence to drink if causing a nuisance and after being asked to stop by a
police officer. The exercise of power conferred on a constable by this provision will be governed
by a code of practice. So, sitting or standing outside a pub, having a picnic in the park etc, will not
be affected. The power will be a conditional one, preventing overzealous police constables using
their powers to prevent, for example, picnickers having a glass of wine with their meal. What this
515 provision does do, I would contend, is it stops law-abiding persons being adversely affected by
people whose behaviour is unacceptable.

The Department of Home Affairs consulted very widely with 44 groups. I will not read all the
consultees out, unless I am asked to do so, but the proposals were very well received. I would
520 emphasise that other licensing matters will be brought forward in the miscellaneous provisions Bill
by the Department in due course. If I am granted permission today to proceed with the Bill, I will
consider if there are any further consultations needed and would be pleased to discuss the
proposals with Hon. Members and hear comments from members of the public.

I therefore move that I be given leave to introduce a Bill to amend the Licensing Act 1995 in
respect of the disposal of liquor and drinking in public places.

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

Mr Quirk: Thank you, Mr Speaker.

I am happy to second and give the assurance to the House, too, that the Department is
530 supportive on this, and also myself as an individual Member who has responsibility for Drugs and
Alcohol in it.

It was some time ago, in the previous House there, it was an issue that I wanted to progress
myself, but as the Member did indicate, the Bill failed. I do hope that Hon. Members across the
room here today actually support this and we can put some legislation, which is needed on the
535 Island, so when this does happen it does not spoil the enjoyment of the rest of the people who live
on the Island.

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

Mr Houghton: Thank you, Mr Speaker.

540 Mr Speaker, had the Hon. Member for Onchan, Mr Quirk, not seconded it, I would have been
more than pleased to do so.

Hon. Members, those ones who go back a few terms earlier when the Hon. Member was the
previous Member for Ramsey brought a Bill, a Private Member's Bill in that time, which dealt
with issues where minors, youngsters were engaging adults to purchase liquor for them and the
545 Hon. Member brought a law in that has dealt with that issue. It has been very effective and I am

very confident that the Hon. Member will bring forward the appropriate calibre of legislation in order to combat this issue.

550 I think the proposals that are put forward this morning are of very, very good sense. I would underline that it will give Police powers, which will be discretionary, to deal with any further offences that may be disclosed. It will deal with abuses and, of course, it will, in lots of cases, as the Hon. Members says, disallow the issue to worsen with the abuse of alcohol and where arrests will be negated because of this ability to do this.

555 In my time, in my past life in the Special Constabulary, we used to just do this anyway, but we did not have the powers to do it and of course it was the then – and everybody will laugh at this – the ‘bluff act’ that was used in those days to take alcohol off people. We will now actually have a law to do so.

560 So in the case where there is absolute discretion that this will be able to be used, where the need is justifiable by a police officer and will continue to allow people to be able to drink in a controlled manner, in such ways as the Hon. Member stated, I can see no wrong in that and I am very, very happy to support it. Thank you, sir.

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

565 **Mr Karran:** Vainstyr Loayreyder, my principle has been, in the 27 years nearly, in this Hon. House, that if Members want to bring a Private Member’s Bill, I will support it, so long as it does not attack Human Rights or it does not attack basic common sense.

570 I have no problem with supporting the proposal in front of us today, but I am concerned that we have got to make sure that we do not end up finding this mixture that we have of balance, that it does not end up where we have got overzealous police officers actually stopping the freedom. I think it is important – (*Interjection*) I understand the Hon. Member said it, Hon. Member, but the point is that many times when things are brought about in this Hon. House for one thing, they end up having an effect on other aspects.

575 When we were teenagers, we used to have barbecues out, as young people, down on beaches and miles away from anybody, and I would hate to think that we could end up with a situation where people cannot enjoy themselves with rights or responsibilities.

580 The second thing that I have to say is, and I really think, that whilst supporting the interest of this Bill is concerned, the real issue that we have got to address is the issue of better supervision as far as alcohol in supermarkets is concerned. I do hope that the Department of Home Affairs does look seriously at proposals that I have been on about for some considerable time about the issue of supermarkets having to have a separate area with a separate till for the alcohol. I think this would do as much good as far as this problem, this anti-social problem, as this piece of legislation is concerned.

585 I think it is interesting today to see how these things are going to be completely accepted in this House, when I think of 20-odd years ago, fighting to give the police officers the ability to take alcohol off children, with people going absolutely crazy. I think it is important that we put the rungs in the ladder for this anti-social behaviour, but there need to be checks and balances as far as making sure that it is not used against legitimate individuals who are having a bit of fun. They should be able to drink a bit of alcohol in the prescribed places as far as that is concerned. We must not make it (*Inaudible*) where that...

590 So I have no problem in supporting the Bill and supporting the leave to introduce, but I do hope, maybe, that we need to realise the real issue that needs to be addressed is the responsibility and the cheapness of alcohol and I think that is the real problem that we have got, as far as this anti-social behaviour, that this Private Member’s Bill is proposing in front of us today.

595 **The Speaker:** Mr Singer to reply.

Mr Singer: Thank you, Mr Speaker.

600 Very briefly, can I thank Mr Quirk for seconding the motion and also the support of Mr Houghton.

I note what Mr Karran says, and basically I think there is nobody who disagrees with what he said. This Bill is covering just a small area of the area that he spoke about, and hopefully this will help. It will help those people who are, as he says, having a pleasant drink etc. Nothing wrong with that, but it might well help them when there are other people around who are causing problems. So, if Mr Karran wants to discuss this with me further, I am happy to do so, as I am with any other Hon. Member within this Hon. House.

I thank Members, Mr Speaker.

The Speaker: Hon. Members, I put the motion in the name of Mr Singer, that leave be given to introduce a Bill to amend the Licensing Act 1995 in respect of the disposal of liquor and drinking in public places. All those in favour, please say aye; against, no. The ayes have it.

610

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

	FOR	AGAINST
615	Mr Quirk	None
	Mr Hall	
	Mr Karran	
	Mr Ronan	
	Mr Crookall	
620	Mr Anderson	
	Mr Singer	
	Mr Quayle	
	Mr Cannan	
	Mr Cregeen	
625	Mr Houghton	
	Mr Henderson	
	Mrs Beecroft	
	Mrs Cannell	
	Mr Robertshaw	
630	Mr Shimmin	
	Mr Corkish	
	Mr Cretney	
	Mr Skelly	
635	Mr Gawne	
	The Speaker	

The Speaker: With 21 votes for, no votes against, the motion carries unanimously.

Hon. Members, that concludes the business of the House today. I have been asked to remind you that the Department of Health has its Cancer Strategy presentation at 1.30 in the Barrool Suite.

640

In the meantime, I remind Hon. Members that the unveiling of the portrait will now take place in the Keys lobby. The House will now stand adjourned until the next sitting, to take place at 10 o'clock on 1st May in this Chamber.

The House adjourned at 10.36 a.m.