

**REPORT OF PROCEEDINGS OF
TYNWALD COURT**

**Douglas, Wednesday, 21st June 2000
at 10.30 a.m.**

Present:

The President of Tynwald (Hon N Q Cringle). In the Council: The Lord Bishop (the Rt Rev Noël Debroy Jones), the Attorney-General (Mr W J H Corlett QC), Hon C M Christian, Messrs E A Crowe, D F K Delaney, J R Kniveton, E G Lowey, Dr E J Mann, Messrs J N Radcliffe and G H Waft, with Mr T A Bawden, Clerk of the Council.

In the Keys: The Speaker (Hon J D Q Cannan) (Michael); Mr L I Singer and Hon A R Bell (Ramsey); Mr R E Quine OBE (Ayre); Mrs H Hannan (Peel); Hon W A Gilbey (Glenfaba); Hon D North (Middle); Mr P Karran, Hon R K Corkill and Mr G T Cannell (Onchan); Messrs J R Houghton and R W Henderson (Douglas North); Hon D C Cretney and Mr A C Duggan (Douglas South); Mr R P Braidwood and Mrs B J Cannell (Douglas East); Mr J P Shimmin and Hon A F Downie (Douglas West); Hon J A Brown (Castletown); Hon D J Gelling (Malew and Santon); Sir Miles Walker CBE LLD (hc) (Rushen); with Prof T StJ N Bates, Clerk of Tynwald.

The Lord Bishop took the prayers.

Public Gallery – Conduct – Statement by the President

The President: Hon. members, when we rose last evening we had cleared our agenda paper with the exception of 14, 17 and 18 as far as 35. I did indicate that we would recommence this morning at item 14.

Hon. members, and in particular to the public gallery, I was aware yesterday morning during our Question Time that there was applause from the public gallery at various times. There will be no interference from the public gallery with the flow of a debate in any manner where a vote results from. I want to make that quite plain to the public gallery or it will be closed.

**Incinerator – Progression of Project and Associated Works – Expenditure –
Motion not Moved**

The President: We turn, then, to item 14 on the order paper and I call upon the Minister for Local Government and the Environment.

Mr Gilbey: Mr President, I shall not be moving this resolution today due to the statement on the radio by the medical officer of health. As a responsible government, the Council of Ministers have a duty to let him investigate further. He has told us - that is, the Council of Ministers - that if he is satisfied with his further investigations he will support the proposals on the agenda.

Mr Lowey: Could the minister inform the Court, had the Medical Officer of Health offered or preferred any information prior or was the medical officer of health consulted by the department prior?

Mr Gilbey: The answer to that: I do not think it is actually very appropriate to discuss the actions of particular officers, because I, as you know do not believe in criticising members of

the public sector civil service. The fact of the case is the medical officer of health well knew of the government's policy and supported it in the past. He well knew what was happening and he made the statement without advising either the department, as I understand it, his minister or the Council of Ministers.

Mr Henderson: Mr President, in view of the extremely important statement that the hon. Minister for Local Government has just made in withdrawing this motion and mentioning the statement that was made by the director of public health, Dr Maclean, I would ask the hon. minister, given that the professional in question here has made a very brave statement in my opinion this morning and he has made some considered comments, could the hon. minister give this Court his assurance, or that he will make representations to ensure, that no pressure is brought on this professional (**Some Members:** Hear, hear.) and I certainly would not like to see a few months down the line - I might be totally wrong and apologise for that - a forced resignation or an early retirement or something of that nature.

Some Members: Shame! Disgusting!

The President: The minister will reply to that and then, hon. members, I think we will move on on our order paper. In all fairness I think it was quite plain and specific, the statement which the minister made, but the minister may reply to that question if he so wishes. Minister.

Mr Gilbey: It is not a question for me to answer because (1) he is responsible to another department, and (2) he is responsible, I think, to the Civil Service Commission as his employer. If he is not, he is responsible to the DHSS, so it is not a matter for me to answer.

The President: I think, hon. members, if we continue and there are a number of members on their feet and who are already indicating that they wish to question the statement, and my interpretation of that statement was very brief, very much to the point, that in fact the motion on the order paper this morning is being withdrawn. Now, that is the statement, we will move on to item 17.

Mr Karran: Eaghtyrane, the point is that the hon. member has given some instance that the DHSS line. . . The minister is for it, the member for health has been against it. I have always told my officer to do what was in the public's interest. I told him that I would back him to the hilt. If he has a problem I would be there and he was to blame me if there was a problem, so I think it is absolutely scandalous (**Members:** Hear, hear.) that certain members in this hon. Court have tried to make out that we are living in a banana republic.

The President: Having cleared that particular point -

Mr Cretney: Mr President, the minister in his response this morning to the question from the hon. member of the Council indicated what the medical officer of health had said. I would like just to see confirmation from the minister that the medical officer of health's statement followed on from his recent information, which he has not had to date, and can he confirm that it is on recent information and that he is also waiting for responses from experts on behalf of your department? (*Mr Gilbey interjecting*)

The President: The minister actually said that in his statement that the second part of the minister's statement was to the effect that he was withdrawing and that the medical officer of health wished to make further inquiries. I think that was incumbent in -

Mrs Cannell: Mr President -

The President: - and I am not taking any more, hon. members.

South Quay, Douglas – Part Reconstruction – Expenditure Approved

The President: We are moving on to item 17 on the order paper. I call on the Minister for Transport.

Mr Brown: Thank you, Mr President. I beg to move:

That Tynwald authorises the Department of Transport to undertake works for the reconstruction of a part of the length of South Quay which lies between the new harbour lifting bridge and Douglas Bridge for a sum not exceeding £2,663,600.

The department is seeking authority to carry out works to improve the South Quay roadway at Douglas Harbour. This is a necessity in view of the Douglas Transport Plan which makes use of the South Quay and the new lifting bridge as the main route for traffic going between the south and Douglas. The works will include the widening of the roadway and the making of a new roundabout at the junction with Head Road. Parking spaces for up to 61 cars will be provided on decking over part of the river between the South Quay and the Tongue. There will also be a footway created on the harbour side of the South Quay roadway. On the landward side bays will be installed for vehicles making deliveries to or collecting from the business premises.

The improvements will make the South Quay suitable for heavy through traffic, taking a lot of it away from the centre of the town and in particular from Lord Street. The full benefit cannot be realised, however, until modifications are undertaken to Kewaigue Bridge at a later stage so that the South Quay route can be made a designated route for long or heavy goods vehicles.

The roundabout at the junction with Head Road is required to, first, improve safety for and facilitate vehicles which need to make the sharp turn between Head Road and South Quay, and secondly, to enable long wheel based goods vehicles and articulated vehicles which presently have difficulty in making that turn to travel directly between the harbour marshalling areas and Head Road industrial Estate without using North Quay or Lord Street. The parking spaces will be of benefit to persons attending adjacent business premises and vessels in the inner harbour, where a yacht haven, including pontoon berths, is being created between the Tongue and the North Quay for up to 150 pleasure vessels.

Mr President, the works on South Quay it is anticipated, subject to today's approval, will be undertaken by the department's engineering works division and the overall cost will be £2,663,600 which includes a total of £92,545 in respect of professional and site supervision fees. Mr President, I beg to move the motion standing in my name.

Mrs Hannan: I beg to second and reserve my remarks.

Mr Duggan: Mr President, could I ask the minister, could he ensure the work is carried out speedily, as quickly as possible, because this will inconvenience motorists and a lot of people, and would there be overtime allowed in this case for the workers to crack on with the job? Also, has he had a word with the Small Boat Owners Association regarding the berths?

Mr Henderson: Mr President, in this instance I rise to express some concern with this particular motion. I feel I cannot support it this morning, unfortunately, although I have

supported the hon. member in all the other endeavours his department has tried to do, such as the Braddan Road widening scheme, the works on the airport and item 18 I intend to support as well, but with this particular motion I am concerned: is this entirely necessary for the South Quay? I believe it is a bridge too far in this situation and I think we should be looking at something of a lesser proportion and, I must say, we must take more into consideration the harbour users of the area when we are endeavouring to progress these particular plans, Mr President.

Mr Shimmin: Mr President, I am grateful to the department for the opportunity of seeing the plans and talking to the officers at that meeting. Like the previous speaker, I have some reservations although I believe I will be going along and supporting it, but I would range a few issues towards the minister that do cause me concern.

I am aware that his department, indeed all government, is attempting to enhance the visage of the whole Douglas Harbour area and I believe the improvements which will be benefiting the North Quay area are going to be substantial improvements for both visitors and residents of Douglas. The concern I have on this development is the introduction of a large number of parking spaces which primarily are for people from outside of Douglas to come and will actually change the nature of a historic harbour in Douglas. I do not believe this would be tolerated in any other district on the Isle of Man were there an attempt to bridge across and arrange 60 parking spaces merely for the convenience of people travelling into the area or to work in that location.

Now, I am graphically aware of the difficulties we experience in Douglas and, having spoken to the engineers, I can see the need for the roundabout; that is part of the whole scheme which has been put towards this Court over recent years. I do feel it regrettable that we are now going to have a parking facility which will actually change the face of the historic Douglas Harbour. The need for the roundabout therefore leads to an almost necessity for engineering to actually bridge across the mouth of the river, and I am sure the department has sensibly tried to make better use of the moneys being expended to have the benefit of car parking areas in an area which is already going to be bridged to a great extent. I do not believe that there is any alternative to the department's scheme. If they are going to go ahead and actually put in the roundabout then the bridging of the mouth of the river will take place. It would therefore be necessary for the car parking and I would urge the department to ensure that the publicity of this scheme tries to allay some of the concerns of residents of Douglas who see that the face of Douglas Harbour will be changed considerably. I believe that the photo enhancement or computer-generated pictures would show that there is a major scope for enhancement of this area. North Quay will be greatly enhanced in the future and unfortunately this is a price that has to be paid if we are going to see that enhancement, but I do find it regrettable that we are going to find a car park at road level in a historic harbour.

I do welcome the department's attempts to try and solve a difficult problem. I will support them on this occasion, but I do believe it would be useful to do a good PR exercise with the people of Douglas to actually understand fully what is intended and the reasons for it, Mr President.

Mr Karran: Eaghtyrane, I think the question needs to be asked whether we really want to see industrial development on the Head Road. As a member that had written to the previous Minister of Local Government, Mr Quine, that we should be taking the initiative and clearing

that whole area of South Quay, I was very impressed and I was glad when I saw the late Mayor of Douglas' development down at South Quay on his land for residential use, and I just feel that as a person who has been on about this for years, on that front then I would not be supporting this purely to make it easier to get up to the Head Road, and I think it is wrong. I find it absolutely crazy that here we are, the only country in the world that has spent millions to retain water in a harbour, and then we cover it up. It does sound rather silly, I think, to many people. We have got a problem there, as far as I am concerned.

I honestly feel that this is not part of an overall package. If it was a part of an overall package, I do not think this would be the way you would go about it, because I think this is a waste to cover up the other side of the Tongue to put car parking there when you have spent millions retaining water in this harbour. It is a contradiction in terms, in my opinion. I have to agree with the hon. member for North Douglas, Mr Henderson; I will not be voting for it for these reasons because I think it is wrong.

I think the hon. member for West Douglas is quite right when you talk about our harbour and when you realise that at one time, admittedly we are talking about 150 years ago, that South Quay was where the elite lived in the Island. That was the Mayfair of the Isle of Man, and I believe that that should be, we should be turning that back that whole area into a residential area. It would help the congestion and I believe that this will do nothing to ease that problem and I personally will not be supporting this.

I am sorry that the likes of my interventions have still fallen on deaf ears about the South Quay, and that is not the fault of the mover of this motion; that is the fault of the Department of Local Government and the Environment, but I think that what we should really do is not support this until we have a full appraisal as far as this area is concerned. If people could live in this area then there would not be the same problem of congestion in our town.

I know there have been points put forward for the redevelopment of the bus station site and I am delighted that initiative has been done by the Chief Minister with a package of other measures, but I think this is disjointed and I think we should not support this and we should be saying that the DoT and the DoLGE should be coming back with a package of measures for the whole of this area, because this area should not be an industrial area. We have been very, very fortunate up to now with the South Quay, with the gas and the oil, that we have never had any disasters there, and I believe that we should be using this opportunity to get rid of all the industrial use up here and we should not be encouraging by building this, 'Oh there is a problem up the Head Road.' We should be getting rid of the industrial stuff up the Head Road in my opinion, Eaghtyrane, and I will not be supporting it, because I think it should be referred back and the DoLGE and the DoT should work together.

Mr Delaney: Mr President, I do appreciate the officers' efforts at the display in the Millennium Room and obviously I, as much as anybody, if not more than most, know this area so well having been brought up there. I think old Bobby Corrin, the Slams, Yankee Shimmin - all will be delighted to hear that they lived in the Mayfair of the Isle of Man! *(Laughter)* I am sure they would they would turn in their graves to find that! They were gentlemen and ladies, there is no doubt about that, but they were not the Mayfair people!

The fact of it is that when we built the bridge and at the time of the debate on the bridge the situation was that the whole development, which I questioned, had to do with the transport

system that would bring to the South Quay. Also, as the hon. last speaker has said at another time, the changing face of the planning down there is changing the whole concept and the value. If you look at down where the National Coal Board was, which was an old shed, that now becomes a very valuable site. It is adjacent to a water-retentive harbour. I have used the word it is going to be full of yachting, yuppies, if you like. At some time we hope the whole of the Quayside down there will become a very desirable area in the future - not in my time, but in the future.

What I would like to see - I probably will not see it, but I would like to see it - is the life of Douglas brought back to that area with some sort of development. If anyone can picture - and you all have travelled that road, I am sure you have - if you look at the Birch Brothers' yard and all those other yards down there which were built for commercial purposes, now, of course, knocking them down and putting flats there at some time would make it very desirable. I would hope that somebody will think about putting real people back down there again. That is what has happened to Douglas: we are taking the people out of this town and the Island is becoming, unfortunately, urbanised to an extent where we are losing the heart, and the heart of the Island, as far as Douglas is concerned, is the heart of the Island, activities other than finance; it is a thriving community and we just seem to moving people completely out.

I hope that is part of the plan. It was always clear to me, when you put the bridge in, you would have to do something about the roadway and there were moves, if people have forgotten them, to try and reinforce the harbour in the times of Arnold Callin when he was the minister down there; that was thought up, but now they have realised to make it a real throughfare for cars we have to put a roundabout there. I think the solution, if that was the problem that had to be addressed, is the answer because you cannot very well do much about Head Road, up that very steep hill there. You cannot do much any other way; if you cannot go back you have got to go out. What I am asking the minister on this one is: my concern is the same as the hon. member for North Douglas, the people who are using the Tongue area. When they come I want an assurance that although we have lost the river berths - we are losing them - will there be some policy or statement that the people who have the small boats down on the Tongue around that area will be in some way looked after. (**Mr Duggan:** Hear, hear.) If we lose them we lose all our people, and the question will be asked by a lot, 'Who are we building this for - economic reasons, the long-term future so that these people who take advantage of the new tax system will all be able to put their yachts down there? Is it for our people, or for their people? I hope that it is for our people and that means putting people back down there, the people we know.

I did at the time fight very hard against the so-called Tesco site. I believe that was the right place for sheltered housing. I still believe there is ample ability of future administrations, if not this one, to make plans now to put our people back down around the heart of the Douglas town and I would hate to see the whole place just full of yuppie flats like what has happened in Dockland and London, because once we get to that stage we are working for the wrong reason; we are working for people who are not ours, who have come in, but have not been the people who have actually put into the community to make it what we are, they are the people who are taking advantage of what we are. I would ask the minister to give me an assurance on the small boat owners and also that we have got some plan to put the Manx people back in the heart of this town and this Island.

Sir Miles Walker: Mr President, I have had a feeling of scepticism, I think, about the whole of the development from the Nunnery through into Douglas and down the South Quay. Having seen it come to fruition, or some of it, I have to say I think the Department of Transport have made a jolly good job, and any criticism that I felt I withdraw. I think the job they have done from the Nunnery through to the bridge is absolutely first class. It has changed the face of that little bit of Douglas. I am sure that the people who live in Leigh Terrace now are reaping benefits from that development, from the parking provision (**A Member:** Hear, hear.) that has been made and from the removal of the traffic almost from their front doors away and the provision of the footpath, the widening of the road - the whole thing, I think, has been done tremendously well. I felt sceptical about the new bridge and I think now that it is there in place it is desirable. I think it is quite attractive and, what is more, it works. There is a lot of traffic now coming from the south of the Island down that South Quay and over the bridge into Douglas, and that without any doubt at all must enhance the way of life for the people who are living on North Quay. I have no doubt about that at all.

Having accepted that, it is then logical to do the middle bit, the South Quay bit, and I will support this resolution today because I think that piece needs doing now and I think it is going to enhance the quality of life for all the people who live down there. The thought of not having any industrial activity on the right-hand side of Head Road going up, I think, is an argument that should have been had generations ago. It has been industrial for - well, for generations, for years and years and years, from quarries to gas works, to whatever, and the fact that industrial activity has moved on now to warehousing and manufacturing and so on, I think, is a fact of life. I do not believe it possible to turn the clock back. If we accept that, then there is a need for a decent access to Head Road and I think the proposals that the Department of Transport have are the best proposals certainly that have been identified so far.

So I support this. I look forward to it being done and I look forward to it being done with the same care for the environment that the Department of Transport engineers and workers have had in the work they have done so far. I congratulate them and I hope that the minister would take that message back to his officers and the men who have been working on the scheme.

Mr Cannell: Mr President, I have great reservations about this scheme. Like the hon. member for Council I too was brought up in the area. I lived at Leigh Terrace, a very different Leigh Terrace to what it is now, of course, where you could virtually play on the road and risk being drowned on what was known as the Slip next to Qualtrough's pop works. But this scheme really does start, as the hon. member Sir Miles has just said, from the Nunnery and it extends right around to the Jubilee Clock, and the scheme should be taken as an entity. Although I am sure the department was unable to produce a scheme which would cater for the whole lot, which would probably cost £100 million, it does seem to me something of a piecemeal job. I too support the use of the new bridge down at the Steam Packet buildings there, and of course you do have to take into account now that although Douglas Corporation opposes it - well, they would wouldn't they? - the Steam Packet's plans to make a major reinvestment in the Isle of Man with their buildings is also part of the area, and it is not all that long ago since the Circus Beach was filled in and the marshalling yard was created there. Now, when I go down there it does not seem to be fully utilised; it just seems to be bits and pieces parked all over the show, and I am worried that this might turn out to be the same.

My main grig about this is the actual car parking creation over the river. To have cars parked in such a grand area, run down though it might be at the moment, seems to me to be wrong. I have been to Guernsey and seen them parking on every available square inch down at their harbour. They have a beautiful harbour there and they absolutely ruin it by car parking. A harbour, I am afraid, is not just a parking facility for boats, it is something to behold for the population, and all we are doing here is just giving way to the car. Now, you might say that does not square up with my argument about the need for increased off-street car parking in Douglas, but this car parking here, where we are going to fill in over the South Quay Harbour and put glass panels in so you can see down into the water or the fish can look up through the panels (*Laughter*), seems to be totally wrong. It is something, really, that is not entertainable. It is not worth destroying that for a few cars. The roundabout at the bottom of the Douglas Head Road presumably is entirely to accommodate traffic going from the new bridge up to the Head Road or the other way round, because you can manage without it up to now, even with the pub in the position it has been in for hundreds of years. So you put a roundabout at the bottom of the Head Road, but you do not take the next logical step, which is to reopen the Marine Drive. (**Mr Duggan:** Hear, hear.) It is the obvious thing to do, because then all the traffic coming and going south can come in on the Marine Drive and can go over the new bridge, and you take it all away from the entrance from the Nunnery and allow that to be the mid-traffic from the Santon area. So what is the use of having a Marine Drive, which cost a fortune - it was a labour scheme in the '50s which my father worked upon up there - now gradually eroding? If it is not caught in the next few years it will never come back until it is done again, because the scheme that was put on the Marine Drive in about 1950 was to actually resurrect the one that had been allowed to go to the dogs just before the war. Admittedly, it had a tramway on it and it had a couple of bridges on it, but, really speaking, it is small beer to resurrect the Marine Drive compared with what you see can be done in other places to suspend the falling of rocks. Really it is laughable, and it also amazes me that you can actually have the Marine Drive open. It is okay for the rally boys to go along; they will take their chance on a few rocks falling off the side of the cliff. Maybe you would say they are going quick enough to get out of the way before the rocks drop on the cars (*Laughter*), but really this is a golden opportunity to create, and if we are going to do that, then I am all in favour of having a roundabout at the bottom of the Head Road, because you would immediately take about 50 per cent of the traffic off it.

Now, I also remember what has been said about it being the elite. I do not remember it personally, but I have been told that those were the wealthy shipowners who lived in those properties on the South Quay and they were quite something in those days. They were indeed - not quite the Mayfair, but they certainly, before Mr Delaney's friends occupied it, the houses of great repute.

Mr Delaney: You mean the real Manx.

Mr Cannell: The Head Road - I think I claim to be probably the person in this hon. Court who has used the Head Road more than anybody else during my employment for Manx Radio, and a more dangerous place in the Isle of Man I cannot think of. You get traffic supposedly keeping to a 20 mph speed limit coming along Taubman Terrace and they block the entire road. When you come up the Gas Works Hill you are faced with Ronagency's wagons or Edmundson's, or whoever they are, blocking the entire road. When you follow them up the

road, which not all that long ago was cobbled, you had every chance that the wagons would actually miss their gear or something and go flying backwards down into you and there was not a thing that you could have done. The whole lot would have been pushed into the harbour.

Now, you might say that this scheme actually means now that you would not because you would run into all the cars parked on the new scheme, but it is piecemeal. Unless you are going to reopen the Marine Drive it is not worth it. Now, we have taken away one of the great elements, which is the petroleum wagons from the Battery Pier. At least they now go over the bridge. But we have a little roundabout there and I am reliably informed that coaches coming over the bridge to turn right cannot get round the roundabout, so what are they going to do on a roundabout at the bottom of the Head Road? They are going to be creeping round there in the crawler gear and try to ascend the Head Road - the wagons, I mean. It is all bits and pieces. The Head Road is an absolute nightmare, and until you clear those houses on the right-hand side of the road there you will always have difficulty. No development should ever have been permitted in the Douglas Head quarry. It is absolute lunacy to put heavy wagons up that desperate road unless you clear all the houses on the right-hand side before it. Most of them are pretty ancient anyway, and I am sure that an offer could be made. Albert Gubay built a load of places up there but he did not sell them. Half of them are still empty now, 12 years later. In fact most of them are still empty, I should think. So it needs to be looked at a bit further.

But the biggest grig I have got, as I say, is filling in over the river. It just creates another Shaw's Brow when we have not got the next deck on Shaw's Brow going yet. About every six months I hear a story about how Shaw's Brow is ready to go. Well, I keep going round because I take photographs of these places immediately prior to their being altered. I have been round there six times and I have not seen anything yet that convinces me Shaw's Brow is on the way.

Mr Brown: It is Douglas Corporation.

Mr Cannell: I know it is Douglas Corporation, and indeed that is what we are dealing with; that is half the problem, dealing with Douglas. But in my view it is all right saying 'Geoff Cannell has got these hindsight ideas,' but I always did think that the way to solve it was to put a road from the Nunnery across the river to what was the old abattoir to line up with Lake Road and the North Quay. Surely that would have been the way to do it, right past the front of where Tesco's is now. It could actually still be done with a bit of good will and that would take it all away from that area for the traffic coming into Douglas if you are not going to do the Marine Drive. But the thought of having something akin to the Grand Union Canal, where you cover in an entire river just to create a few car parking spaces and stick a few velux lights in so as you can look down into the river, is preposterous in my idea. We lose the good will of the boat owners, we lose the whole ambience of the harbour, we have upset everybody down there at the expense of creating a marina, allegedly.

Mr Karran: Yes, and then we fill it in!

Mr Cannell: Okay, we are filling it in now. We are not offering the opportunity to say, 'Look, that is how I can use that as moorings.' Now we are going to build some sheltered accommodation or some sort of accommodation on the site of the bus station, but we did not build it where Tesco's went when we had a better opportunity. I stood up here - it was one of

my first speeches - and said, 'Why don't we put paid to this?' We had a chance, a last gasp chance to say 'No, we don't want it.' It would have been an absolutely marvellous development. I know probably people are saying 'He's standing up saying what might have been and it's too late.' That does not stop us lamenting it but it does stop us repeating it.

The Steam Packet Buildings - a fantastic area there going begging. Okay, they own it and they cannot, apparently, now build what they want on it or part of it. Walpole Avenue - have you ever seen anything like that? A complete mess! The Noble's Baths area - you look along the back of there and see that wonderful . . . The tourists come off the SeaCat and what is the first thing they see? The backs of a whole load of Edwardian and Victorian boarding houses with the wallpaper hanging out and one mirror that bravely hangs to the back of a bedroom wall - marvellous, absolutely marvellous! Not all the fault of the department, of course; I am not saying that at all. I am just saying that we need to consider the whole area, and I do not care for this roundabout scheme which appears to involve covering in all the harbour side to the middle of the Tongue, shift all the regular people off there and all to create the great God car parking. Unless the Marine Drive is part of this scheme I think it is mistaken.

Mr Downie: Mr President, I am going to speak in favour of the motion. Although I am not happy with some aspects of development in the area I think the department are moving in the right direction, but I just want to make one or two points about the progression of this scheme. Now, it is only a short amount of time ago, in fact less than two years, that we had the Douglas Local Plan in front of us, and it is sad that when the local plan was put together there was not a proper appraisal taken out of all the land in this area. In my opinion, a lot of land on Head Road and the property on Head Road could have been redesignated and lots of these non-conforming industrial uses could have been relocated somewhere else. There is coming along now other areas where the likes of Magnet and Southern and Ronagency could be relocated to -

A Member: Where?

Mr Downie: - and if we want to improve our towns and the environment within the town we have got to start making concessions and getting rid of some of these non-conforming uses. A lot of the area on the Head Road would be suitable for urban regeneration, and in the big quarry area where a lot of these industrial uses are now I think some car parking could take place up there and also some housing could take place, and I wholeheartedly agree with the sentiment expressed by the previous speaker about the Marine Drive. That is a beautiful area and, with a little bit of thought, the DoT or some other agency could have stone-crushing plant on the Marine Drive they could be removing some of these rocks that are falling, grading them down and using them for underdressing or for part of foundation work with a positive benefit to the environment and cut down the amount of vehicles coming in and out with building materials all the time. There is a resource there that could be readily tapped and turned into a really good environmental scheme for the Marine Drive for the future. We may have missed the opportunity this time but it will only be three or four years from now when the Douglas plan comes back to us again, so I hope the Department of Transport, along with the Department of Local Government and the Environment, can look at the future and see if they can bring some pressure to bear to get rid of those non-conforming uses and perhaps take some of that industrial use out onto the periphery of the town. I think that is the way to go.

Concern has been expressed to me by fishermen and by boat owners that the bridge will not be able to operate in winds above 30 knots, and as people who use the harbour on a regular basis will tell you, in an east wind or a north-east wind there is a requirement for a lot of the smaller boats and fishing boats to go up into the inner harbour. I would be pleased if the minister can tell me at what wind speed that bridge will be allowed to operate, because it only came to light this last couple of days since the issue has been on the agenda and in fairness I have not had chance to get in touch with the director of harbours.

Also in this area of the harbour, government owns a reasonable or substantial piece of land in Lord Street next to the MEA, and I am not sure now who is responsible for car parking in the central Douglas area but there is another opportunity to put some additional parking in. I personally do not have a problem with parking over the Tongue. I think it is a good utilisation of an area and, provided it is laid out properly and the environment is dealt with in a proper way, it should not be detrimental to the surroundings of the harbour area.

The department are in a difficult position because they have not got the money to put into forward planning and I think that, given the money that is available to them, they try and make the best of what they have got. It would be lovely to have a long-term strategy for Douglas and say, 'Well, there's £50 million, £60 million that can be expended', but not only have they got Douglas to consider, they have got Ramsey and all sorts of other areas where people are also crying out for improvements in their harbours, and I think one has to be fair. There has been a tremendous amount of work carried out in Douglas and I think that while I fully support this continuance we have got to have cognisance for local plans and ways in which we can improve things by encouraging urban regeneration and relocation of non-conforming uses such as industry and workshops, panel-beating and all the rest of it which takes place in that area and is now really, in my opinion, becoming redundant in that area. Thank you, Mr President.

Mr Houghton: Mr President, I rise to support this project. It is a valuable link in between the bridge, of course, and Leigh Terrace as has already been described. But what I see the situation here is that the road between the stone bridge and the new bridge is far too narrow. That road is going to be widened. In addition to that, of course, there are all the arguments to and for the roundabout at the bottom of Head Road, but that widening of the road is a very, very important aspect. A roundabout might as well be included whilst the project is up and running to deal with the traffic that is already there coming off the Head Road, and I would support Mr Cannell's assertion that it would certainly assist an argument to reopen the Marine Drive in due course. (**Mr Duggan:** Hear, hear.) I would certainly support that, absolutely.

My queries with the hon. minister's officers at the presentation with regard to the boat owners were assisted in respect of extra moorings that are going to be placed on the North Quay wall. I think that is a valuable extra provision for them. I have assurances from the department, and I do hope the department will honour those, in respect of these smaller boat owners, but also we still have to

look . . . We have got a severe problem with traffic. We all know about Douglas being completely blocked with traffic and so on, so this is an important link, to widen it, to ease the traffic congestion, and nobody but nobody can criticise that excellent bridge that has been put in place now that has certainly helped the situation. I am quite sure, once everything is in order, all the various plans and so on, that the improvement will be a vast improvement to the

incoming traffic into Douglas and also the traffic leaving Douglas at rush hour in the evening. I am sorry but it is there. We must address it now. Thank you, sir.

Mr Cretney: Mr President, all I wanted to say was that the hon. minister is well aware of my concerns with regard to the proposal which is in front of us today, and I would ask him perhaps now in this public forum, given that not only the local plan which recently has been passed but also the previous local plan in relation to Douglas referred to the Douglas Head area as one of some importance in terms of tourism, in terms of the beauty which exists up there and which I am pleased to see that at last, for example, Douglas Corporation are recognising, and I think that is good, my concerns have been, as was referred to by the hon. member for West Douglas, the now unsuitable uses which are in existence in the quarry area in particular.

If you were to look, for example, at the Ronagency operation which has clearly expanded - which is good, and we are pleased to see businesses expanding - it is the impact on the neighbours round about there, because I am sure my colleague, Mr Duggan, and I both receive comments on regular occasions because of the narrowness of Gas Works Hill and the speed of the vehicles that go up there. Neighbours are concerned and have been concerned about the heavy vehicles and the damage that can be caused to their properties because of this.

Now, it was featured in both, as I have said, the last local plan and this one that something should be done to recognise this and to try and encourage unsuitable uses away from the area, and I would say there is no more unsuitable, with respect, to Ronagency which has expanded, which is good, but should be somewhere else now, really. I would like to ask the minister if he or another government department could consider doing something about that particular problem and if there is anything else he could do via the Department of Transport to try and minimise the impact that some businesses have on the day-to-day enjoyment of their properties by people who live in this area, because it is a problem on an ongoing basis, and I think not only Douglas Corporation but also the government via my department, via other departments, should recognise that Douglas Head and the Marine Drive are real assets and perhaps we should be doing more to look after them.

The President: I call upon the minister to reply to the debate.

Mr Brown: Thank you, Mr President. I suppose, somewhat naturally, the debate broadened out into the future of Douglas in terms of what is happening, what is going on et cetera, and of course a considerable amount of what was said is well outside my responsibilities as Minister for Transport, not necessarily outside my responsibilities as a minister or as somebody who is a member of this Court looking at how the future of the Island develops.

I think it is worth, really, just making the point and just, as some have looked back, to back at how it was less than 10 years ago in the lower part of Douglas. The lower part of Douglas, the Villiers, not long ago was subject to questions and debate in this hon. Court as to the state of the old Villiers Hotel and what was going to be the future and where we were going to go. The honest answer to many of the questions that members have raised is economic activity. The only thing that will happen and make people either improve or expand is if there is potential there for economic growth, potential there for them to invest and get a return back.

Now, what we are endeavouring to do is to actually improve that lower part of Douglas and I would again remind those members who were here before, and for the information of members who are new, that in 1991 or thereabouts, when I was Minister for Local Government and the Environment, along with some of my colleagues who are in this Court now, we produced a plan and a model for the regeneration of what is the North Quay and South Quay, which is what is now happening. Of course, I would make the point that we do have an overall road network plan for Douglas. It has been in the public forum on many, many occasions. Members have had briefings on it, those who have been here long enough - and I again accept that there are maybe some new members who are not aware of that - and it shows how the Department of Transport believes it should develop the road infrastructure to encourage vehicles out of the centre of Douglas that do not need to go into the centre and go round Douglas. Now, that plan is a long-term plan. It requires many, many millions of pounds of investment. That investment is programmed into our capital programme over the period we are able to do that, and if members look in the Pink Book they will see, and in the policy book, the inner link road 1, inner link road 2 and so on, which are all identified as our programme for improving the main highway access in and out of Douglas, and with specific indication towards trying to remove heavy goods vehicles and large vehicles out of the areas of Douglas which are mainly residential or at least try to ease that problem, and that is what this is part of.

Now, a number of issues were raised about the bridge, but the bridge is there. We have had that debate here. Clearly - and it was made clear at the time - the bridge was a component of the next component, which is now South Quay, which is of the next component, the old Castletown Road. We have done Leigh Terrace and I thank the hon. member Sir Miles, the member for Rushen, for his comment about the workmanship. I have to say that the policy of the department, which I push and am supported in by my political colleagues, is that we should do the job properly, and that means building walls that are suitable for the Manx environment, not having concrete walls, or if they are, as in Leigh Terrace, that they are faced with a natural stone. We are doing that on Braddan School Road. These are additional expenses which are quite considerable and in some cases cost more than the actual roadworks, but the view that I take and the view my colleagues take is that in the long term this will be of major benefit for the environment of the Isle of Man; in other words, we have an area that we find is nice to live in, plenty of trees being planted, bushes, and the walls play an important part of the impact on our environment, so we have no problem with that.

If I can respond to some of the points that were raised specifically, the hon. member for South Douglas, Mr Duggan, asked about it being done quickly, whether there will be overtime and so on. All I can say is, the contract will be undertaken within the timescale which is there, which is, I think, about 18 months. Certainly no provision is built in for overtime. We already have our staff dealing with all sorts of work which creates overtime and we endeavour not to deliberately generate overtime unless it is absolutely necessary, so as far as I am aware there is nothing specifically built into this one as a general rule to have overtime. Overtime is very expensive - fine, if there is an emergency or if we need to do it because of traffic flows, then we will fit that in to try and minimise the impact on the travelling public, but there are restrictions on when we can do that.

As far as local boat owners are concerned, I have met with boat owners, the owners from this new association, on a couple of occasions; we have had letters from them. They represent

a number of people. We also have other organisations that have interests in Douglas, and generally the view is supportive of what we are doing.

There is a concern by some that they believe very little should be done in the harbour because they enjoy what they have now. I have to say that is an unrealistic view. The harbours of the Isle of Man are there for the people of the Isle of Man, not one group against another group and, as far as I am concerned, we will endeavour to maximise the benefits of our harbours for the benefit of the Isle of Man and we will take on board, where we can, the concerns or needs of people who have different uses.

The inner harbour in North Quay is a classic of that. We are going to develop pontoons for those who want to come in and keep their boats in the Isle of Man. We have people who are local people who have boats that are not on the Isle of Man because they cannot find a safe berth; this will provide a safe berth for them. We have other people that have small boats and they want to be able to enjoy what they have always enjoyed, and they will be able to do that within the confines of the operation of the retention system.

Now, this has been explained and explained. What I will not do is say to one group, 'You have more rights than that group,' because whether it is a person who has a small boat or a big boat is irrelevant to us. What matters is that people have leisure craft for enjoyment and they have the right, as best we can provide, to enjoy the facilities that we can provide throughout the Island.

So we will do what we can to accommodate people within reason and being reasonable to them and we have said this, we have talked about it, we have explained it as much as we can that we will do what we can. But as soon as we have created a water-retention scheme, part of the use that has been enjoyed before has gone because the harbour does not dry out any more, but the bigger benefit is that other people are now and already now using that Douglas inner harbour. There are boats in there I have never seen in there before in the last month or so and, my goodness, even without the pontoons I think it has had a great impact on that part of lower Douglas.

The next bit I would like to cover, Mr President, is the roundabout. The issue of this roundabout gave us a considerable amount of thought and we spent quite a lot of time on it. Should it be something we do? We were conscious it meant going out into the river, and I would refute what I see as just really a bit of nonsense that we are spending millions on water retention and now we are filling it in; we are not filling it in. We are covering a small portion of the river of Douglas between South Quay and the Tongue, and the reason we are doing that is we are taking up an opportunity, which we can in construction terms which makes it very cost-effective, because of the works to build the roundabout, to actually add a reasonable addition onto to provide some car parking.

Again I would make the point, we are sensitive about it. I would suspect as a department we are more sensitive about the North Quay/South Quay area than most other departments, because of course clearly we are trying to enhance that area, so the amount of car parking we are putting in is actually limited to what we could have put in. We could have gone the whole length of that river, concreting it and covering it, but we did not do that. We felt a reasonable amount of car parking there, to help ease partly some of the parking down in that area, to accommodate those who will have boats in the area and those who are going along to visit the

yacht club and so on, will be of benefit. Cars already park on the Tongue; boats already park on the tongue. Some would say that is not attractive, but what we have to be is practical and we are trying to balance up the different needs between boat owners, the public, those visiting the harbours and everything, and we are trying to use the best resource we can to do it. What has come out of this is by doing the roundabout it is actually very cost-effective to add this additional bit of concrete, to use a term, and provide that in.

As far as the glass and all goes - we were slightly mocked about putting glass in - there is a very good reason for that. It is so that the river has daylight into it for the fish, which is important. We have taken advice from those who are environmentally involved in fishing, we have taken advice from those who deal with the bats and birds and so on, and we are trying to accommodate all that in it to ensure we do not do anything that actually is detrimental to wildlife and to fish, and that is why these bits have been introduced into it.

These are important issues. We have spent a lot of time talking about our environment. Well, looking after it costs us money. I do not have a problem with that. I do not have a problem at all, because I think you should do it right. I do not have any problem at all.

As far as the roundabout is concerned, the biggest benefit for the roundabout is that it will enable large vehicles to come down Douglas Head hill and turn right at the roundabout to go along the bridge. If we do not do that, the other alternative was to pull some of the buildings down on the Douglas Head Road there going up on your left-hand side, which we do not really see as an option. There is a bit of character about those buildings; it is the nature of the harbour. It would have been maybe an easy option but we did not really think it was the right one. We could do that, and the other option was to allow the heavy vehicles to continue to zigzag through across the old Douglas stone bridge and zigzag through Quine's Corner and down Lord Street. That defeats what we are trying to do anyway, which is to get them out of that area, because it does not help the congestion. So the whole thing was that this was the way to really resolve the problem. So we are quite happy that we believe it is the right way forward. We think there will be benefits.

As far as trying to ensure the public are aware, we have done publicity on that and certainly we do not have a problem in making sure - and part of this debate will give that information out and I thank members for putting that forward.

I would thank those members who were supportive of us and congratulated the department on what it has done so far. I think what we have seen in this area already has had a major impact. The bridge alone, even with the restricted road we have, has eased traffic in other areas. I know for myself, coming from the south, I now always go along South Quay. Unless I have to go into the other part of Douglas I always go South Quay across the bridge and into the sea terminal. It is easier.

The only problem we have at the moment of course, which we knew, was that it is the chicken and egg: we had to build a bridge so we could then widen the road, and we are now going to widen the road, but in the meantime there is a problem because people have businesses there, they are unloading, they have got wagons parking while they are doing that and you have got traffic trying to go two ways and the road is not wide enough. This will resolve the problem, and when it is finished - and I have to say, somebody looking back in, I suppose, 8 or 10 years' time, all being well, when it is all finished through Kewaigue and all the

way up - people will say how much better the flow into Douglas is now because it is straightforward, it has eased the traffic problems elsewhere and so on and so on.

So these things have been thought out, there is a long-term plan, we are working to that plan, we are financed for the plan and we are endeavouring to keep it moving forward, hence why the work is on. Our planning application is in presently for the Old Castletown Road from Leigh Terrace out to by E B Christian's there. That is in the process at the moment and, if that is all approved, I hope to be here hopefully in October for the moneys to get on with that next stage. That is subject to planning, of course, and any problems we may have there, but that is our proposal, so the whole thing keeps moving on. I have to say, unfortunately for everyone, there is inconvenience in this because it does disrupt traffic flows, but all I can say is, as we did with Leigh Terrace, we will endeavour to keep the traffic moving, we will deal with peak times as we did there, which I think we did very effectively by manually switching the lights to give the main traffic flow coming in when it needs to and the main traffic flow going out.

The other thing I would just say is that, as far as local plans are concerned, the department does endeavour to give the best information possible to any considerations of local plans as we can see it at the time, but if we find we can actually improve the situation better than we anticipated, my view is we should not just stop because the local plan says 'Maybe you did not identify it', my view is you get on with it. Let us do the best job we can.

The one thing I do want to cover is this bit about relocation of the industries and so on. Again, we are not ignorant of the fact and as Minister for Local Government and the Environment some years ago I promoted that we should move some of the industries away from South Quay with government support because of the nature of those industries and we were not successful. But I would like to just put a number of other points to members just for consideration, because it is very easy to be very black and white on this. One is of course that moving the industries is not, as I say, directly a matter for my department. But industries and the nature and mix of industries are in fact often an integral part of a town and certainly a harbour area because of course the harbour area, is an industrial area and, okay, it has changed over the years because of the change and nature of now transporting goods to and from the Island, but Douglas harbour is still very much a commercial harbour; it is our main commercial harbour in the Isle of Man.

The other thing is that if you move all of your industrial areas out of South Quay, Douglas Head and so on, they are only going to go one place and that is on green field sites on the perimeter of Douglas, and you have got to think about that one as well. Do you want big industrial estates on the outskirts of Douglas, in Braddan, wherever it may be, which might then have another impact on the environment? This is the balance you have. But I think the other important issue is -

Mr Cretney: Purpose-built.

Mr Brown: - when you have got industries in the town centre people can walk to work, people can shop locally, people can use cafés and restaurants and all the different things locally and industry, in terms of industrial businesses, is often critical to be in a town centre because of access for people, and the problem you have is the traffic movements and I understand that, so I just put that in because I do not think it is as black and white as maybe members may see, but I do not have a problem with appropriate businesses being moved out.

All I would say is we did examine Douglas Head and one thing we were convinced about was that, if we were to relocate, it would cost government because government would have to pay the relocation, buy the land so nobody else could use it for that purpose because it had a valid planning use; it would cost us millions of pounds. Now, if you want to do that, that is fine, but I think you have got to carefully examine which areas you are going to do it to and how you are going to change the use of that area. That, I have to say, is a matter for Local Government and the Environment and I am sure, as we know, they have views on brown field regeneration and are listening to the debate as well and it is the whole part of it.

Mr President, I hope members will support the motion, which I believe is another major step in improving the major roads into Douglas. I beg to move.

The President: Hon. members, the motion before the Court is that printed at 17 on your order paper. Those in favour please say aye; against, no. The ayes have it.

A division was called for and voting resulted as follows:

In the Keys -

For: Messrs Gilbey, Quine, North, Sir Miles Walker, Messrs Brown, Houghton, Cretney, Braidwood, Shimmin, Downie, Mrs Hannan, Messrs Singer, Corkill, Mr Gelling and the Speaker - 15

Against: Messrs Henderson, Duggan, Mrs Cannell, Messrs Karran and Cannell - 5

The Speaker: Mr President, the motion carries in the House of Keys, 15 votes in favour, 5 votes against.

In the Council -

For: The Lord Bishop, Messrs Lowey, Waft, Dr Mann, Messrs Kniveton, Radcliffe, Mrs Christian, Messrs Delaney and Crowe - 9

Against: None

The President: With unanimity amongst the Council the motion carries, hon. members.

Ronaldsway Airport – Installation of Instrument Landing System – Expenditure Approved

The President: We move on, then, to item 18 on the order paper. I call upon the Minister for Transport to move, the hon. member for Castletown.

Mr Brown: Thank you, Mr President. I beg to move:

That Tynwald authorises the Department of Transport to undertake works for the installation of an instrument landing system for Runway 08 at Ronaldsway Airport for a sum not exceeding £399,000.

Mr President, the department proposes to install an instrument landing system for runway 08 at Ronaldsway Airport. Runway 08 26 is the longest runway, and 08 refers to that runway when it is being used by aeroplanes landing from the direction of Castletown. An ILS system is already in use on the runway for aeroplanes landing from the direction of Santon coast, which is the most used runway approach, because aeroplanes mostly land into the prevailing wind from the west. No such system is in place for aeroplanes landing in the

opposite direction from the direction of Castletown, which is used when the winds are coming from the east.

The proposed ILS will enable runway 08 to be used in lower cloud and reduced visibility than currently is the case. The annual capability of the airport to receive incoming flights will therefore be improved. Moreover, the reason for introducing the new ILS for runway 08 at this time is in response to the recommendation from the Air Accident Investigation Branch following two incidents which occurred in June 1998, when aircraft approaching runway 08 descended below the safe altitude. ILS for runway 08 will provide both heading and height guidance for pilots. This will greatly reduce the likelihood of such occurrences in the future and therefore enhance the safety.

The proposed installation of additional ILS follows an extensive feasibility study having been undertaken. It will meet international standards and the UK Civil Aviation Authority regulatory requirements. The distant measuring equipment which provides the pilot with his distance from the runway threshold at any stage during his approach from the direction of the Santon coast will be relocated so that it can also be used for aircraft landing from the direction of Castletown on runway 08.

Following a competitive tendering process it is proposed to award the contract for the supply and installation of the ILS equipment to Systems Interface Limited. Enabling works on site such as trenching and groundworks and installation, if necessary, of fibre-optic cabling will be undertaken by the department's engineering works division and the specialised engineering and maintenance section at the airport.

The total cost of the scheme is £399,000 and is within the amount envisaged in our proposed budget. Mr President, I beg to move the motion standing in my name.

Mr Kniveton: Mr President, I rise to second the motion and I would like to add to what the minister has said. It is the department's intention, subject to approval of the expenditure by this hon. Court, that the equipment for runway 08 would be ordered immediately after such approval is received. Manufacture should be completed by September and the civil enabling works on site at the airport would be carried out in the intervening period. Installation would take place in October and the commissioning may run into November. Approach procedure designs and writing of the operating manuals will be undertaken during the same period.

The ILS will provide precision glide path information and enable more accurate approaches to be flown to lower limits by aircraft landing from the direction of Castletown. Finally, the system will reduce the potential for delays during conditions of fog or low cloud when runway 08 is in use. It will also remove the occasional need for aircraft to land down-wind from the direction of Santon coast when wind conditions are otherwise acceptable. This has operational benefits related to payload and the type of planes which may be landed at the airport when there is low cloud over the south-west of the Island and the wind is coming from the east.

I believe it is essential that we have the most up-to-date and modern equipment to land aircraft to minimise any potential accidents here. Thank you.

Mr Houghton: Mr President, I rise to support this. Any safety feature that we can do with air matters is vitally important. I have simply one question: will this assist aircraft to land in fog?

We have a terrible problem over here. You have got rockets and the like going to the moon and we cannot get newspapers and mail into this Island on many, many days, so I would just like to see if this would have any additional assistance to land aircraft in fog - simple as that - or even take off.

Mr Singer: Mr President, can I express my full support for this proposal. I do not think anybody could possibly oppose this because of the safety reasons, and of course, in answer to the last member of course, the airport is in the wrong position because it should be in Jurby anyway (**A Member:** Hear, hear!) where they do not know what the work 'fog' means.

A Member: That is right.

Mr Singer: But if I could ask the minister, because he did refer to the installation of this equipment because of recommendations because of two particular incidents, which I understand were the same particular airline, which was Emerald Airways, on their approach to this Island. Now, the concern that I have is why the two events should have been both Emerald Airways planes, and I would ask him, were any other planes experiencing similar difficulties and, if not, does he know the reason why Emerald Airways should have experienced these difficulties? It does worry me that it was just one airline and no other airline had these difficulties. But, even so, I do fully support this because for any safety measure of aircraft coming into this Island it is important that we do our very best.

The President: The minister to reply.

Mr Brown: Thank you, Mr President. Just to answer the last question first about the incidents that happened, again I would just make the point that the incidents have been fully investigated by the Air Accident Investigation Branch, which of course is the UK authority which investigates anything to do with incidents to do with aircraft where they are reported, and those incidents were reported by ourselves and in fact were a result of the introduction of the secondary radar, which for the first time enabled us to actually identify the height of the planes which had not been available before, and it is like anything: the more you improve technology the more you find problems, and the more you advance equipment the more you can identify problems, and therefore, however small the problem is, the more sensitive the equipment, then you have got a problem because you have identified it. So what happened is that when the secondary radar identified this, of course, because of what happened, it was reported to the CAA and then the investigation branch came in. They have in fact altered procedures because they used to step the planes down to get down to different altitudes and now they actually come in on a more gradual lowering of the aircraft coming into the airport.

It is not just with the one airline that the problem has been identified, and you may also remember that there was an actual private plane crashed up at Cregneash, and that was partly for the same reason, I should say, where the person landing had got 'out of click' in terms of how they were landing and they suddenly ran out of space; luckily they were unharmed. So there has been a problem there. What this will do is actually provide additional electronic equipment for pilots so they can check their height and check that what their aircraft says and what the ILS says is in fact the same so there is no problem.

As far as the point made by the hon. member for North Douglas, Mr Houghton, and about landing in fog, I think you will find that in any airport where there is fog as against low cloud, and even low cloud if it gets below a certain height, even with equipment you cannot

land an aircraft, and that judgement is made by the pilot. He will say, 'I am not going to land here because in my opinion the risk is too great even with the assistance of electronic equipment' et cetera et cetera, because I understand they still want to get to a level where they can at least see the runway and so on. So there are occasions where they will not be able to land in fog. I have to say, contrary to what is perceived, that in fact there are very few occasions in the year when Ronaldsway is closed because of fog. It is either two or four times a year depending on the weather. *(Interjection)* Let us hope it does not close in this month. But there are occasions, and we accept that.

What this will do, though, is improve the ability of the pilots to land when the cloud level is down to a certain height, which at the moment they may not feel is appropriate to land, and I would just refer back to the point I made before. There is in fact an ILS already on the direction to which the planes land on most occasions anyway. This is to cover on the occasions where they have to come in across Castletown as against coming in from the sea.

I hope that has responded satisfactorily to the members and I beg to move.

The President: Hon. members, the motion is that printed at 18 on your order paper. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

Radioactive Pollution – Cessation of Nuclear Fuel Reprocessing – Amended Motion Carried

The President: Now, hon. members, as you are aware, we cleared the items preceding item 35 yesterday afternoon, so we turn now to item 35 on your order paper and I call upon the hon. member for Douglas East, Mrs Cannell.

Mrs Cannell: Thank you, Mr President. I beg to move:

That this Court -

(1) notes that -

- (a) reprocessing of spent nuclear waste fuel is a major source of radioactive pollution;*
- (b) the UK has ratified the OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic;*
- (c) as a consequence of the ratification, the UK Government is required to work towards achieving within the marine environment the elimination, or at least substantial reduction, of discharges of pollutants by the year 2000, and of concentrations of pollutants by the year 2020; and*
- (d) Ireland and Denmark have submitted draft decisions to the annual meeting of the OSPAR Convention to be held in Copenhagen from 26th to 29th June calling for a suspension or cessation of the reprocessing of spent nuclear fuel;*

(2) is of the opinion that it is unacceptable for the Manx coastline to be polluted by such reprocessing at Sellafield; and

(3) therefore joins with Denmark, Ireland and others in calling for an end to such reprocessing and requests the Isle of Man Government to transmit this view to the UK Government before 26th June 2000.

Mr President, OSPAR, or the Oslo and Paris Convention, is the international Convention for the Protection of the Marine Environment of the North-East Atlantic. The next full meeting of the OSPAR commission takes place next week, June 26th to June 30th, in Copenhagen. The contracting parties are Belgium, Denmark, Finland, France, Germany, Iceland, Ireland, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, the United Kingdom and the European Union. This meeting is expected to mark a milestone in the long battle between the countries which reprocess their nuclear fuel. Denmark, Iceland, Ireland and Norway and others have submitted resolutions calling for a suspension or cessation of reprocessing.

At the centre of the controversy will be whether or not the United Kingdom has lived up to its commitments it has made to previous OSPAR meetings. Sadly I believe that the United Kingdom has failed to meet those commitments. In 1998 in Cintra, Portugal, the OSPAR ministerial meeting welcomed the commitments made by the United Kingdom with regard to discharges of radioactive substances. Now, these commitments included an agreement to, and I quote, 'work towards achieving further substantial reductions or elimination of discharges, omissions and losses of radioactive substances by the year 2000' and an ultimate aim of achieving, and I quote, 'concentrations in the environment near background values for naturally occurring radioactive substances and close to zero for artificial radioactive substances by the year 2020.'

The vast majority of radioactive discharges into the north-east Atlantic come from reprocessing operations at Sellafield in Cumbria or Le Hague in France. However, progress since 1998 has been painfully slow or non-existent. The United Kingdom has approved a new variation on Sellafield's discharge authorisations which allows discharges to sea to continue as before and aerial omissions of some radioactive substances to actually increase.

The United Kingdom Government has stated that it will publish a national strategy for discharges of radioactive substances covering the periods between 2001 to 2020 before the end of 2000. After a full public consultation, however, the consultation document has yet to appear. Meanwhile, the Isle of Man relies upon the United Kingdom Government to speak on its behalf at the OSPAR convention. Can we really rely on fair representation when the United Kingdom has a vested interest in keeping Sellafield alive for business?

During a recent visit to the Isle of Man from Lord Bassam, who assumes responsibility for our affairs, we, along with the Council of Ministers, impressed upon him the necessity for the Island to have its own voice at the OSPAR convention. The best assurances he could give at that time was to ensure that the United Kingdom officials attending OSPAR would ask the Isle of Man for a brief before attending the convention. Now, to my mind this implied that the United Kingdom did not in the past request a brief from the Isle of Man, so who is representing who?

The purpose of this motion is to express in the strongest possible terms the Island's stand with regard to the operations at Sellafield. If supported by the Island's parliament as a whole, I believe it will clearly demonstrate our objective and may help force the hand of the United Kingdom Government equally. I believe that by copying our resolution, if supported today, to OSPAR or at least to Ireland, our closest neighbours who will be in attendance at this convention and, I feel sure, would speak up for us, we will secure a stronger position for the Isle of Man. I believe it is time we began working closely with our allies such as Ireland and

others, for we share a common goal in seeking the cessation of the operations at Sellafield. I beg to move, sir.

Mr Quine: I beg to second and reserve my remarks, sir.

Mr Gelling: Mr President, I have an amendment which I would wish to be circulated to this motion which does not seek to change what is being proposed but which I would think would actually add weight to it.

The Council of Ministers fully supports the proposal that our support for the Irish and Danish Governments be communicated to the United Kingdom Government. What the amendment seeks to do is firstly to place the proposal in the context of the long-standing policy of Tynwald and the Council of Ministers to seek the closure of Sellafield, and secondly, to recognise that this move is just one part of a whole series of representations which have been made over the years on the subject.

The policy of seeking the closure of Sellafield was determined by resolution of this Court in July of 1986. Since that time the subject has, I believe, been included on the agenda for every official visit to the Island by a Home Office minister, and at every such visit our concerns have been expressed and our policy restated.

In addition, as and when appropriate occasions have arisen, we have made written representations on matters concerning Sellafield. These representations may have been made in response to reported incidents or development proposals. Our purpose has always been to maintain the pressure of our cause and to take advantage of every opportunity to press for closure or even more rigorous controls.

I have also circulated a note which demonstrates what we have done over the last 12 months, and it refers to the meeting we had with Lord Bassam which the hon. mover has spoken of, and there are five letters written on various Sellafield-related topics. These are not matters which routinely get into the public domain but it is useful in the context of this debate to put them before members to demonstrate the continuous commitment we have had to that 1986 policy.

The OSPAR convention meeting later this month is the latest opportunity we have to make further representations and we will not miss that opportunity. Whether the initiative being taken by the Irish and Danes at OSPAR will lead to the result we seek remains to be seen. We should not, perhaps, expect too much, but it is a part of the long-term international campaign for the closure of Sellafield and we should associate ourselves with it.

So the OSPAR meeting is just the latest in a long line of opportunities that we have had to make our point about the closure of Sellafield. We should take it and recognise that our representations are founded in the 1986 resolution of this Court and that our representations are part of a long list of ongoing representations, part of a long-term and, we hope, ultimately successful campaign.

Mr President, the circulated amendment unfortunately in (3) states that we should transmit to the United Kingdom Government before 20th June. Now, that will be rather difficult so, with the Court's permission and your permission, that should of course be the 26th, which is following the motion that is on the paper. So, I beg to move that amendment circulated in my

name with that change, if it is possible for that to be done, Mr President, that '20th' should read '26th.' I beg to move:

For the words after 'Court' substitute -

- '(1) reaffirms the resolution of this hon Court at its July 1986 sitting to seek the complete closure of the Sellafield Nuclear Facility;*
- (2) acknowledges that representations have been made to visiting United Kingdom Government Ministers and to the United Kingdom Government at frequent intervals over recent years in support of this policy; and*
- (3) agrees that the Council of Ministers, in support of the established policy, transmit to the United Kingdom Government before 26th June 2000, that this hon Court endorses the calls of Ireland and Denmark for the suspension or cessation of the reprocessing of spent nuclear fuel to be made at the Annual Meeting of the OSPAR Convention to be held in Copenhagen from 26th - 29th June.'*

Mr Gilbey: Mr President, I beg to second the amendment by the hon. Chief Minister. I am sure that this hon. Court is totally familiar with the established policy adopted by the Isle of Man Government with regard to Sellafield and its operations following a Tynwald motion in July 1986 which I well remember. In short, the Isle of Man Government is totally opposed to all the activities at Sellafield on safety and environmental grounds. The Isle of Man, together with Ireland, Denmark and others, wish to see an immediate halt to reprocessing, and at the Copenhagen meeting of OSPAR in June, Ireland and Denmark will, as the Chief Minister has intimated, be tabling papers asking for support to halt all reprocessing immediately.

The Isle of Man Government has asked the UK Government for independent participation in OSPAR in order to convey this government's views on Sellafield in the OSPAR forum. Such participation has sadly, and wrongly, been refused by the UK Government on the basis that the UK Government represents the Isle of Man at OSPAR. I am sure that all hon. members will support my view and that of the Council of Ministers that the UK Government is under an absolute obligation to put the Isle of Man's dissenting view to the OSPAR commission.

On 13th June this year, the Chief Secretary submitted a further request to the Home Office asking for a divergent view to be registered with OSPAR on the Island's behalf through the UK delegation, and we still await a reply to that letter. It is, of course, totally outrageous that they should say that they represent us in foreign affairs et cetera and then not represent our interests when those interests may clash with their own. Of course, the best policy would be for them to let us have representatives present who can state our case loudly, clearly and without any bias, and the second best one is, of course, for them at least to have the decency to say that although they follow one policy they also represent the Isle of Man, and the Isle of Man's views are different to their own.

I therefore strongly support the Chief Minister's amendment and hon. members can be reassured that the Department of Local Government, through the public analyst's division, will continue to monitor all Sellafield activities and will take further opportunities to represent the Island's interests.

Mr Downie: Mr President, I just want to put on the record today that I fully support the amendment moved by the Chief Minister and, with no disrespect to the original mover, Mrs Cannell - I do not want to take anything away from her either - I think in supporting the amendment of the Chief Minister it does give an opportunity to put the entire Court and the government view behind this particular issue.

Now, I am maybe in a slightly different position from other members: I have on three different occasions represented the Isle of Man Government and taken part at meetings on Sellafield. I have a reasonably good idea of what happens within the plant. I understand the waste system over there and how it works. I have also been very privileged to represent the Isle of Man with the former Minister of Local Government and the Environment, Mr Quine, at discussions with our counterparts in Dublin in the Irish Government, and we are of the opinion that the activities of Sellafield should cease forthwith. However, in moving the argument or the debate on a little further it should be borne in mind that not only does the site at Sellafield have a reprocessing aspect to it, it does actually have within its confines a large area now where materials are actually held on the site, and the new vitrification plant allows materials to be stored under water and, to be quite honest with you, what concerns me is that the technology for the eradication of the atomic pollutants and the waste pollutants, the caesium and the technetium and the strontium which is present, has yet to be developed, and I think that pressure must be put on the UK Government if they are going to move away from atomic energy, and we have seen a recent situation develop in Germany now where they have given a commitment to close all their nuclear plants within the next 25 years. I think we have got to continue to put pressure on for the UK Government to come up with a solution that will eventually be able to deal with all this waste and make sure that, if it is to be stored, it is stored in a very safe environment indeed.

Also on site at Sellafield is the decommissioning of the Windscale plant, and we know that materials are taken from Dounreay, which is also part of that plant being decommissioned into the Sellafield area, so there is a lot of activity going on, but I would urge hon. members in supporting this not to start any hares running in other directions, because I want to put on record today too that all the shellfish and the marine life in the seas around the Isle of Man is very, very, carefully monitored. There are samples going on a regular basis both to the marine laboratory locally and to Aberdeen and there is nothing in the sea life that is considered to be hazardous to health. We know that technetium appears from time to time and is apparent in lobsters but you would have to eat somewhere in the region of 250 in a day to have any detrimental effect on your health, so it is important that we do not set hares running in the wrong direction. By all means, let us push and push together for the closing of Sellafield and to make sure that all the activities that are currently carried on in that area cease as soon as practically possible. Thank you.

Mr Duggan: Mr President, I support the resolution before the Court, sir. What I would like to just touch on is the high cancer rate on the Island. There seems to be a higher rate than the national average of 20 per cent. I know in 1991 the Isle of Man Health Services had a review, 'Cancer on Mann', by Liverpool University. I am looking to the Minister for Health and Social Security now and to ask her, is there any update on these figures? It is a long while since 1991 and we could do with an update on these figures if possible.

Mr Singer: Mr President, the policy of this government and its parliament is to see the total closure of Sellafield. We have heard today from Mrs Cannell - and I am sure she is correct - that the British Government are bringing forward new plans for Sellafield, and have no intention of closing Sellafield and therefore our views are totally opposite to those of the British Government. And therefore I fail to see how we can possibly rely on them to stand up in a public forum and present our case fully for the closure of Sellafield. I can see them standing up and saying 'Oh, by the way, the Isle of Man does not agree with what we are doing,' full stop. That is not going to present our case to anybody, and it does not matter how many times we have spoken to Lord Bassam and whatever message Lord Bassam has passed on to the British Government, if the British Government do not agree with us - and they do not agree with us - they are not going to fully represent our views. Therefore, in my view we have to align ourselves with people who support our views and we know will present our views. The two countries we know of in this particular case are Denmark and Ireland.

We have heard - I think the Chief Minister just said - that we have asked to be represented at OSPAR. We have asked the UK to seek our representation and they have totally refused this because they know quite well that it would be an embarrassment to them for the Isle of Man to stand up and oppose the British Government policy, and therefore I would say to the Chief Minister that I think that this amendment is extremely weak; It does nothing to make sure that our opposition to Sellafield at the OSPAR conference will be aired at all, and I would ask the Chief Minister either that we send a direct letter to OSPAR from this government or else, if we send the letter to the British Government, we ensure that copies of our opposition go to the representatives of Ireland and Denmark, because otherwise we know from the British Government's previous decisions and their previous actions that we will not get any representation of this Island's views at the OSPAR Conference.

So I would ask the Chief Minister first of all - well, certainly if he wishes me to support this - that I am aware that the other countries, Ireland and Denmark, have copies of our letters of opposition to the continuation of Sellafield as a reprocessing plant. Thank you.

Mr Quine: Mr President, I think the Court is largely at one in wanting to make its point to OSPAR, and it is really a question of how we best position ourselves to make that. The first point I would like to make is that in the discussions which we had directly with the Irish Government some, I suppose, 18 months or more ago now - probably more, probably two years ago - the Irish Government made it quite clear to us that they were looking for the Isle of Man to lend their support, and I think, although they recognised the difficulty, they found it somewhat difficult to accept that we were prepared to simply sit back and send letters to the Home Office. They felt that this was such an important issue that we should not leave it there, and they were looking for us to lend our support in a more open and positive fashion. So I have no doubt at all that if this resolution is passed today, and I feel sure it will be, it will send out a message of encouragement to, in this particular case, Denmark and Ireland, who have been left to make the running for us, because the UK have not made the running for us and they have no intention of doing so. It will send out to them some encouragement to carry on with this and it will certainly ensure that we have better representation than we have had hitherto.

We are in a difficult situation. It is a constitutional position and I recognise that, where we have in effect to subordinate ourselves to the wishes of the Home Office, and I know when I

spoke to Lord Bassam the point that I made to him is that if we have a position where the UK Government's interest is different from ours in respect of any international representations, then we should be allowed to have a right of appearance whether it be as an associate capacity or whatever, but we should be allowed to be present and to put our case directly to that body and not be left in a situation where we have to rely upon the Home Office getting up on the one hand and saying 'No, we are not going to close Sellafield. We are not going to comply with these motions' or 'We are going to stretch this out as long as possible' and at the same time saying, 'We note the Isle of Man are not happy about this'. I think the Manx people expect more than that from us.

Looking at the two motions which are on offer to us here, I have to ask myself, in substance, what is the difference? And it appears to me - and we have not had a great deal of time to look at them, of course - that there are two points that I would make. First of all, the amendment puts the accent a little more onto the efforts which the Isle of Man Government have made to date. Well, I have no objection to that. I know those efforts have been made, we know those efforts have been made and that creates no problem in my mind, but I think the weakness in it is that it plays down the UK failings, and that I am not happy with. The only way we are going to get anywhere here is by making sure that those failings, those shortcomings, are to the front and are matters of public notice, and I believe that this amendment, while it may be viewed by the Council of Ministers with good intention as being a more political approach to it, I do not think it carries the same message. And just going off at a parallel to that, the Chief Minister, in fairness to him, has not criticised what is the substantive motion, so I do not think he has any great worry about that, but to my mind the motion on the agenda sheet more fully and more effectively expresses our concerns. It sets out the story. It can stand alone and be understood alone, whereas what is in the amendment, quite frankly, does not quite achieve that.

So assuredly I would rather see the amendment pass than nothing at all pass here today, but I would ask hon. members to give serious consideration to the substantive motion, because I do believe it is superior and it will be better received in the international forum and better received by the Manx people than what we have in the amendment, but I am pleased that the Council of Ministers are prepared to go as far as they have indicated they are prepared to go, but I would appeal to the Court: let us send the right message; let us send the strongest message. Let us seize this opportunity and tell the UK once and for all, if they are not going to represent us we will have to appeal to others to represent us, and perhaps then we will get them coming back to give serious consideration to the point and the request that we have made to them, and that is that in international forums, if your position is different than ours, where we are directly affected such as this situation if you cannot represent us we must have a right to be present and make our case.

Mrs Hannan: Eaghtyrane, I have, like the previous speaker, some concern with regard to the amendment. However, the amendment does have an added advantage in that it invites the Court to reaffirm the resolution of this hon. Court (**A Member:** Hear, hear.) at its July 1986 sitting to seek the complete closure of the Sellafield nuclear facility, and therefore I think that is an added advantage to the motion that is on the agenda paper, because we are reaffirming that position. Yes, we have had that position for 14 years and I can remember the day on which it was voted, and some of the people in the public gallery were also in on that occasion,

and it was a great joy to us to have succeeded over what seemed like a long time to get Tynwald Court to agree to this sort of resolution. So I would hope that members will reaffirm it today.

The only problem that I see is that it endorses other than the position of Ireland and Denmark as opposed to the motion on the agenda paper which states that we join with Denmark and Ireland and others. So it is a matter of terminology. Yes, endorse and 'joins with' - 'joins with' seems to be more positive as far as I could see, but if we are going to get support off the first part of the amendment then I will accept the 'endorses', the calls, so that this is acted upon, but I would like to ask if we are going to have observer status at OSPAR, because I believe that being there to speak on our behalf or being there to seek the United Kingdom to put our case or putting our case to Denmark and Ireland is well and good, but I really think that we should be looking for membership of OSPAR and if the UK are saying they are going to represent us at these they should not be afraid of us representing ourselves, and in the interim I would hope that we can get observer status. What would anyone have to hide from us having observer status at this OSPAR convention held just next week? I would hope that the government, if we support this today, will make urgent representation that we have observer status at this convention and do not take no for an answer.

Mr Henderson: Mr President, I rise to support the substantive motion on the paper today for several reasons, the first one being that one of the first issues I raised upon election was the issue of Sellafield, which is in line of sight of this Island on a good day, only a few miles away. I classed it as a time bomb ticking away and I do not think I am far wrong in that, especially in the light of all the safety risks that have been flagged up in the recent past, not least of all the difference of opinion over papers and what processing is taking place with what matter and all that went with that, which puts the acute highlight on the whole thing, really, that the operation is not as safe as they would like and, basically, if anything goes wrong we are not very far away, and that is the premise where I come from, really. If I cannot underline it any more seriously, all we have got to do is look at what happened at Chernobyl a few years ago and what are still the effects now. We are still suffering from that. I know people say that they are operating within the safest of guidelines, the safest of standards and there is this, that and the other, but nobody can stand up and give an honest remark to the public to say that it is completely safe. No government can do that, because we know in our hearts it is not and certainly exposure to radiation has proved otherwise in more cases than not.

So here we are with this particular motion before us. It is one that I see, certainly the issue of Sellafield, as a national and strategic issue which, to me, has sadly taken a back seat more often than not, and it only seems to come to the fore at times when accidents happen, and then the press headlines arise and all the rest of it. What I would like to see is that this issue should be progressed as a determined, persistent campaign by our government and, yes, I accept that the Chief Minister has sent some briefing papers round and there are letters and so on and that the government has made its objections. Now, that is fine, but I would see that it is now time to change gear, several gears, and have this as a determined, persistent campaign by the government and nothing else, and this motion goes some way towards that.

But having flagged up the dangers, as I see it, and why we should be progressing the issue and supporting this resolution, the amendment by the Chief Minister is fine but I could

not express my feelings towards the Chief Minister's amendment any clearer than the hon. member for Ayre has already done.

What I would say is that the hon. member for East Douglas, Mrs Cannell, has spent a lot of time preparing this and has brought this work to this hon. Court this morning, and what I would hate to see is some of the credit for producing the motion on the paper to dissipate and be superimposed by something else. Now, that cannot be fair. I have seen that happen before in this hon. Court and the last thing I want to see now is for the hon. member for East Douglas to lose some of the momentum that she has generated here and I think that it should be noted that it is Mrs Cannell, the hon. member for East Douglas, who has brought this motion to Tynwald and it is because of that that we have this debate, and it is because of that that we have this amendment here. There would not be an amendment from the Council of Ministers if this motion was not here. The subject would have not have had the airing it has and it has refocussed and rehighlighted -

Mr North: No, it has not.

Mr Henderson: - issues of very great concern to the people of this Island. So, having said that, I would support the substantive motion, recognising, though, the merits of the Chief Minister's amendment. Thank you.

Mr Braidwood: Mr President, I have no problem in supporting this substantive motion and I have no problem in supporting the amendment. It has been the policy of this government to oppose all reprocessing at Sellafield since 1986. I can understand some of the points raised by the hon. member for Ramsey when he says in the last paragraph of the amendment it slightly weakens the substantive motion, but I can concur with him that copies should be sent to the governments of Ireland and Denmark.

I was also fortunate enough to accompany the former Minister for the Department of Local Government and the Environment, the hon. member for Ayre, Mr Quine, to Sellafield and to Dublin. After the Sellafield visit he was interviewed on television and there said that the Isle of Man Government were totally opposed to the processing at Sellafield. When we were in Ireland the minister brought up to the minister in Ireland for the Isle of Man to have, initially, Ireland to sponsor them for observer status at the OSPAR conferences and also that they would support the Isle of Man in seeking full membership so that they would be able to represent themselves.

I think it is very important that we are able to speak our own mind and not through the UK Government and through the Home Office, and I think this was put quite succinctly the last paragraph of the letters which have been circulated by the Chief Minister, and I thank him for those letters, and this was for 24th February. The last paragraph states, 'This letter is the latest in a long line of communications from the Isle of Man Government addressing concerns at the Sellafield site. The Isle of Man Government is in no doubt that the United Kingdom Government and its regulatory bodies remain, and have been for many years, too close to the nuclear industry to have any real objectivity in safeguarding the safety of the public and the environment.' That puts it in a nutshell and therefore, as I said previously, I have no problem in supporting the amendment or, if it came to it, the substantive motion.

Mr Lowey: Mr President, 24 years have gone since we actually first moved in Tynwald, which I had the pleasure of seconding, the resolution moved by the then Mr Speaker and

latterly President of this Court, Sir Charles Kerruish, and I have to say really, have we really advanced any since then? We have talked about the dialogue with the United Kingdom. There has been a dialogue of the deaf and it has not been the Isle of Man that has been deaf. I have spoken, like lots of other members, with secretaries of state. I can remember Mr Hurd; I can remember Mr Howard; we have not had the pleasure of Jack Straw yet but we have had lords-a-leaping and ladies-a-leaping. (*Laughter*) I can rattle them off - Lords Williams, Bassam, Lord Ferrers - he was a character - and Lady Blatch and others who have come.

Mr Downie: Baroness.

Mr Lowey: Baroness, of course. Well, whoever they are, they have all come, they have all smiled, they have all listened, they have all nodded and gone away, and we have still got the letters which we have had circulated by the Chief Minister in the last 12 months, and really it has been a dialogue of the deaf. Now, I think the UK would even expect us to get a little angry after 24 years and after being polite, and still they have carried on their own sweet way. If that is not a signal of their inability, or their unwillingness at least, to do something, then I do not know what is.

Now, the resolution on the order paper, as far as I am concerned, I would have supported and will support without any digression at all, and the Chief Minister's - I have to say I find no difficulty with that either again, but I do take on board and I actually had down to say the very things that the hon. member for Ramsey, Mr Singer, had about sending copies to Ireland and to Denmark in advance. I understand the constraints about our international relations. There is no case whatsoever why the Isle of Man should not have observer status at these. We have observer status at other international conventions. We have them at the ILO, and I am sure there are others where we are represented. There is no case at all legitimately that can be put up against that, and even at this late stage I believe that instead of sending another letter - you have all got copies of the letters - I know there is protocol when we write to these people, but when you start ending your letters by saying you will remain 'Your Obedient Servant' I think they take it literally! (*Laughter*) Now, being polite and nice has not gained us any support. Then isn't it about time we just rattled the cages a little and said, 'Sorry, we will be sending an observer. Will you make the arrangements or will we?' And I do think that the message should get out again that we are far from satisfied with what is going on at Sellafield, and I am not going to recite the litany of mistakes. We get no advantage whatsoever from that, but we get all the disadvantages however you want to describe them, and therefore there is no, in my view, case to be made for it being left open.

I just ask that in this Court now the worm needs to turn. I think we do need to rattle a letter. Please do not put 'Your Obedient Servant' on the next letter, Chief Minister, but do say, 'We will expect to have an observer there, and will you make the arrangements or will we?' I would urge the Court to support either the resolution . . . And I do hope we do not get into the situation in the Court today to say that because the hon. member for East Douglas has got this on the agenda, therefore we must not take anything away from her. I think this issue is too big for individuals (**Members:** Hear, hear.), it is the issue for the Isle of Man, and I do believe the Council of Ministers on this occasion do not go fully for me, but I think it is worth supporting. It is six of one, half a dozen of another, and I will vote for both, because I think both are well intentioned, both are singing from the same hymn sheet, and we should not divide amongst

ourselves on the issue. As far as I am concerned, as I said, I think the Isle of Man has been too quiet and too acquiescent for too long.

Mr Brown: Mr President, this is an important issue for the Isle of Man and has been for a long, long, time. We have never received benefit from Sellafield in terms of any benefit from the processing that they do and - (*Interjection*) Well, that might slightly change indirectly because of moves that have been made, and my views were made know on that in terms of the cable anyway, that I felt that was a concern we should keep up front. I have no problem, like others, in the hon. member raising the issue and I think there is often a problem for government in itself, when it has a policy of Tynwald, to just suddenly come back to Tynwald and say, 'Oh, yes, we reaffirm that policy' because the policy is already there, and therefore I do not have a problem that this is giving an opportunity for us actually to revive part of the debate about Sellafield, and I think from that point of view the hon. member for East Douglas, Mrs Cannell, has provided that opportunity and that is fine, it is a service to the Court.

What is then important, and very important, is that the message that goes out is the right message, and I do not think we should lose sight of a number of important issues on this. The Isle of Man has opposed for decades now any development of the Sellafield reprocessing plant. The Isle of Man Government and Tynwald Court were the first country in the world, I think, to call for the closure of Sellafield. It was about two or three years after that that Ireland came in and said, 'Yes, we now want it.' So the Isle of Man was ahead saying, 'There is no benefit to us; we do not want Sellafield. We want it closed,' and that is something I think we should all be very proud of, because at that time it was a very important decision but also it was actually quite a difficult one, because there was the danger of being accused of coming up with something that had no merit, was not going to go anywhere. Realistically - and I do not think this has been argued by government or anybody else in this Court or others - we all know and have always known that the United Kingdom Government cannot honestly and effectively represent the views of the Isle of Man Government on this issue because it has a major vested interest. We all know that. All we can do, though, constitutionally is formally write and put our concerns and speak with, as we have over the years, the United Kingdom Government and their representatives to make it clear that we continue as government and as parliament of the Isle of Man, representing our people, to call for the closure of Sellafield. That is fine and I think we need to do that, and it was interesting: I think it is worth just reflecting on the actual motion that was passed by Tynwald Court in 1986, because whilst I can understand some of the concerns members have raised about the amendment and so on, I have to say I do believe that the reaffirmation of our original vote and policy of this Court is actually a very important component of portraying to the United Kingdom, and, I believe, by correspondence with Denmark's Government and with the Irish Government - and the Chief Minister, I know, has no problem with that - we should make it clear to them that this is the Isle of Man's stance and that we have a difficulty because we have to rely on the UK for our international affairs. And we will continue, as the Minister for Local Government and the Environment has said, to actually try to get a way through that; we continually do it. But I think it is important just to reflect on the motion that was passed quite substantially by Tynwald Court in 1986, and the motion that was passed said, and I quote, 'Now, therefore, Tynwald resolves that - (1) it expresses its regret at the failure of Her Majesty's Government in the United Kingdom to recognise and give effect to the reasonable policy of the government of this Island as determined by Tynwald on 11th December 1984;' - that was an earlier one, as members will

note - '(2) it accepts the lack of success of the Isle of Man Government's current policy to obtain zero emission discharges by December 1986; (3) compensation be sought from the United Kingdom Government against damage by implication to the basic industries of the Isle of Man; (4) consultation be instituted with regional authorities around the Irish Sea to co-ordinate future policy; (5) the advice of the Commission of the European Atomic Energy Community be sought concerning the standards of operation at the establishment; and (6) because of the recent events which have illustrated the considerable dangers to the Island which can emanate from a plant such as Sellafield it requires the Governor in Council to seek as government policy the complete closure of the said establishment'.

Now, I think those were all very important, and it is interesting that after that, as members may recall, we set up the Irish Sea Forum, we promoted with those local authority areas around the Irish Sea, including Ireland, the importance of endeavouring to pursue a policy of seeking the closure of Sellafield, and I believe a combination of those forums, direct meetings, certainly when I was Minister of the Local Government and the Environment, which I know happened with my predecessor, the hon. member of the Council, Mr Delaney, when he was minister and the minister after that and so on and so on right up to date - there have been meetings with UK ministers, with Irish ministers and of course between the Chief Minister, and every time, I think it is fair to say, when we meet the minister from the Home Office, this issue is raised because it is important. It is very important to us because there is no benefit to us for this establishment to remain open. Therefore I think what we are all trying to say is the same thing, but making sure that the message that goes to the UK is the strongest message we can give, and using people as allies, the Irish Government and the Denmark Government, as a direct forum to get our message over because the difference of interest is very important, so I think that is fine. We just have to recognise that constitutionally we have a problem and we have to try and find a way around that, and I believe that this motion has given an opportunity for that and the amendment will actually strengthen the way forward on that.

I would again say, we have not had a back seat operation on this. It has been very active in the minds of government and in members. It has often been raised by individual members when they have the opportunity, and by government itself, so I hope that we can give the strongest message we can and that we pursue it as best we can and that we try to see if we can get observer status, and I do not know the answer to that. But more important is to keep going at it to eventually get our own right to be there to actually put forward the Isle of Man's case directly to the convention so that we actually are in a stronger position so we can say what we think because we have no direct interest.

I hope members will support the amendment because I do not think it detracts at all; I think it actually helps strengthen, because the important bit in it is the reaffirmation of our existing policy which I think is very important, and when I say 'our policy', I mean Tynwald Court's policy.

Mr Waft: Mr President, poor old Lord Bassam is getting the blame for some things, but it is not only him, it has been all the successive Home Office ministers who have attended the Island on regular occasions, we see them on regular occasions, we make the same plea to them and I am afraid that that is the end of it.

I appreciate that the work has been done by the Council of Ministers and the correspondence that has taken place over the many years with regard to Sellafield. Members

have asked questions from time to time, successive questions. I am a bit concerned that perhaps we should not discuss this to start hares running, and that is not the case at all; we are not starting hares running, we are trying to get forward the policy of the Isle of Man and see an end to it. I think residents of the Isle of Man see continually on the television the problems at Sellafield that have happened time and time again. We have heard the ex-minister from DoLGE this morning saying he has no faith in the United Kingdom ministers putting our case to OSPAR, so if the ex-minister of DoLGE, who is more perhaps au fait with these things than most because that is the department which perhaps looks after our interests through Sellafield and what is happening there, then we should be taking notice.

With regard to OSPAR, I hear successive people saying that the United Kingdom are not making representation on our behalf. Well, I am just wondering, aren't there any minutes of OSPAR? Surely somebody must have some minutes somewhere to hear what the United Kingdom have said on our behalf and, if there are not, we should find out. What have they said on our behalf? Nobody apparently seems to know, because there is a divergence of opinion coming through that we are not being represented, and if we are not being represented - and it does not look as though we are by the sound of things - who has direct responsibility for telling us what they have actually said on our behalf and where the minutes state what they have actually said? That does not seem to be appearing anywhere, so it is of concern. I am a bit concerned that we really have not got a health audit of the Isle of Man; it is the situation with the Island, and now and again we do hear about these cancer scares and, quite honestly, I think the medical officer of health would tell you that the investigations have not been done and we have been reliant on Merseyside committees to decide on what is happening in the north-west area with regard to cancer clusters, et cetera. So I think we should perhaps be looking at some way forward on doing a health audit on the Isle of Man.

If we find that we are not getting the support we should through OSPAR, then we have to look in other directions, and all this motion does is say, as far as I can see it, 'Right, let us join together with Ireland and Denmark. Let us at least tell them what our situation is' so when they do make official representations, they can mention that Isle of Man as well. It might help their case, I do not know, but at least they would be made aware of the concern of the Isle of Man and the concern of the politicians on their behalf, so I do not see any problem with that at all.

I always think the European Community who regulate these things throughout Europe, would always tell us, if we are having any problems in the Isle of Man, that we should put our act in order or our affairs in place with regards to a multitude of things on the Island. I think perhaps the European Union should be made aware of our concern as well and as many people as possible should be made aware.

I have no problem with the original motion. Thank you, Mr President.

Mrs Christian: Mr President, I do not wish to comment on either the motion on the order paper or the amendment; I think that the arguments in favour of both have been substantially presented, and it is simply for members to decide. Both essentially carry the same message, perhaps, with slightly different emphases.

What I do rise to my feet for is just to respond I think to the hon. member, Mr Duggan, who was concerned about cancer statistics and referred to a report of 1991. We do indeed have more recent cancer statistics for the Island. At this stage I have to add a caution from the

medical adviser in terms of interpretation of those results. The report which was issued in 1991 and any report which relates to a population of this size always carries comment upon it about the dangers of making comparisons on the basis of small statistical groups, so I think that whilst we can give you proved statistics, we have to be cautious about the way in which they are interpreted.

I do not have the statistics with me at this time. I can say that in some areas they do appear to be higher for certain conditions than they might in the North-West of England, and in others, possibly lower. I know that the concern in the Island is particularly about skin cancers. Now, what I would say is that we should be careful not to interpret these statistics without some sort of evidence as to the reasons for their occurrence. That is all I want to say; we do have statistics but caution needs to be exercised in the way they are interpreted.

Mr Karran: Eaghtyrane, I was just going to say that I think this debate is interesting, because I believe when I think of when I first came into this Court, there is a complete sea change of how things are, and I think it is wrong of some of the members. I can remember in this hon. Court how one stood up and complained about Sellafield and got such a back ripped out of me and 'How dare you destroy a £40 million pound industry of our fishing industry!' and 'How awful it is', and 'The man should resign' and all this. And how Sellafield - 'Oh, they gave us silver service; they are very nice, they are nice people.' So I think there has been a complete sea change as far as Sellafield is concerned. I believe there is with the government as it is at the present time. When I look back to when I first came in here and it was, you know, that bogey man, that terrible man saying these awful things about Sellafield. It was just funny how, on the 6 o'clock news after having the back ripped out of me from several members for daring to say anything about those nice Brits, Greenpeace had sealed off the discharge because they have proved that they were not consistent with the truth, and I think that is what you call it in parliamentary language.

But the fact is that the real issue we have to look at is our constitutional position. It is not a matter of cherry-picking and saying, 'The Brits will not look after our interests over Sellafield'; The Brits will look after what is in their interests, and if I was an MP in their parliament and I saw a big fat cat in the middle of the Irish Sea that I could take home to sort out my problems at home, then I would go after it, and I think we need to have a complete sea change as regards how we look upon the adjacent Island and dealing through the Home Office. That is what should come out of this debate today if nothing else comes out of this debate today. I think we are getting there. From one time we were almost the anti-Christ, daring to say all these awful things about the Brits and about British Nuclear Fuels and that they provide silver service to our members when we go over there, to today, as I say, one is seen as part of the establishment standing up here, saying that the government are going down that end. But I do think that is important.

The other issue that I would just like to say on this debate, I do not mind whose side and I think the point is that if we are worried about credit, as I say, some of us would be horse around here over the years on different issues. The only thing I really came to my feet for more than anything was that my minister has mentioned most of the things about cancer; I think we are all as committed as everybody else as far as cancer is concerned. It is a bit like pinning down jelly when you try and look at these cancer statistics which the hon. member has picked out, and the important factor is not just the fact that we are so small but it is the age

profile as well that is a problem, because obviously of our age profile over here, and cancer is a natural progression of old age, believe it. . . It sounds an awful situation: if you live long enough you will more likely end up with cancer. So the situation is we have to take that into account.

But I do think that it has been a valuable debate. I think the real issue has to go back to the Council of Ministers over our constitutional position, and I do hope that this encourages more members to have the backbone to say it is a constitutional issue. The British Home Office will look after Britain. We are not part of the United Kingdom, and the sooner we realise that the better, and I hope that, if nothing else comes out of this debate, that issue will, because there has been that tremendous sea change from years ago where daring to raise the subject was treason in this hon. Court. So I do think there is a commitment, even by the establishment within the Council of Ministers, to try and get something done.

The President: Now, hon. members, there is no right for the mover of an amendment under our standing orders to reply. However, it may be helpful to the mover of the original motion and in fact to the Court if in fact the Chief Minister was to respond on one particular item regarding the duplication of letters to other participating areas. Now, if the Court would like to hear that answer I would be prepared to permit the Chief Minister to make on that one point only. Is that agreed?

Members: Agreed.

Mr Gelling: Thank you, Mr President. I think it has already been said in the debate the way in which our case has been put. As it was said, Mr Quine as minister actually put the case of the Isle of Man to Ireland so they know fully well what the situation of the Isle of Man is. So I see no problem whatsoever in sending a copy of our letter to the United Kingdom to appropriate countries that you have mentioned, sir.

The President: I call upon the hon. member for Douglas East to reply to the debate.

Mrs Cannell: Mr President, I thank all those who have contributed. We had, in fact, 14 hon. members who have contributed to the debate today, and it is absolutely sure that every one has a very real, genuine concern about the operations at Sellafield, and I do appreciate all of the work that has been done by previous Isle of Man Governments in the past and previous hon. members in raising this issue, in getting a policy established for Tynwald in pursuing this cessation and the wiping out of the operations at Sellafield. That was a very courageous move, and members have been very courageous to keep moving and pushing and nudging the issue forward.

That being said, of course, we have an ideal opportunity at this particular convention to actually take a stronger, bolder step in joining with others. There is strength in numbers in relation to this and I think that is perhaps what we should be striving for. We have had a voice and the voice has been running for a long, long time, and there have been letters and there have been meetings with representative of the United Kingdom Government, but we need to be stronger. We need the strength of others with us; that is the purpose of the motion on the agenda today.

It is appreciated that there is a constitutional question in relation to whether or not we should be in a position or should be striving to make our own voice at the convention. It is

rather an interesting question because of course the same would apply to the Scottish Assembly, and I think it might interest hon. members to know that of course, when submitting this particular motion on the agenda, this was the position at the time, but I think it would be interesting for you to note that other countries, including the Scottish Parliament, have now made a very bold step towards the approach to OSPAR. And what has actually happened in Scotland is that there was a Scottish Parliament business bulletin issued on 5th June this year. It was signed and submitted to OSPAR. It was signed by Robin Harper, the Green Party; Tommy Sheridan of the Scottish Socialist party; Donald Gorrie, Liberal Democrat; Tavish Scott, Liberal Democrat; John McAllion, MP, Labour; Linda Fabiani, SNP; and there was also an official petition put together by the Scottish parliament which contains over 1,300 signatures which were collected in just two weeks; that has been submitted to OSPAR. There is an official petition that is going to OSPAR and it is signed by the Assembly. It reads, 'We the undersigned declare that the level of radioactive pollution on the Scottish coastline is unacceptable, and that the UK government has failed to meet its commitments under the OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic to work towards achieving substantial reductions or elimination of discharges by the year 2000. We support' - not endorse, but we *support* - 'efforts being made by Denmark and Ireland which have submitted draft decisions to the Annual Meeting of the OSPAR convention to be held in Copenhagen from 26th to 29th June, calling for a suspension. . . of the reprocessing of spent nuclear fuel. We believe that it is unacceptable to continue reprocessing at Sellafield in Cumbria or to re-start reprocessing at Dounreay and that radioactive emissions could be dramatically reduced by sorting spent fuel in above ground monitorable storage facilities. The petitioners request that the Scottish Parliament joins with Denmark, Ireland and others in calling for an end to reprocessing at Sellafield and re-starting at Dounreay. We request that the Parliament transmit this view to the UK Government before the annual meeting of the OSPAR convention on the 26th June.'

Now, members, this has come through to me; it has been discussed; the Scottish Assembly are going to submit that petition, that particular motion which has come before that Scottish Parliament, and they too had a dilemma in respect of the constitutional position that they found themselves in, which is not unlike the position of the Isle of Man. If the Scots can do it, the Isle of Man can do it. If the Isle of Man was the first to make its objection, then the Isle of Man has shown strength. Today the Isle of Man must show greater strength and join.

The only problem I have with the amendment submitted by the Chief Minister is that it is reaffirming all of the action that has already been taken to date, but I think hon. members today in this Court have satisfied themselves that action has been taken and that previous administrations and this administration have kept the charge going, and all due credit to them. But in paragraph 3, it is stating that the hon. Court 'endorses the cause of. . .' Well, we do not need to endorse their cause; they do not require our endorsement. What they require is our joining with them as one united voice that is going to be heard, and that is what I think we should be gaining for: one united voice. We need sometimes to join with other countries, other nations, to be strong.

I take the point that was made, a very, very valuable point, by the hon. member for Peel, Mrs Hannan, when she asked, are we to have observer status? I also take on the point made by the hon. member of the Council, Mr Lowey, and he said, 'We will have observer status. We

will tell them we are going; if they do not want to arrange it, we will do it.' I would agree with that sentiment.

But in respect of the question, I recall us putting this question to Lord Bassam at the last visit when hon. members were able to have a discussion with him about this and other concerns that they had, and we asked about having party status - 'Oh, no, you cannot.' We asked about having observer status so that we could see how the UK performs on our behalf - 'Oh, no, no, no, that would not be appropriate. What we can do, however, we will brief you, we will receive a brief from you before we go.' As I alluded to in my opening remarks, I was absolutely flabbergasted when I heard that - 'we will receive a brief from you' - and I thought to myself, 'My God, have they been going all these years to this convention without a brief from us? Have they never asked us? Have they just taken it for granted that we are calling for the closure and that was the end of it?' And so I was very, very disappointed, as were a number of other members.

On the issue of cancer, I appreciate the frankness submitted to the debate by the hon. health minister, Mrs Christian, when she spoke but with a word of caution. I respect that because I, too, have been looking to see what the latest statistic. are on cancer in the Isle of Man to see whether or not there is a relationship there in respect of the geographical location of ourselves along with Sellafield, and I have come across a report that was submitted by the previous director of public health in 1998 and they were crude figures, so please do not think that I am trying to be alarmist because I am not; they were very crude figures, the results of which could be for all sorts of reasons, because we have people come and settle on the Island late in life, people who perhaps were harbouring cancer before they came to live in the Isle of Man, so we have to be careful when judging the assessment of cancer, but the hon. health minister is correct: there is a high incidence of skin cancer in the Isle of Man; we do not know why. Liverpool University in 1991 alluded to all sorts of findings then and also expressed a concern about the closeness of Sellafield and maybe we should be investigating that. I do not know whether anything further was ever done, but in 1998 also the crude figures showed that bowel cancer was 50 per cent higher in the Isle of Man when compared to England and Wales, and also that male prostate cancer was 48 per cent higher in the Isle of Man compared to England and Wales. Now they were crude figures and we cannot be absolutely sure that it has anything to do with pollution from Sellafield or anything else in the Isle of Man, but it is a fact that they were higher; for what reason we do not know, and so that is where we have to exercise extreme caution.

I have no problem with the amendment but I really do feel that we have an opportunity, because the convention is about to take place and it only takes place every so often, that we cannot afford to miss. I would dearly, dearly wish that hon. members will want to join with others and that they will go and approve the item as printed on the agenda, because there is a little more strength in that than is in the Chief Minister's amendment. I beg to move.

The President: Hon. members, the motion before the Court is that printed at item 35 on your order paper, and to that you have the amendment moved by the Chief Minister and circulated to you on your white paper. I wish to make it clear that in fact the date, 20th June, will actually be altered to 26th June. Hon. members, those in favour of the amendment please say aye; against, no. The ayes have it.

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

In the Keys -

For: Messrs Gilbey, North, Sir Miles Walker, Messrs Brown, Houghton, Braidwood, Downie, Mrs Hannan, Messrs Bell, Karran, Corkill, Cannell, Gelling and the Speaker - 14

Against: Messrs Quine, Henderson, Duggan, Mrs Cannell, Messrs Shimmin and Singer - 6

The Speaker: Mr President, the amendment carries in the House of Keys, 14 votes in favour and 6 votes against.

In the Council -

For: Messrs Lowey, Radcliffe, Mrs Christian and Mr Crowe - 4

Against: Messrs Waft and Kniveton - 2

The President: Hon. members, with 4 votes cast for and 2 votes cast against in the Council, the amendment therefore carries.

I therefore put the motion as amended. Those in favour please say aye; against, no.

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

In the Keys -

For: Messrs Gilbey, Quine, North, Sir Miles Walker, Messrs Brown, Houghton, Henderson, Duggan, Braidwood, Mrs Cannell, Messrs Shimmin, Downie, Mrs Hannan, Messrs Singer, Bell, Karran, Corkill, Cannell, Gelling and the Speaker - 20

Against: None

The Speaker: Mr President, the House of Keys were unanimous with the amended motion, with 20 votes in favour.

In the Council -

For: Messrs Lowey, Waft, Kniveton, Radcliffe, Mrs Christian and Mr Crowe - 6

Against: None

The President: The Council being unanimous also as well as the Keys, the motion therefore carries, hon. members. We will now adjourn until 2.30. Thank you, hon. members.

The Court adjourned at 1.07 p.m.

Incineration – US Environmental Protection Agency Draft Report – Evaluation – Debate Commenced

The President: Hon. members, we have reached item 36 on our order paper and I call upon the hon. member for Douglas East, Mrs Cannell.

Mrs Cannell: Thank you, Mr President. I beg to move:

That this Court -

- (i) notes that it is claimed that a draft report of the United States Environmental Protection Agency suggests that dioxin is a 'human carcinogen' and links low-grade exposure to the toxic chemical component to a wide range of other health problems; and*

- (ii) *therefore, is of the opinion that no further action should be taken on the construction and commissioning of the incinerator for the Island until the report of the Environmental Protection Agency has been published, the government has had its conclusions professionally evaluated, and the results of the evaluation have been made available in a report to Tynwald Court.*

The United States Environmental Protection Agency report - a leaked draft of that was issued in May of this year. It caused quite some considerable concern across the globe, in every corner of the world. It has subsequently been officially released now as a draft report. The key findings, of which all members have been circulated with a copy - I hope that they have managed to be able to go through their copy - have outlined what the key findings in the report are. One of the major things that came out of that report was that the risk of getting cancer is 10 times higher than reported in 1994.

Now, in 1994, of course, they did mention that the risk of cancer from dioxin was probable, but of course this latest report further confirms that not only is it probable but the risks are actually 10 times greater. They further confirm that dioxins are carcinogenic to humans, providing potent toxic chemicals in the human body. They also criticise the absence of data on background levels - levels, that is to say, which are already in the atmosphere, the soil, the grass and the food.

They went on to list those affected by background levels that are now causing effects in children, such as learning ability, thyroid and liver functions, susceptibility to infections; all of these have been measured in children exposed to background levels of dioxin. In adults the report found that there were adverse impact on human metabolism, the reproductive biology. In men studies confirmed changes in reproductive hormones, which in common language means less male babies being born, and particularly so for the future; reduced glucose tolerance; changes in liver functions and diabetes; skin cancer; respiratory disorders et cetera, et cetera. Above-average levels of dioxin in the human body contribute to cardiovascular disease, hypertension, miscarriage, infant death, birth defects, low birth weight, growth retardation, respiratory cancers and soft tissue sarcoma. In animal studies in the report the studies confirmed and linked dioxin with endometriosis, a condition that women suffer from; cleft palate, viruses, parasites, tumours and suppression of the T-cells.

The EPA lists dioxin sources from the burning of solid waste, medical waste and hazardous waste in incinerators and cement kilns as leading sources of dioxin, and so this report is now being considered on its content by a panel of scientists who do not expect to report and give the report its final evaluation until late June or July of this year.

Of course, when this report came out, as I said in my opening remarks, it caused concern across the globe. Canada were one of the first to make a comment and they said their extreme concern and their response was that minute traces of dioxin are rising in the human body. One waste official said, 'Dioxins damage the bodies' immune system and impact upon the development of children.' He described dioxin as the Darth Vader of chemicals.

In America the American response is expected to be one of 'Get rid of the dioxins,' this being a major shift in the US position previously thought of as 'We will keep them under control. We will reduce them.' They also went on to say that one person in 100 can be affected

by cancer. This is in the US EPA report. An American official said 'Seven per cent of the American population have cancer caused from dioxins.'

In the United Kingdom Michael Meacher the environmental minister's response was 'We are committed to EU directive regulations, which is one part per billion being acceptable, of dioxins emitted into the atmosphere. We have agreed with Brussels to the waste incineration directive, which should tighten up ten fold the standards permitted.' It is ironic that the EPA report says that the risk of cancer is 10 times greater and Michael Meacher in the United Kingdom says 'We will tighten up 10 fold the standards permitted. . .' The EU are presently considering one part per trillion on dioxins emitted being acceptable to be released into the atmosphere. He went on to say, Michael Meacher, 'New and proposed incinerators in this country must observe mandatory standards or they will have to close down.' This was during an interview on BBC Radio on 6th June this year.

The United Kingdom's response, of course, was to issue their waste management strategy, which is quite interesting. They said that England and Wales produced 106 million tonnes per annum of waste, the strategy targets for recycling, waste reduction and composting setting a target of 17 per cent over the next three years and a 33 per cent target over the next 20 years to cut down the need for incineration, which the EPA accuse of being the main source and contributor to dioxin in the atmosphere. It is interesting to note that 10 years ago the United Kingdom Conservative government announced its target for recycling of household rubbish at 25 per cent within 10 years. What has actually been achieved in the United Kingdom in the last 10 is 8 per cent of refuse - 8 per cent from a target of 25 set 10 years ago. There was a UK civil service report which was leaked in the United Kingdom and it said, 'If the population increases at the same rate as has been the case over the last decade and if the rate of consumerism continues to grow we will need approximately 160 new incinerators to cope with the expected increase in the waste mountain.

Of course, when the EPA report came out there was quite a remarkable U-turn in respect of that. This, of course, led to Michael Meacher's denial that 160 new incinerators were scheduled to come on stream; instead five more may be considered, subject to planning approval in the United Kingdom. The UK environment minister acknowledged by recognition of the common-sense approach needed to maximise recycling, thereby reducing the need for the reliance they had placed on incineration.

Mr President, we were given the opportunity a little while ago of attending a video link to hear from Professors Blain and Doctor Floyd who had been hired by the Department of Local Government and the Environment to allay our fears, for want of a better word, on the findings of the EPA report. In that video link they were really unable to express an awful lot in relation to the report stating that it was out for scientific peer review and so it would be prudent to wait until that review had been undertaken before commenting on its findings. There was an offer made by Professor Blain at that time to actually put in writing his view on the findings of the EPA. As he was about to leave for the United States himself the following day, he said it would be at least two weeks before he could supply hon. members with that written viewpoint of his.

The purpose of the item on the agenda is to acknowledge the findings - the alleged findings, if you like for the time being until the review panel have concluded - and to acknowledge that dioxin is a toxin which causes carcinogen and to further state that we believe that no further action should be taken on the construction and commissioning of the

incinerator for the Isle of Man until the report of the EPA has been published - that is, the after-appeal review - the government has had its conclusions professionally evaluated and the results of the evaluation have been made available in a report to Tynwald Court. I would think that is the very least that we, hon. members, in this Island deserve to have - an independently, professionally evaluated report on the final EPA report submitted to this hon. Court so that we can look at that before we go any further with the department's preferred option of a mass-burn incinerator. Mr President, I beg to move.

Mr Shimmin: Mr President, some weeks ago I was able to second an attempt in the House of Keys to suspend standing orders in order to take this item in that place due to concerns I and other had regarding the draft report of the EPA. At that time I and others felt that there was a need to evaluate more fully such a comprehensive and long-ranging report which was in draft form and was difficult to get access to, and certainly the technical nature of it, once again, was going to be over the heads of myself and many of us in this chamber. Therefore, at that stage I believed that there was a requirement to further evaluate this particular one in order to gain greater insight to myself and for the public.

I think the decision which has been taken this morning reflects the correctness and appropriateness of that decision some weeks ago, as it does today. The whole debate this morning has been deferred on the concerns expressed by the one member of the Isle of Man Government who has made observations of concern. However qualified Dr Maclean may be, he certainly identifies himself that he is not a toxicological expert, yet this whole chamber has deferred an important debate, with all of its importance to the finances and to the future of the Island, because of that one person's observation. I refer to a press release from the Chief Minister which states that we are a responsible government and recognise the importance of the views of such an independent officer and their effect on public perceptions of this project. Even though his public statement has come at the last minute we have agreed to defer progress with this motion in order to further address his outstanding concerns. This will give us time to establish with the medical officer of health that nothing of significance has been overlooked which should provide further reassurance for the public, and I would put it to this Court that surely we cannot be serious that we are going to put upon the shoulders of this one individual the decision as to whether we go ahead with the incinerator debate or not when there is such an august body having done a survey for 11 years of major numbers; therefore it would only appear to me appropriate that, looking at the motion before us this afternoon, it is inconceivable that we will ever be able to have the confidence in Dr Maclean's evaluation to the same level that we may have confidence in such an independent report.

What is the motion asking for? Do nothing until it has been published, the government has had its conclusions professionally evaluated and the results have been made available in a report to Tynwald Court. Well, certainly the department is going to have that report, certainly it does not have the expertise in-House and therefore it will have it professionally evaluated, and surely that evaluation is at a minimum a requirement to be made available to members but, I would argue, more importantly to the public. We have seen this morning that the debate can be deferred because of concerns from one person; therefore it strikes me as being quite simple that this is a far more substantial report and needs to be evaluated.

I personally have limited doubt about the findings of the EPA report causing many surprises to most members of this Court. I believe that all of us have assumed for some years

that dioxins are carcinogenic. Certainly, when I made my original decision in this area I made that assumption. It would have been remiss of anybody to fail to make that assumption. This maybe, therefore, will just verify that decision. However, in the last two weeks of the briefings from the department there have been comments made regarding the thousand units of dioxins in the atmosphere currently and that the incinerator will add one unit - one one-thousandth extra dioxins to be emitted by the incinerator. My concern always has been that if those issues are true, that the incinerator will only add one part to a thousand, then what are we doing about the thousand parts of carcinogenic dioxins which are already in the atmosphere?

Now, I believe that we entrust the Department of Local Government and the Environment to make serious inroads and come forward with proposals to actually reduce that figure, if that is the evidence that they now have, and I would certainly have greater confidence in the department were they to have come forward with proposals in recent years, as I raised with the previous minister, Mr Quine, regarding the reduction or removal of the smoke coal fires in Douglas.

Mr Downie: Stop smoking!

Mr Shimmin: The issue then becomes one of saying, 'Where has the department got the information about the thousand particles? What is it proposing to do regarding it? And we can then have a debate on the incinerator to see whether indeed it will cause a greater level of risk to health than we already experience at present.

I am concerned that the red herrings which have been put forward by some of the opponents to incineration are going to come home to haunt us. I know my son aged 12 has asthma; that has nothing to do with incineration. We do not have one. In five years' time -

A Member: We do have one.

Mr Shimmin: - if we have an incinerator we are going to be having so many allegations of what has been caused by the incinerator, but it will not be evidenced. We already have these dioxins in the atmosphere, and this report from America will actually give the information as to the risks associated and I believe that, based on the decision again this morning, which I believe was the correct one, it would seem bizarre to fail to support the motion in the name of Mrs Cannell today, which is actually looking to give a wider level of research to a report than just the evaluations of Dr Maclean, however skilful, to come back and reassure us that there are no health problems for the Isle of Man.

Therefore, Mr President, I would urge hon. members: it is unlikely to have any real effect in delaying this debate, the information has to be collected, the department will be evaluating it, we as members expect to have full and frank information and that is all the motion asks for. I therefore am pleased to second, Mr President.

Mr Karran: Eaghtyrane, I beg to move:

That debate be adjourned to the July sitting and take precedence over motions tabled for debate at that sitting.

I feel that we should adjourn this debate until July, and if the information is not available in July then obviously it should be further adjourned until October. The reason why I feel that should be the case is because I think that both sides of the argument need to give their understanding of the situation and we need as clear a picture as possible so that we have that

opportunity. I think that it would be far more sensible now to adjourn it to July and then, if the information is not available, it can be further adjourned to October.

The issue that needs to be addressed, which concerns me as a person who has been in this Court for a long time, is I do not want to be cornered at a later date that nothing has been done and we end up in a situation where then we are told we either have refuse on the streets or we have an incinerator, and that is the sort of danger that I see at the present time; we must keep this issue on the agenda. This issue is important. We have a refuse problem, we need to resolve that problem and what I do not want is a situation where it is allowed to drift and drift and drift, because I do not think in the past there has been the commitment to minimise, recycle, reuse, and I am sure there has not as far as that is concerned, but if we go ahead with this debate today, we really are shadow-boxing, because we do not know all the information as far as this is concerned.

I think the important issue is the medical officer of health has been on this issue for some time. We were speaking with him at dinnertime and maybe some of the information will come forward by the next sitting of this hon. Court and, if it comes forward, then we can debate this issue, but I think it would be wrong to carry on with this debate today, because I personally believe we would be far better giving both the government and the opposition an extra month to find out if there is any other information that they have about this, and I do hope that this will be supported, because I think it should be adjourned because then we have the opportunity, we will have the information from the medical officer of health. We will have maybe further information and clarification from the hon. mover about this issue and more interpretation of the report itself, but it also means that the issue of refuse cannot be just forgotten about, and that is what I am worried about. I have seen it so often in this Court: if they do not get it, it is a war of attrition. This issue must not be allowed to then disappear until October or next year, and the next thing we are told is we have got nothing done.

I believe we need to make sure that this issue is kept high on the agenda. It is an important issue and I do hope that hon. members will support my amendment and will support that this should be adjourned to July. If the information is not available, then it can be further adjourned to October, but I think it is important that the issue is kept at the forefront, and I beg to move, and I do hope that one of the members will second my proposal who are not in either camp or will break ranks with either camp and allow this issue to be debated, because I do think it is important, Eaghtyrane.

Mr Cannell: Mr President, I think what we have here is an incinerator smoke screen.

A Member: Hear, hear.

The President: Are you going to second the adjournment, sir?

Mr Cannell: I would prefer not to, thank you.

Mr Lowey: I will second it, sir, for the Court, and reserve my remarks.

The President: Mr Lowey is seconding the adjournment, which means, hon. members, that we go into an adjournment debate. The five-minute rule will apply.

Mr Cannell: Well, I prefer to speak to the main motion, please.

The President: Thank you. The hon. member for Ramsey, Mr Singer.

Mr Singer: I will be brief, Mr President.

Mr Delaney: The hon. member is not aware, Mr President, he can speak to both motions. You can speak to both motions, Geoff.

The President: The hon. member Mr Singer.

Mr Singer: I will be brief, Mr President. In listening to the hon. member I do not doubt his sincerity, but in practical terms this motion means absolutely nothing because he is talking about bringing this important debate back within 20 days to this hon. Court, and I do not believe that it will ever be anything but high on the agenda of this Court, this particular item, because both sides of the argument want this matter discussed and settled, so I see no point in this at all. I think that as soon as the information is available it will be brought back to this Court, but I would hate to see anybody try and rush this matter through within 16 days, to investigate the matter, to produce a report, to give it to members of Tynwald and expect them to digest the contents of such an important report within a period of 16 days, and therefore I cannot support this adjournment debate.

Mr Brown: Mr President, I have been trying to think why to adjourn this debate and I am not really sure what we achieve. An adjournment just means we stop the debate and we come back and start the debate again in July or, as the hon. member said October, but what have we achieved? It is not for more information; it is not for anything else. This is a debate about whether or not we should get information, and I do not really see we will achieve anything. What we need to get in this whole matter is some certainty of where we are going, and just to adjourn it will do nothing. Therefore I would say that members should carry on, deal with the issue that is before us and either go one way or the other and let us make some sort of decision, basically.

Mr Gilbey: I would agree with the hon. member for Castletown, Mr President, for a particular reason, because we all want to look into this more. The Chief Minister's press statement has made that abundantly clear, but I think there is just a particular weakness in Mrs Cannell's motion which I hope could be corrected during the course of a debate, and that is that it should be much wider. She talks about just waiting for this report and getting advice on that. In fact, it is interesting that the medical officer, as I understand it, was not concerned about that particular report so much as other things, and therefore I think the motion that the hon. member for East Douglas is moving should be widened to cover complete consideration of all health matters, and these should all be looked into in conjunction with -

The President: Hon. member, will you come back to the adjournment, please? Thank you.

Mr Gilbey: Yes, that is why I say, Mr President, I think that it would be wrong to adjourn it. I think we should decide now to go for the widest possible investigation of health matters.

Sir Miles Walker: Mr President, I was, I think, going to make the same point as the hon. member who has just resumed his seat, that if we debate the issue that is on the agenda paper in front of us it is quite specific and refers to the Environmental Protection Agency and its report. My understanding of the concerns expressed by Dr Maclean were not only the findings of that Environmental Protection Agency report; also there is research being done on Belgian incinerators and there is more evidence coming to light about the pollution effect from

those. There is also concern about what is, I think, termed the 'memory effect' and the release of dioxins over a period of time. Apart from dioxins, there is also concern about the health effect of particulates in the atmosphere, and it seems to me that we need a report on all those issues rather than just sitting back and waiting, as the motion on the agenda would suggest, for the Environmental Protection Agency report to be published, the conclusion professionally evaluated and the results of that evaluation made available to us to report on in Tynwald Court.

I think I would like to be assured that there is some sort of amendment coming forward, if that is the idea, to widen the scope of the exercise that we are considering; otherwise I think I would be in favour of deferring or adjourning this particular debate in order for that to be done, sir. I see the motion on the agenda paper as too narrow and it will not give us complete answers.

Mr Cannell: Mr President, as I was saying, this is an incinerator smoke screen. We are evading the issue (**A Member:** Hear, hear.) We are being pulled to one side or the other, both emotionally and practically.

There are two camps on an issue like this. Of course there are bound to be; there have been for a long time. I sat on that very bench and heard this entrenchment on the same subject nearly 20 years ago. Those who are in favour of incineration - because that is what we are talking about; we are not talking about anything other than 'yes' or 'no' for an incinerator - those four were lining up to Tynwald's repeated stated policy reaffirmed on three occasions, but those against played an absolute blinder. You cannot say anything other than that; they fought a good campaign. They had phone calls to members, some of them threatening, some of them reasonably pleasant; they incited constituents to ring up their members - of course, as is their right - but, when faced up to it, many of those constituents, when asked what was the alternative, and 'How are you going to dispose of the waste if you don't have an incinerator?', and when it was explained to them 'You have 5,000 disposable nappies per child; what are you going to do with them per year and what are you going to do with everything else?' they sometimes altered their views and said, 'Perhaps we might have been misled.'

Now, I am not coming down on one side or the other here, neither am I sitting on a fence. I am merely trying to say that we are being dragged into a situation not of our own making. We came yesterday morning, and I deny anybody to say that they did not come through the doors with a certain different feeling to what they would do for most other sittings because they were pumped up in the same way you do with anything which you get emotionally involved in. You have your position and the moment you get up you say, 'This is incinerator day.' And we drag our way through yesterday, for one reason or another - perfectly acceptable, of course - and we go home and we still have not got our incinerator debate and all our friends who took the trouble to come along and lobby yesterday morning all have to turn out again this morning. So we come again now, only to find, as we come through the door that the whole job is off.

Now, why is it off? Because the opponents of the incinerator used a very good trump card. They incited the public officer of health to be interviewed on Manx Radio (**Mr Gilbey:** Hear, hear.) this morning (*Interjections*), they incited him -

The President: Get back to the adjournment, Mr Cannell.

A Member: Five-minute rule.

Mr Cannell: I was not speaking to the adjournment.

The President: We are still on the adjournment debate.

Mr Cannell: I thought I was told I could speak to either.

Mr Delaney: You can speak on either - both, if you wish.

The President: No, you can speak either for or against the adjournment, and that is what you should be doing now, sir.

Mr Cannell: All right, well I recommend that we do not accept the adjournment.
(Laughter)

Mr Cretney: Mr President, my views are similar to those expressed by Sir Miles Walker, the hon. member for Rushen, in as much as the main resolution refers to the United States Environmental Protection Agency report and there are other issues which, on the way to Damascus in the last few days, it seems we are now going to look at belatedly. However, he referred to the micro-particulates and it is a matter of fact that in the Environmental Protection Agency report it does refer to the excess mortality in the United States due to micro-particulates, so that point is covered in the report.

I am not in favour of the adjournment. I think we should get on with it and we should have the widest possible brief in terms of further examination, and I think that should cover things such as toxic fly ash, measurement of dioxins, and is it not a good thing, when you think now - the hon. member for Onchan said he sat on the press bench almost 20 years ago; if we had had an incinerator 20 or 15 years ago just look at the damage which might have happened to the health of people (**Mrs Cannell and Mrs Hannan:** Hear, hear.) up until now. Isn't it a good thing we made the right decision then not to have it?

A Member: Yes.

Mr Delaney: Mr President, speaking to the adjournment, forget about the adjournment. The issue is there, the day is here, we are here, everyone involved seems to be here except the gentleman who made the statement on the radio this morning. (**A Member:** Hear, hear.) The fact of it is, Damascus have not got an incinerator - good look to them!

A Member: They have.

Mr Delaney: St Paul might have gone blind if they had had one, I do not know, but I know one thing: make your mind up time is two generations past us. The right decision is important to us. I believe get on with this debate. The Chief Minister has made the press release. There is no doubt about it, we are no further advanced; whichever way you look at incineration, whichever side you are on, the solution has got to be found. If you want the happy island, the beautiful island and every type of island we want, decision time is now; it has to be. It is 20 years I say before we got away from it. If baling is the answer, bale; if recycle, recycle. Do anything, but do something. Do not pretend that the election and the votes are more important than the Island, because the public are not that daft. They will work that one out pretty quick. The situation is, let us make a decision. I am sorry for those people who have been involved, I am certainly sorry for the staff of the Department of Local Government. Someone has made a booboo in their relationships of how to get this on the floor here and should have covered every angle including the public health officer; there is no doubt about

that. Let us get back to what he said, get the report, if necessary, or what information you want, but let us get a decision taken, because this Island cannot afford not to make a decision.

Mr Downie: Mr President, I feel we should not be going for an adjournment of this issue today and I think for the right reasons this issue was put on hold and, to be blunt, it was put on to the back burner. My view is that we should adhere to whatever the best medical advice is that is available, and if our own people are not happy and content that the proper amount of advice has been forthcoming to date we should do our level best to make sure that that information is available not only to our own people but in fact to those people who may wish to oppose the development of an incinerator.

My view is quite clear. I think the burning of waste after reduce, reuse and recycle is a legitimate way to go. Other countries have done it very successfully and I am sure that the evidence that is being sought will support that, but I would not for one minute want to push this along knowing full well that there was a problem being stored up for future generations and I think that, if nothing else, we deserve to do the very best for the people we represent and the Island, its long-term future and the future of our environment, and it is good that we have taken what I see as a common-sense decision this morning to put this whole issue on hold until the proper information is available, not just to us but to everybody else involved. Those of you who have been following the issue will know that there has yet to be a further public inquiry where this information, the draft EP report which should not be cited in any way - that is quite clearly stated over the top - together with all the other problems which arise from dioxin, and I should say now to those of you who smoke that there are over 400 chemicals in environmental tobacco smoke most of which are cancer-causing agents, and I have a list of them here. So if we want to start talking about public health issues, let us start with cigarette smoking and go on to barbecues, smoked foods, smoked fish -

Mr Delaney: Power stations.

Mr Downie: - power stations, vehicle emissions - there are lots of them, but -

Mrs Hannan: Chimneys!

Mr Downie: - if we are going to go and make a decision on an incinerator, let us make it for the right reasons, err on the side of caution -

Mr Cretney: Clean air!

Mr Downie: - remove all shadow of doubt where possible, but I am not prepared to support the adjournment motion. I will be prepared to support someone broadening out the remit and giving us further areas in which to explore to get additional evidence so that we can be absolutely sure, when we make the decision, we know exactly what we are talking about and what the long-term future is for our very precious environment.

Mr Braidwood: Mr President, from the start I am not a toxicologist; I am not an expert in it. I do not know enough. (*Mrs Hannan interjecting*) I do not know enough about tetrachlorodibenzo-P-dioxin, which is TCDD, which it quotes in the EPA report is the most toxic of the dioxins. We have to have experts to look at this; there is nobody on the Isle of Man who is an expert toxicologist -

Mr Delaney: There ought to be.

Mr Braidwood: - and I do not feel by the July Tynwald we would have the information forward. I am going to keep my powder dry because I can speak later on, but for myself I would not agree with the adjournment.

Mr Gilbey: Hear, hear.

The President: Can I call upon the hon. member for Onchan to wind up the adjournment debate?

Mr Karran: Eaghtyrane, the issue that concerns me and I think what is in this debate is the way we have got all these people now, the 'Swampy' party, almost in here that have -

A Member: Absolutely.

Mrs Hannan: Yes.

A Member: Hear, hear.

Mr Karran: - since this morning they are all concerned about this issue and it has just suddenly occurred miraculously, when the fact is that the questions that have been asked for a long time from certain people within my department have never had answers.

What concerns me is what my hon. colleague for Onchan said: he is not on one side of the fence or the other but he is not on the fence, and we are nowhere, and that is what worries me about allowing this debate to go along and then having a nice, cosy amendment by the executive who have suddenly changed and turned Saul's conversion into a daily event. (*Laughter*) And the danger I am really concerned about is that the hon. mover of the motion will lose the thing, it will be hijacked - and I have seen the amendment and it is interesting, but what I am concerned about is that this issue will disappear and will dissipate until we are in a crisis and then we will be at this door and we will be told that we have got nowhere after three months' time and we will have to incinerate, we will have to get a temporary incinerator in this Court.

Normally I would not want an adjournment because I would like the issue to be resolved here and now, and I think many times that is the right thing, but at least with an adjournment the situation is that, yes, the hon. member for Ramsey talks about 16 days; if the information is not here it is in October. But the point is that the issue is still high on the agenda, and the issue is that we do not want a situation where it will be allowed to dissipate away and then all of a sudden it will come around and we are being hit over the head because there is nowhere to put our refuse, and that is also what I am concerned about as far as this issue is concerned. I feel that if this Court does not go for the adjournment in order to keep the pressure on the executive, they will bring their amendment forward and we have got everything in the amendment that is going to be proposed apart from the curvature of the earth, so it can do everything or do nothing, and I am concerned about that.

I think this hon. Court would be wise to adjourn this issue, allow the medical. . . and keep a report, and if the medical officer of health has not got the information he requires at the next sitting, then we adjourn it until October. We need answers to this, and this issue should not be allowed to turn into some sort of smog so that you know we do not know where the issue is, it has just gone off somewhere, because we do not want the situation that my hon. colleague has here where we have a Tynwald that does not know whether it is on one side of the fence or the other side of the fence or on the fence itself. I think we need to adjourn this issue and

then, as I say, if we have not got the information in July it goes on the October. This issue must not be allowed to disappear, because if it disappears it will be lost and then what we will have is a situation like we have seen on so many other capital projects which defy logic: we end up being forced into a corner to support it.

I hope this hon. Court will support my adjournment because I think it is the right way forward; it gives maximum flexibility. If they have not got the information by July they have got the information by October, and that is what I believe should happen.

Mr Downie: Vote.

The President: Thank you, hon. members. The motion before the Court then is that printed on the white paper and circulated to you in the name of Mr Karran, 'that the debate be adjourned to the July 2000 sitting and take precedence over other motions tabled for debate at that sitting.' Those in favour please say aye; against, no. The noes have it. The noes have it.

We return to the principal debate and I call upon the hon. member for Onchan, Mr Cannell, if he wishes to continue.

Mr Cannell: Day three! (*Interjections and laughter*) I shall not make the mistake of going back to the beginning, but it did, for my own folly, leave me in the centre of what I was attempting to say, which was to illustrate that there is no grey area here; you have supporters for and those who are against, and I was illustrating the strength of the campaign which had been mustered against it, and I think that I was saying that the final call was this morning. I think everybody would admit that. In fact, we have the report from the Chief Minister where, I gather at a special conclave this morning, it was decided to take the course of action which happened and pull the resolution; that is what actually happened, and in my opinion that was not the correct thing to do. (**Mr Quine:** Hear, hear.) The press release says, 'Members of the Council of Ministers were surprised to hear the medical officer of health say on the radio this morning -'

Mr Houghton: Unbelievable!

Mr Cannell: - 'he was still not satisfied with answers to certain questions recently raised with him.' Well, it certainly has taken him a long time to come to that conclusion.

Mr Houghton: Absolutely.

Mr Cannell: Why did we not know of his views before? We now know of his views because he was invited by the opponents to submit those to Manx Radio; there is nothing improper in that, but it certainly did the trick with the Council of Ministers because they panicked and they said, 'We are a responsible government and recognise the importance of the views of such an independent officer.'

Does that mean that anybody who can be induced to ring up Manx Radio on the morning of a debate which is of great importance will override the opportunity for people such as myself, who regard the sanctity of being able to contribute and vote in a Manx national government debate, can queer the pitch? We are in for a rough ride in the next 12 months if that is going to be the case! One man rings up and the whole of the government say, 'Oh no, we'd better not chance it.' Was not the conviction there for the government, through the hon. Minister for the Department of Local Government and the Environment, sufficiently sure of their ground that they could not press on acknowledging that they had heard this? Were they

so ill-informed that they did not have all the information that they wanted, and even if someone came along who was supposed to be the world's leading toxicologist and said on Manx Radio or anywhere else, if they were committed to that - and a terrific amount of money and time has been spent preparing this resolution to come to this table - yet it was all pulled by one panic thing that was put. I tell you one thing: if ever I want something knocking out I will know where to go, and that will be to the hon. Mrs Cannell, because she is co-ordinating it, the cards are still coming in and a blinking fine job too! (**Mr Delaney:** Hear, hear.) It has taken the whole government to the cleaners on one phone call to actually get one person to speak. All right, he is the Isle of Man's public health officer, but now we have got a motion before the Court, here the draft report of the United States Environmental Protection Agency. That is a well-known organisation; I had never heard of it before I came here. I am sure there is probably 50 other such agencies within the United States. The United States - go to California and see how they protect their environment. You cannot breathe on a bad day; that is how much they protect their environment. What are we going to have next? Are we going to have reports coming in from the Fiji Environmental Protection Agency? From the Western Samoa Environmental Protection? And the Outer Hebrides? Are we going to say, 'Oh, well, we'd better wait for their report, it could be important?'

We either have the strength of our convictions or not, and all I am arguing for here is that we should have today made this decision once and for all. (**Mr Houghton:** Hear, hear.) I am not saying whether it would have been won or lost, and I understand that two of the supporters of the motion in fact are absent. Now, that is the chance you take. The object of the exercise was to test the elected, and otherwise, Manx Government as a whole assembled here in Tynwald as a Court to decide whether they were going to have an incinerator or not. Now we do not know whether we have got an incinerator or not, we do not know whether we are ever going to get one or not, we do not know whether recycling will take over, we do not know where we are. It is a complete mess (**Mr Houghton:** Hear, hear.) and I think that it should never have been the case that this motion should have been pulled off the agenda this morning. (**Mr Houghton:** Hear, hear.)

We are a responsible government, so says the press release here, but we are not responsible enough, apparently, to adhere to our own opinions which have been formed, as I have mentioned, over nearly 20 years, and I think it is an extremely sad day that this operation has come to this. It is a sorry state for everybody to be in, and all I am saying now is, what we have got to do is to try to rescue it. As I stood here this morning I saw the whole thing going out of the window, and some of those who are now bashing their desks in exhilaration at the decision which was taken this morning would not be bashing them quite so heavily if they found the next landfill site was going to be in their patch. By Jove, they would not! (**Members:** Hear, hear.) Of course, we have heard that there cannot be any more landfill because in actual fact European legislation is going to rule it out. That is what we were told. I mean, I am not an expert. The hon. Mr Braidwood says he is not an expert but then rattled off the description of DDT or whatever it was (*Laughter*) but in fact I am not an expert so I get told - and maybe I am naive, maybe I swallow these things too easily - that European legislation is going to ban it. I have not got the directive here; I can just about access the internet so I suppose I could find something that says to me it is going to happen, but in actual fact we have people highly paid, a lot more highly paid than we are, to tell us European legislation will not allow landfill tipping shortly.

Now, it is going to take to 2004 to get an incinerator; it still will. It will be 2004 and half-a-day now, but in actual fact the position remains the same. The experts said, 'If you do not incinerate you will be in trouble.' Now, that is the position I find in here.

Mrs Hannan: Don't talk such nonsense!

Mr Cannell: Recycling and all the other things are ancillary to the main principle of the disposal of the Island's refuse. Recycling will never take over from refuse disposal; it will never take over the principle of disposing of the Island's refuse in full. It can make great inroads into it, but can you honestly see someone on a Saturday night, half-cut at three o'clock in the morning, eating a Chinky meal or something (*Laughter*) and saying, 'Oh yes, I'm going to separate my cellophane, I'm going to put my newspaper in the third bin along from the left, then I carefully dispose of my chips and then I do this that and the other.'

Mr Houghton: What about the car window?

Mr Cannell: You are deluding yourselves. Recycling will not take place on the form which is supposed to replace. Responsible people will recycle and it can make a great inroad, but it is going to be very difficult for members of this Court to face up to the possibility of having nowhere to put the refuse and go back to London when there was a binmen's strike, and do you remember that? They were putting bags of rubbish in the bin wagons when the strike was over for about three weeks to catch up. Do we really want that spectacle in the Isle of Man? Do we really want to be reduced to that sort of thing? I do not think we do, I do not think we do at all, so I think it is an extremely sad day that the main resolution on this morning's paper was not tested and I would have been the very first to shake hands with the opponents whichever way it went, and I am not saying which way I would have voted but I would have said (*Laughter*) - all right, well, okay, turn up my manifesto, at least I am consistent. I may be consistently bad but I am consistent! (**A Member:** Hear, hear.) (*Laughter*) and it said on there that I favour incineration, and the people of Onchan elected me knowing that.

Mr Corkill: Absolutely.

Mr Quine: That is right.

Mr Cannell: And I maintained my position on it. Now, everything I have heard has not wavered me to that (**Mr Gilbey:** Hear, hear.) but we are going to be in a right pickle if in actual fact we end up where we have not got an incinerator and we have not got anything which is a substitute for it. (*Interjections*)

Mr Cannell: So that is the position, as I see it. I think we have done ourselves a disservice. (*Interjection*) Absolutely. I think now all we can do is try to resurrect it. In fact, my hon. colleague's motion might have done that. I was tempted to go with the amendment but in actual fact, if everybody is to be believed, if the entire Island now, having failed to jump to the hoop of the medical officer of health - that was just a stay of execution is now going to go over to the United States Environmental Protection Agency. They will service.

Mr Brown: Mr President, the issue before us, as we all know, is a very important one, and I have to say that the situation we have in terms of those opposed and those for has not changed in all the time it has been dealt with as long as I have been in here. There have been people consistently opposed to incineration and there have been people who have been in

favour of it. The one thing that we all know is, whatever we do, we have a responsibility to dispose of effectively the waste that is created within the Isle of Man, and we also know that we have considerable difficulty in doing that, and I am one who is in favour of incineration, have been for a long time, still am and the only thing that would change my mind is the issue of public health if the risk of incineration is greater than the risk of not disposing of our refuse effectively, and that is really the main point that is before us.

It was said before by the hon. member for Onchan, Mr Karran, 'We will wait till we are in crisis.' We have been in crisis over our refuse and disposal of our refuse since the late 1980s. We have been in day-to-day crisis. We have had no long-term tip since that time, we have had considerable criticism from the public about the operation of the tips. We have had considerable criticism by and opposition from those living near an area where it is even zoned to put a tip, and everything goes on because today it is incineration, the opposition, and if we do not have an incinerator tomorrow it will be landfill or whatever other process you are going to go. And do not kid ourselves, and if you think that all the other processes do not cause pollution, then we are kidding ourselves as well, because whatever process we use it will create a problem. Even recycling creates a problem; it creates a waste that has to be disposed of and that waste has to be dealt with in the UK often through clinical incinerators. So at the end of the day even to go through that process you still create another problem because you are dealing with a product. So we have a situation where the Island is an Island, we have limited land space and we have got to deal with the issue.

Now then, the hon. member for Onchan, Mr Cannell, said up to this morning everything was go and then 'one man says'. That is easy to say, but the government cannot ignore (**Members:** Hear, hear.) the director of public health -

Mr Henderson: Absolutely correct.

Mr Brown: - who has an independent position; we cannot ignore him and fob him off as 'one man says', because whether he is a man or a woman the director of public health has a responsibility to provide advice. Now, we may question how that came out, and that is a different matter, but the point is if he has serious concerns based on recent information. . . and I think we must keep that very much to the forefront; he said clearly 'based on recent information' which he has not had time yet to evaluate, not this USA draft report, which it quite clearly states, 'Don't cite or quote' but of course it is, but we are talking about his concerns about recent issues in relation to the dioxins in general terms, and when he has come out and said what he has said, I have to say I have no qualms at all that the people I represent and at the end of the day I want to be satisfied I can justify my stance, would say to me, 'Well, didn't you hang on till you found out in the next couple of weeks' or whatever 'whether or not he's happy?' Because I think it would have been irresponsible of us to put our head in the sand and say, 'Let's crack on regardless of what the director of public health says' because in fact we know better. Well, we do not; we are laymen, we are politicians. (*Mr Cretney interjecting*) **Mr Brown:** One of the problems is, some people in here are trying to be experts (**Mr Duggan:** Hear, hear.) and they are not. What we are is we get information, we take it on board, we are briefed and we make the decision that most ordinary people we represent, we hope, would take, and that information that we have got we have to pass on to the people we represent and advise them why we believe that is the way to go, and I have to say, when I first came in this Court I knew nothing about incineration. I had heard the argument going on as a member

of the local authority but I did not know anything about it but I soon found out what the options were like, and I am quite satisfied that my stance is justifiable from where I come from, and people who vote for me will have to make their decision but my stance has never changed in - what? - since about 1984 when I became convinced it was the way forward. In fact, when I went to the DoLGE as minister and went to Bornholm I was even more convinced because of the way they do their recycling and they do everything.

But the big issue we now have before us is that motion that has been deferred, we now have a motion before us which is about this draft report which, to be honest, has come from a source which is not the agency itself as far as I know and which is clearly marked, 'Don't cite or quote.' It is being used for the main reason the Isle of Man should stop -

Mrs Cannell: It is official now.

Mr Brown: - and fine, if that is the case. We then have a position where we need to find out where we are going with the final form of it. Well, public health is of paramount importance to all of us. It does not matter who provides the information; if that information is scientifically proven, then we need to make a decision based on that evidence. As we have here the medical officer making a point, we need to say, 'Hang on a bit, pause.' and there is a financial cost to the taxpayer of doing that but that is worth bearing, because we need to get him, the director of public health, to make sure he is satisfied based on the information he has got and the questions he has asked that hopefully he will get the right answers. That is fine, but what the people of the Isle of Man will be looking for is a clear lead and certainty as to what we are going to do next, and one thing will be clear from today and what has gone on: they will be confused. Why on earth have we suddenly stopped? Why on earth is this? And so on.

The hon. member has moved an amendment about the report and in that, the second part, it says that nothing should be done until all the information is available, et cetera, et cetera. Now, we do not know when that will be. It could be a month; it could be a couple of months; it could be six months; it could be a year, whatever, before people have finished evaluating such reports because we know that is what happens.

Mrs Cannell: The end of July.

Mr Brown: Well, the hon. member is muttering across to me, 'end of July.' The point is, nobody really knows. I know select committees of Tynwald that hoped to report in June or July and they come back two years later, because people start discussing the basis of their report and they ask for more information and, if there are serious things in it, they ask for more clarification. There are all sorts of things why a report that is in the hands of another party might take some time before we get the information.

So to try and help move on, because we do need to at least deal with the issue before us, I wish to move an amendment, and in my amendment I replace part (ii) so we retain the first part, which is that we note the draft report, and in the second part, which has been circulated, I substitute, and I quote, '. . . therefore, is of the opinion that the issue of health implications of human exposure to dioxins and other toxic chemical components be the subject of a report to this hon. Court, to be tabled at the same sitting at which the Department of Local Government and the Environment table a motion seeking approval of financial arrangements to progress its integrated (energy from waste) incinerator facility project,' because they are tied together. Because if Tynwald is going to be asked to make a decision

on progressing an incinerator, then the only thing I can see, whether you are for or against it - those of us who are for it and those who may be tempted to be in support want to know what the health implications are, based on what has been said, and therefore the director of public health will be able to report back through the Department of Local Government and the Environment, that department can provide the information for members of Tynwald so at least they know where they are coming from, and then it is up to Tynwald, and if Tynwald, after that, rejects an incinerator, so be it. But in weighing all that up, you then have to decide where you go from there, and I have to say, with the best will in the world, no matter how good we are at recycling, no matter how good we get, no matter how efficient we get at it - and we are talking about the people of the Isle of Man now and we are potentially talking about legislation that would have to make it a requirement for certain things to be done - we will still have to land-fill and we will have to find tips around the Isle of Man to take time, and all I can say is, we had hassle at the Raggatt, we had hassle at Kerrowdhoo and we had hassle at the Ayres, and we had hassle at Ballalough in Peel and it will go on, and at the end of the day we know one of the components of dealing with our refuse, one of the components in the integrated waste management plan, is an incinerator and landfill and we still have the problem of dealing with clinical waste, we still have the problem of dealing with animal waste, and the only effective way to deal with those is an incinerator of some type. Therefore at some stage a decision is going to have to be made.

The amendment I am moving is to try and at least get to the members, the information that I think they are looking for, based on the concerns that are being expressed, so that when Tynwald Court is asked to make a decision on incineration, they then have that information in relation to public health so they then can read it and decide for themselves whether or not they still support incineration. I beg to move:

For part (ii) of the motion substitute -

“therefore, is of the opinion that the issue of the health implications of human exposure to dioxin and to other toxic chemical components be the subject of a report to this hon Court, to be tabled at the same sitting at which the Department of Local Government and the Environment table a motion seeking approval of financial arrangements to progress its integrated (energy from waste) incinerator facility project”.

Mr Downie: I rise to second, Mr President, and in doing so I think this is the right course of action for the Court to consider today. It gives the department the option to look at the situation again and then, when we do take the decision, it will be based on the latest up-to-date evidence that will have been properly evaluated by the experts and, as I said earlier on in the adjournment debate, this whole issue will still have to be the subject of a public inquiry and there will be a further opportunity there for those in opposition to come along and present their own evidence at that particular time, but I think we owe it to the people of the Isle of Man to get on and make the decision. One way or the other we need to get the decision made and the decision needs to be based on factual evidence and not on the basis of some draft report which is not to be cited or quoted from as is clearly illustrated on the front cover. Thank you.

Dr Mann: Mr President, first of all I find the fact that we are debating this issue this afternoon somewhat unpalatable, with due consideration to the sincerity of the mover. The fact was that this Court had, or was going to have, the opportunity of debating incineration this

morning. For reasons that I will not go into but everybody is aware of, we were not given that opportunity and unfortunately we are now likely, if we are not very careful indeed, to be deciding the incinerator issue here this afternoon, not because of the text of the resolution but because it is the opportunity.

Now, there are many, many reasons why each one of us may object to or support incineration, but there is not one only, and unfortunately this resolution points to one only. If we are going to have a debate on incineration then let us be open about it and let us discuss every issue. I have not heard anything about costs, about supervision, about how you are going to install the necessary inspectorate to ensure the correction of the emissions and so on - nothing. But we are focused on one and only one issue and, unless this is amended, it has to end up by being a decision on one issue and that is wrong. I am sorry; however important the issue may be, it is wrong, and we are all misleading ourselves if we think there is going to be an absolute answer, whatever course is taken from this afternoon.

I have been tempted on and off during the day to try and explain why the medical officer of health was placed in the position that he is placed in. I have technically been possibly in that position in the past. He is being asked at this moment an impossible question. If we are talking traditional public health, the answer is quite simple, because in traditional public health you have a cause and you have a proven effect and when you have your proven effect, you take action, and I have to say from the traditional public health issue as it used to be in traditional times the answer would have been quite simple: we would go ahead with an incinerator, because there is no one illness, there is no one disease, there is no one disability, mental or physical that can be attributed to the incinerator, wherever it is, and so from the public health point of view, if you are saying, 'should we have an incinerator? What is the public health answer?' in direct cause and effect, the answer is quite simple.

But we are not asking the medical officer of health a cause and effect, we are asking something else, and the reason that we are asking something else is because a new vision of epidemiology arose during the 1980s and has been developed since.

If I could just read one brief view - 'The theoretical foundation for such studies relies on early biological effects of a toxic exposure being more prevalent and easier to detect in the population at risk than clinical disease.' That in simple terms means that you identify a substance which possibly could create a toxic situation and you follow that in testing the population to the point where it does produce a result.

Now, we are in that position at this moment with this particular subject before us, and if one looks just briefly at one of the key findings in this report, 'the lack of clear indication of disease in the general population attributable to dioxin-like compounds should not be considered strong evidence for no effects of exposure.' Now, the fact is, there is not the evidence and, yes, we do have to worry about what happens if a concentration rises in a population to a level that somebody suspects will produce certain conditions. Yes, we do know, as one member has said, we are dealing with carcinogenic compounds. They produce carcinogenic effects in other species. I have yet to be shown a case of cancer directly attributed to dioxin, but that does not mean, and I agree that we should therefore say, that there is no problem. Obviously, technically, there could be a problem at some point. It is detecting when that point has been reached. I was hoping, when we did come to a full debate,

to go into this very carefully, because I have also gone through a lot of reports because I think it is very important that we get as much information as possible.

I have my own personal view, formed on reading these reports, and I think there is an explanation why there is no direct effect and that probably there is an indirect effect. My personal view is that that indirect effect is linked to another pathogen, another carcinogenic agent, and my personal view is that it is linked with smoking. (**Two Members:** Hear, hear.) Now, there are all kinds of technical evidence which probably not many people would appreciate.

So there is a risk. I admit there is a risk, but nobody here, no expert that we call, can give you an absolute answer because there is no absolute cause and effect (**Mr Delaney:** Hear, hear.) and we can have any number of reports. I have spent over an hour talking to the medical officer of health, talking through all of these matters. Of course he has to be cautious; of course he cannot say 'This is safe' because it will not be absolutely safe and can never be absolutely safe. So at some point, irrespective of how many people you call in, how many reports you read, in the end you and I here have got to vote, and it is no good expecting some other expert somewhere else to come and tell you how to.

I would support the amendment, not necessarily because I think it is a wondrous answer, and a lot of people may think it is just a way out of a difficult situation. I would say at this moment it is a way out of a difficult situation, because the one thing I am not going to do is vote on one issue and one issue for the incinerator, because that is nonsense. I respect the mover of the resolution. I am not saying that all this information should be gathered; it should be gathered, it should be presented, but let us also consider the other aspects, and we must not under any circumstances turn this debate this afternoon in the absolute decision as to whether we have incineration or not and, when we do come to a full debate, I will try and explain in more detail how I think we have got to the situation we are in at this moment - and I do not mean us in isolation but the scientific, biological fraternity, because they are not in an absolute situation. So I think I would suggest that to resolve the issue without dismissing it, but to resolve it, is to follow the amendment.

Mr Duggan: Mr President, I will be supporting the main resolution. I will not be supporting Mr Brown's amendment because I think it prejudices the whole issue in supporting the incinerator. I disagree whatsoever with him. Mind you, I never agree with him with his strategy whatsoever. When you mention 1984, Mr Brown, that is when we decided to go for baling, if you recollect; you did not, but you mentioned 1984 before.

There is a concern from both Braddan and Douglas counsellors and commissioners, there is a concern from the Island's medical officer of health, who quite rightly spoke out this morning and I fully support him, and there is a public concern with families' health being involved. There is also a concern, although Mr Downie yesterday almost denied it, regarding the farmers. We have had a letter since saying the farmers union is definitely concerned, and I would also like to ask Mr Gilbey - when he talks about when dioxins and an incinerator was to be built, would this be an independent visit checking the incinerator? Would it be an arranged one from the United Kingdom by an independent person or be a set-up job?

I have had many 'phone calls from constituents, both from South Douglas and also West Douglas. Mr Downie, no doubt, and his colleague have had calls too. One gentleman said to

me, 'I would have to be a pig before getting sense out of Mr Downie, because he only supports pigs, more or less,' and, as I say, it is his opinion what he does, really speaking, but there is a concern generally about dioxins and I have never supported incinerators. From day one, my strategy has been baling, and that is when Tynwald, I felt, missed the boat in 1984 when we actually saw baling plants, how they worked well and two years went by everything was all drawn up by Mr Kelly, the then environmental health officer, and then another election came along and it was all scrapped by Mr Walker and Mr Brown and all his cohorts.

Mrs Christian: Mr President, I do rise to support the amendment which is before the Court because I think this offers us an opportunity of going ahead on a reasonable timescale with information which may assist hon. members.

I did hear some intimation from the hon. member for East Douglas that this United States draft report is now issued. I have not heard that, but, if the hon. member can confirm that, it at least puts it on the table in its final form, which could be subject to some sort of evaluation.

If I may just comment on the position of the director of public health, there are some issues in that report which he wanted to address questions to the department's experts upon and some questions on other reports which have been issued. He has not received those responses and I think I intimated in answers to questions yesterday that he was anxious to get those responses.

I do not think, whilst it has perhaps happened in an unfortunate way and the timing is unfortunate, it is not inappropriate for us to say, hang on, let the director of public health have the opportunity at least to get the responses from those particular people. However, I would endorse the remarks of the hon. member of the Council, Dr Mann, in that even when those answers are received we will still be in a difficult position because they may not be clear-cut in layman's terms. There will always be risk and it is a question of how you evaluate that risk and how you evaluate and weigh-up relative risks vis-à-vis different ways of dealing with our waste. All of us would endorse the principles of minimise, recycle and re-use but we are always going to be left with something else to dispose of. Now, whether incineration is the route or whether there is some other process may be subject to discussion. Up to now we have decided that incineration is the appropriate mechanism for dealing with that final element of waste.

Science will always be producing further and further research and refinements of their current position, and it is almost impossible to keep up with that. It is the same in terms of development of anything. You started with the radio; no sooner had you developed radio than you moved on and you had television. Things move on all the time and at some point we have to say, 'This is the point at which we are making a decision. If science moves on after that and things have to change, then we have to accommodate it at that time.'

Now, I do not think it is unreasonable just to wait a week or two. If Dr Mclean can, and I hope he will, get the answers - one would expect that these experts ought to have those answers available for him at this time - they should be available to be presented to us members at the time when the hon. minister presents his case for the incinerator project to go ahead.

I think that, whilst the public at large obviously have concerns and they are engendered, by and large most people do not have the skills to make a critical assessment - and that includes ourselves - of these scientific papers that come out, and I do not think it is

unreasonable for the director of public health to exercise his integrity in this issue and I do not believe he should be criticised for that. (**Members:** Hear, hear.) I do hope that, whatever he says at the end, if it is not favourable for some parties they will not then claim that he has been sat upon by certain members of government, because I think that would reflect on his integrity as well and I do not believe that that is an appropriate suggestion that should have been made. I believe that he will express his opinions quite freely whatever they may be, and I hope that all members will recognise that.

We cannot go on and on and on deferring in the light of every piece of scientific evidence that has come forward, which may not have been tested and proven, but where there are some concerns on which answers may now be available but it is only a question of timing as to whether or not those answers have been forwarded to us, I think that the amendment affords us an opportunity to avail ourselves of what reasonable expertise is out there in order to make a decision in the not-too-distant future.

Mr Cretney: Mr President, I would like to speak on the amendment which has been moved by the hon. member for Castletown, Mr Brown, and in particular, unlike the hon. member for Onchan, I have not had the benefit of seeing the amendment before it appeared in here. Perhaps that is an advantage of sitting right next door to him - you can look over his shoulder and see what he is proposing to put down.

The question I would like to ask the hon. member for Castletown, which perhaps he would be good enough to answer when he sums up, is that in his amendment it says, 'be the subject of a report to this hon. Court.' Now, in the motion which has been put forward by the hon. member for East Douglas, Mrs Cannell, it says the government has had its conclusions professionally evaluated and the results of the evaluation have been made available in a report. I would just like to know who it is who is going to carry out the report. We have heard suggested that it may be the chief medical officer of health who is going to co-ordinate advice from others. If that is it, I would like somebody just to clarify that on the floor in here before we leave, or before we vote on that matter.

I also want to put on record my disagreement with the remarks from the member of the Department of Health and Social Security about the chief medical officer of health's comments. I do not think his comments were helpful at all. I think the chief medical officer of health is an independent person, and long may that be so. (**Members:** Hear, hear.) However, I have heard the view that perhaps others should have been made more aware of his concerns at an earlier stage, but I think it is right that he should have his independence, and my understanding is the minister has already stated that he had made his concerns noted to the department in terms of unanswered questions on recent information which has become available. Now, I think all of us who are reasonable accept that, and that is, in my opinion, the principal reason why the government made the decision it did this morning, and I think it was the right decision.

But just the final part, if I could ask the hon. member for Castletown to address it when he is making any closing remarks, is, in his amendment it says 'to be tabled at the same sitting at which the Department of Local Government and the Environment table a motion seeking approval of financial arrangements to progress its integrated (energy from waste) incinerator facility project, and it just appears to me that it might be better to have any report at least a month before any further incinerator debate on the financial implications, and I just want to

know why he feels it is appropriate that the two should be tied up at the same sitting. I think it might be more helpful for some mature consideration of any other aspects.

Mr Braidwood: Mr President, I always thought that items 14 and 36 on the order paper were inexplicably linked, and I think the amendment by the hon. member for Castletown amalgamates both of them together, so I will be supporting the amendment.

Mrs Cannell quoted basically from the synopsis on the new EPA report, or the draft report, which was by the 'Stop Dioxin Exposure' campaign and it says in there, 'There is no information in the new EPA report that weakens or changes any of the statements on health effects caused by or associated with exposure to dioxin in the 1994 EPA report, dying from dioxin or the American people's dioxin report.' The only thing they came out with was saying that the risk of getting cancer from dioxin is 10 times higher than reported in 1994.

This is not new information. In 1994 the Department of Health published a report stating that despite insufficient evidence for clear casual links, it would be prudent to regard dioxins as possible human carcinogens. This has been backed up from experts from the Imperial Cancer Research Fund and also from the Cancer Research Campaign, where they said they agreed that dioxins were a cause of anxiety because of their high toxicity.

In this synopsis report it also goes on and says levels of dioxin in the environment began to decrease in 1970 through to 1995 because of reductions from improved combustion and emission controls and from the closing of a number of old facilities. It also states that a third of the dioxin levels occur from reservoirs or what they call source reservoirs, landfills, river sediment. It also says that of the amount of dioxin which the American population is exposed to a third of it comes from eating fish. It also says that the dioxin tissue level for the general adult US population appears to be declining.

I can go on quoting from different reports. A report from the UK Institute of Environment and Health has found no consistent evidence that people living close to waste incinerators suffer more ill health or disease than the general population. The study assessed 10 pollutants, including cadmium, mercury, nickel, dioxins and particulates emitted when waste is burned. The study concluded that neighbours of waste combustion plants are exposed to levels of pollutants which are generally a small fraction of background levels.

So I would like to go on to a point that was raised by the hon. member for West Douglas, Mr Shimmin, when he said the amount of dioxin coming out of the incinerator would only be 0.01 per cent of a background level, and I think we have to look at background levels, we have to look at the pollutants and the dioxins coming out of diesel cars - mainly pollutants; the dioxins from open burning of fires. It even says in the EPA report that with open fire burning, particularly where chlorine is situated, there are far more dioxins emitted than would be if it was in a controlled waste incinerator. There is a quote from a 151-page EPA report when he found reduced tumour incidences, and these, coupled with evaluation of epidemiological data, have led some authors to conclude dioxins possess anti-carcinogenic activity and that was by a Japanese in 1997-1999. There are quotes in the EPA report of a tetrachlorodibenzo-P-dioxin, TCBD. In 1976 two to three kilogrammes were released in Seveso in Italy. Apart from 193 people contacting chloroacne there have been no major effects in the health of the population since then, which has been warranted since 1976.

I can keep on quoting. When we look at the amount of dioxins - and also the hon. member for Rushen, Sir Miles Walker, said we have to look - there has been talk about the memory effect in Belgium when by so-called catalytic reaction 230 times the EU of 0.1 nanogrammes per cubic metre of air were released. On that catalytic reaction mainly it was found that it came from recommissioned old incinerators. Since that has been done they have complied with the EU specifications. In Belgium we were talking about trying to monitor continuous emissions of dioxins. At the present time it is extremely difficult. In the Flanders region of Belgium since 1st January 2000 they have tried continuous monitoring of dioxins by putting them through filters and, after 300 to 500 hours, they then analysed the amount of dioxin. It is a very difficult analysis but science can do it. We are talking about billionths of a gramme. The way they try to do it and I mentioned it yesterday is trying to . . . There is a relationship between surrogate parameters of the emission of the other gases. When we talk - and this is very difficult; we hear everybody talking about 0.1 nanogrammes of dioxin, but it is very difficult for the lay person to equate that or compare that to anything. In one report I have read they have tried to compare what 0.1 nanogrammes per cubic metre of air equates to - and I hope the press are listening; it equates to dissolving one quarter of a cube of sugar weighing three grams in the great expanse of water of Loch Ness, which contains 7 billion cubic metres of water. (*Interjection*)

Mr Henderson: How poisonous is it?

Mr Singer: How do you know?

Mr Braidwood: But it is in a report. (*Interjections*)

Mr President, I could go on. (*Interjections*) There are aspects, and I think the Chief Minister as well, when the incineration motion was deferred because of the announcement by the director of public health - I think this amendment, which is in the name of Mr Brown goes a long way to amalgamate that and allows for the Department of Local Government and the Environment to come back all at the same time, hopefully with everything answered. Thank you very much, Mr President.

Mr Bell: Mr President, I have to say personally, if not in my position as minister, that the events of the last 24 hours have driven me to despair, quite honestly. (**Members:** Hear, hear.) I read a comment in the *Examiner* this week attributable to a certain gentleman who happens to represent me in the House of Keys bemoaning the absence of joined-up government, (**A Member:** Hear, hear.) and I think the events again of the last few hours have proven that there is a great deal of truth in what my representative has said. (*Laughter*) The heartening thing, though, I have to say today is that, whilst that comment may have some truth, it is also heartfully reassuring to know that equally there is no joined-up opposition, (*Laughter*) and I would commend hon. members to pay considerable heed to the comments made by the hon. member for Council, Dr Mann, (**Members:** Hear, hear.) in his very, to my mind anyway, sensible summary of the situation.

For whatever reason - and I suspect the reasons are various - trying to find a definitive and categorical assurance that incineration is 100 per cent safe will never, ever take place. There will always be one more report to study, there will always be one more scientific comment made which the opponents will expect us to pursue, and I think to a great extent this American report which we are discussing today is just one red herring of a number of red

herrings which will be put before this Court to avoid us ever having to make a decision one way or the other as to whether we go with incineration or not. This is the vehicle for the moment. This will delay any decision for several months - and do not forget, we are not very far away from the general election. If the issue can be delayed long enough we will not get a decision this side of the election and then the whole exercise starts all over again and we are several years further down the road. As hon. members have said, we have been nearly 20 years pursuing this solution and we are still now sitting here today saying, 'Well, we have not got all the evidence yet on health matters.' We are not going to get 100 per cent assurance that will satisfy everyone.

It is cynical or hypocritical to expect an absolute categoric assurance that incineration is 100 per cent safe when we know and have proof that vehicle emissions are unsafe; they do cause damage to health. I see no clamour anywhere for a reduction in the number of vehicles on the Island or limiting the days that people can drive into Douglas. I see no clamour to abolish coal fires, which we know damage the environment. Apart from occasional references I see no clamour to close down the power stations, because we know that poisons Douglas, but we still demand the electricity to be churned out at the same time. We know that smoking and alcohol seriously damage health. We do not do any thing about any of these. Where are the major debates on all these issues which have categoric proof that they damage our health? We are not going from one report and one expert and another expert to get absolute categoric assurance about this and to do something about this.

The one issue which depresses me more than anything about this overall incineration debate is that we are not looking at the issue in the round; we are focussing on a single aspect of environmental pollution. I would be a lot more comfortable with some of the opposition's lines of attack, if you want to call them that, if all these other issues were included together and we looked at the environment and the damage we are doing to our environment, knowingly in many cases already, and doing something collectively to try to respond to that. Then I think we would be making a genuine and honest and sincere contribution to the overall well-being of the people of our Island. At the moment I think this is a cynical exercise in some quarters, knowing full well that there is no personal involvement in abolishing or stopping the incinerator. There would be a personal involvement if we cut back on vehicle emissions; there would be if we cut back on coal fires. So we go for the easy option.

I have to say, if we follow this line of always wanting one step further, one more report, one more expert's view on it, we can say absolutely categorically here and now, incineration is dead. (**Members:** Hear, hear.) It will never come back on the floor of this Court again as a serious option, and I would suggest to the hon. minister that if he follows the flow of the arguments that have been going on so far it is vitally important that he starts, really from today, looking for a alternative to dealing with our refuse, because we will never get a solution which will satisfy everyone in this hon. Court, and certainly not the opponents outside.

We have heard that our only method of disposal at the moment is landfill, but European legislation in the next four or five years allegedly will rule out landfill as an option. So where is our alternative? We are hearing nothing from people who say 'We do not want incineration'. What I would say is that while certain individuals are expressing strong concern now about the health of the nation and how it might be damaged by alleged emissions from an incinerator, I would like to know where these same concerns have been over the last 10 years for the

people in my constituency in Ramsey and the people in Bride - and I live in Bride; I probably live nearer to the tip than anyone else - where has been the concern for the last 10 years about the environmental damage done to the people in Ramsey and to the people in the north of the Island? (**Two Members:** Hear, hear.) We have not heard a single word about that. It is 'out of sight, out of mind', and out of Douglas.

Mr Duggan: We have had our share in Pulrose!

Mr Bell: You are quite happy to let landfill continue, which is the only alternative we have at the moment which is realistic; recycling is an option but an option many years down the road to totally solve this. Landfill is your only option, and what you are saying is 'No, we are going to keep Douglas clean; we are not going to have an incinerator near Douglas', but we do not mind poisoning the people of Ramsey in the process. We do not mind the emissions and their problems and the appalling eyesore which has been scarring the Ayres and Bride for the last 10 years. We are quite happy to let that go.' (**Mr Gilbey:** Hear, hear.) I have not heard a single word in the last 10 years of sympathy for that situation.

Mr Cretney: You did not listen at Question Time yesterday then.

Mr Bell: We are seeing a lot of crocodile tears. It is quite interesting. I take my hat off to the Friends of the Earth, I gather, who have put these cards out. One of the issues which they quote here in urging their MHKs to vote against the building of an incinerator is that the incinerator will cause traffic problems and deface our countryside. What on earth is landfill doing in the north of the Island?

Members: Hear, hear.

Mr Downie: And a 54-mile round trip from Douglas to Bride.

Mr Brown: Absolutely.

Mr Gilbey: Hear, hear.

Mr Bell: I have had some 500 cards signed from my constituents, certainly in the Ramsey area, supporting this particular line. What was missing in that is a final point. Do you want to continue landfill and do you want to continue the heavy weight of refuse lorries travelling through the streets of Ramsey every day, 364 days of the year? And I suspect if that had been added to this particular questionnaire you would have had a totally different response from the people in Ramsey.

Mr Corkill: I think the questions were fixed. (*Interjection*)

Mr Karran: Never!

Mr Bell: I take the point that has been made about the need to keep the chief medical officer independent. I have to say, nevertheless, incineration has been the declared and voted policy of this hon. Court for a great number of years - (*Mr Karran interjecting*) Whether it is right or wrong does not matter. It has been the decision of this Court to go for incineration. If there had been a view to the contrary there should have been a resolution put down and, if the majority had changed, then the whole government policy would have changed.

A Member: That is right.

Mr Bell: It is as simple as that, but for these views to be expressed on the eve of the debate when we have been discussing it for a great many years and when I understand the present chief medical officer's predecessor gave evidence and certainly was supportive of the general thrust of where we are going, I have to question why he allowed those views to go forward when they did. I would also, as he is employed by the DHSS, be interested to know what his views currently are on the hospital incinerator. (**Mr Gilbey:** Hear, hear.) That, I am told, is 10 years overdue for replacement. It nowhere near complies with the various standards it is supposed to be living up to at the moment. Why have we not heard the same comments coming from this particular gentleman on that issue? Surely, those people living in the vicinity of Noble's Hospital incinerator at the moment have a right to have their health protected in the same way as everyone else. Why haven't we had any views on that?

In summary of those points the concern I have on all this is the lack of consistency right across the debate. I do not doubt in some quarters there are very sincere, very genuine people, but we are focusing on simply one small point of a very big problem, and I do believe there has been unnecessary scaremongering and undue concern let loose throughout the Island, which has generated the response that we have seen.

I repeat: in my view, if this hon. Court and indeed if our people demand ultimate categorical verification that incineration is 100 per cent safe and will always remain so, we can forget about incineration and we should start from this moment looking for an alternative, (**Members:** Hear, hear.) but for those people who say 'Hear, hear', what do we do in the meantime? Landfill is unacceptable. Recycling, although I am a great supporter of recycling, is, with the best will in the world, 10 years away from having any real impact on the Island, I believe, in terms of tackling the problem. What do we do in the meantime? Are you saying that we do not want incineration, we are quite happy to let landfill continue for the next 10 years while we sit back and think about the whole situation again with the impact that is going to have on part of our community as well? Is that what you are saying? If it is, be honest, come out, tell us. We all know then where we stand and we can take steps to combat that if necessary.

We are faced today with a resolution and an amendment. I have to say I do not feel particularly comfortable with either of them (**Mrs Hannan:** Hear, hear.) but I cannot go along with the resolution as printed. I think that is simply prevarication and it will take us on longer and longer and we will never get anywhere. I do not whether the amendment will actually do any different, frankly, but I am prepared for the moment to support the amendment as being at least some way to bring this discussion to an end so at least, one way or the other, we can identify what the collectively agreed way forward is because, whatever happens, we can score points, we can dodge and weave, we can fool the public, we can do whatever we want, but the one thing that is not going to go away is waste (**Mr Delaney:** Hear, hear.) and while the economy in particular of the Island is prospering the way, the one thing we can be sure of is that waste is going to increase and increase, and that is the problem we have got to resolve. It will not go away. We can dodge it for the life-time of this Court, but the first thing that is going to be on our desk when we come back, or for those who come back after the election, is going to be, what do we do about the growing mound of waste? I would urge hon. members to ponder on that when they vote on this.

Mr Corkill: Mr President, I would like to align my thoughts very much with the two previous speakers in this debate and I rise to support the amendment. I think the words of the

member of Council, Dr Mann, and his ideas on how the public health input should be a part of this debate were something that we should all take note of and remember as we go into the next part of how we deal with the issues before us to do with incineration. And also the previous speaker, my colleague Mr Bell, the member for Ramsey, has actually mentioned quite a few of the things I wanted to say.

But I indicated my willingness to contribute to this debate because I think earlier on in the debate there was some criticism as to the decision taken by Council to pull the motion this morning. I heard the director of public health on the radio. I thought I was going to have a leisurely breakfast this morning, having had a late night late night, and I thought 'I will get in about quarter to ten, get ready, and come in for the debate,' but I recognised immediately in my own mind that the situation had developed where, whatever the views on incineration as a policy were going to be for members in this hon. Court, the public, the general public who we all represent one way or another, would not have the trust and confidence (**A Member:** Hear, hear.) for that debate to have progressed today, and time was and is required to get that trust and confidence back - trust and confidence, whether you are for incineration or against incineration, that a considered, proper, factual debate was about to happen. And so I think the decision was totally justified. Now, having said that, I know what my views are on incineration and I have not heard anything today, including that broadcast, that so far has given me the feeling that I should change my mind on that, but I am quite happy, as this amendment goes, to allow for further research into standards.

The second point I want to make in my contribution is that the original concept that we were to debate - and I do not wish to debate it because, as the member of the Council, Dr Mann, said, we have only got one little part of the whole thing here - but this debate is all about standards, and we are talking about the standards that we have accepted, which are EU standards and we have directives, we know what they are, we have forthcoming EU directives and we know more or less what is going to be in them, and they are quite likely to be part of the debate.

Now, I was the hon. member who was chosen to read all the public inquiry stuff for the Richmond Hill site, and the standards were all in there and I read volumes of reports. In fact, I had no summer holiday that year because it took so long; there were 12 boxes of it - certainly enough to get the incinerator fired up when we do get it! And what concerns me is that I do believe that we could be entering into an era of challenging whether those EU standards are appropriate for us in the Isle of Man, and I think that is the core to this, because if we think as an Island that the EU standards are not going to be adequate, then we are into a completely new environment politically and in all sorts of areas, and I just want to bring that to members' attention, because EU standards are what we are talking about; that is what we have been following. That is Tynwald policy. I think that is the most important thing that has come out of this to my way of thinking since this morning.

As Treasury minister I inform the Court that the delay is costing £150,000 a month. I do not think it should be a prime consideration because these issues are far too important for that, but that is an element that should be known, it should be on the public record, that today's events are actually costing that. No-one else has said it because, at the end of the day, it is delay.

So I do not wish to go over some of the items that have been said because I will then get into a full-blown debate in my own mind on the merits of an incinerator policy as part of the overall waste policy, but there are two things there: I think it was right to allow that time, because it is the public who should have that confidence to know that the decision, whether they agree with it or do not agree with it, was properly considered, and that confidence has to be put back and that will take a little bit of time. There is also this issue of standards, and I can say right now that I think I in my own mind am content that EU standards are good practice to follow, and I think, as a small jurisdiction, we will find it very difficult to substitute those with some other situation, and that is why I cannot support the original motion, because it just talks about the US Environmental Protection Agency whereas the amendment broadens that out and allows for a broader situation of standards, of different people's opinions to be appended to the debate when it comes forward, and I think that is going to be very important to put that confidence back in the public.

The President: Now, hon. members, it appears to me that this would be an appropriate time at which to have a brief stop. Can I tell you that I have currently on my list in front of me three further members who have indicated their wish to speak, so we will retire and recommence the debate at ten minutes to five by the Court clock, and the first to speak will be the hon. member for Middle, Mr North. Perhaps we can consider in our tea-break whether or not we are serving much useful purpose by reusing and recycling debates we have already heard.

Members: Hear, hear.

The Court adjourned at 4.28 p.m.

Incineration – US Environmental Agency Draft Report – Evaluation – Debate Concluded – Amended Motion Carried

The President: Now, as I indicated before we took our break, hon. members, there are three members who have indicated they yet wish to speak and Mr North will be the first to be called. Let us try to avoid, if we can, too much repetition. (**Mr Houghton:** Hear, hear.) The hon. member for Middle, Mr North.

Mr Houghton: Say something that we have not already been told.

Mr North: Thank you, Mr President, yes, I shall try. My views are well known to my colleagues. I am not in favour of mass burn but I do believe that anything that makes us stop and think at this stage is important. In my opinion there is an alternative. I agree with a large amount of what the hon. member of the Council, Dr Mann, said. I am not going to speak on the incinerator debate, as you have requested, because I will reserve my speech for the debate next month or whatever. There is an alternative. . .

A Member: Suicide!

Another Member: He is stuck for words!

Mr North: - and those who are not intent enough to look at the alternatives for the people of the Isle of Man at this stage, I think, do the people of the Isle of Man a great disservice. (**Mr Cretney:** Hear, hear.)

Now, I have to say that the timing is unfortunate and we do have mass burn as government policy. The alternative is not landfill because, as has been said about that, in 2005 throughout Europe - and this includes baling, I am afraid, which the hon. member for South Douglas, Mr Duggan favours - there will be no putrescible waste allowed to go into landfill. The answer is the two-stage gasification system, the closed system, and what I find really depressing is that we have a system there that has actually been working for hazardous waste and industrial waste since 1983. It is supported by Friends of the Earth, Greenpeace, Braddan Commissioners (*Laughter*), who, I have to say, have done some sterling work on this subject over the years - very, very good work; it is supported by the landowner and I know, I am sure, the hon. member, Mr Quine, for the department will confirm that the landowner, where we are going to have a compulsory CPO, has offered that land to this government for nothing.

Mr Corkill: We are going to take it anyway.

Mr North: We are not going to take it anyway. We are going to pay him for it. He has offered it and he is an intelligent man. (**Mr Duggan:** Hear, hear.) He has looked at this system and a lot of other people have, and I had not spoken to the medical officer of health before but I was delighted to hear him say on the radio this morning that he thought we should be looking at the closed system and I thought, 'Oh! -'

Mr Cretney: A breath of fresh air!

Mr North: Exactly, two-stage gasification.

Hopefully we will come out of this with common sense in the end. I know it is not going to be easy at this stage because we are already on the road, and I agree with those people who have said that we have emissions from power stations, cars, commercial vehicles. The power station will be gone before this incinerator - the old power station that is really the problem - before this mass-burn incinerator, hopefully which is not going to be built; if it is, that will be gone before it is up. Motor cars - within the next 10 to 15 years there will be no emissions from motor cars and commercial vehicles. The technology is already there, moving ahead. Everything is going to change.

We are looking to going for a mass-burn incinerator that is for 25 years, and all the EPA reports and everything else - I welcome all the additional information that we can get. As far as I am concerned, that information will only add to what I believe is going to be a missed opportunity if we do not take it and as for this hon. Court, this Island is going to have to live 25 years with whatever we decide on next month or whenever we do vote, and I really would hope that hon. members will think and this particular information that is coming out is new; we should take careful note but choose the equipment that will cope with the standards that the EPA will come out with for 2005, 2010. I know we are planning, because I asked the question earlier this morning, that, yes, it is in the contract to update. Really, why should we not go now for something that is really going to cope with the standards for the foreseeable future rather than go for something that we will have to keep changing and updating?

I hope that hon. members will stop and think. It is not just the issue of this. It is changing.

Mrs Cannell: Mr President, speaking to the amendment, on the face of it you look at the amendment and you think 'Well, okay, that's fine,' because it does acknowledge part (1) of the resolution on the agenda, and just to refresh hon. members' memories, part (1) on the original

resolution says that this Court notes that it is claimed that a draft report of the United States Environmental Protection Agency suggests that dioxin is a human carcinogen and links low-grade exposure to the toxic chemical component to a wide range of other health problems. It is quite remarkable, because I have heard expressions here this evening to the effect that 'Who is EPA? Never heard of them!' and they have tried to rubbish the findings of this agency that is renowned in the world as the only agency that is equipped with the necessary scientific knowledge and expertise and finance to thoroughly investigate the issue of dioxin. It is the most comprehensive study in the world. You cannot ignore this one. There are all sorts of other little studies too, but this is the big one. This is the one that we should all take notice of.

Now, ironically the amendment moved by the hon. member for Castletown, Mr Brown, acknowledges the findings of the EPA report but then goes on to say 'therefore is of the opinion that the issue of the health implications of human exposure to dioxin and to other toxic chemical components be the subject of a report to this hon. Court.' On the face of it you would think, 'Well, that's fine, yes, we should be looking at the other issues.'

The hon. member who spoke earlier from Douglas South, Mr Cretney, was quite right: it is unclear who would conduct and look and whose opinion it would be on the issue of the health implications of human exposure et cetera as proposed in this amendment. It does not say who is going to do it. But that part on the face of it - you think, 'Well, that's okay,' but then it goes on to say following the report of this hon. Court 'to be tabled at the same sitting at which the Department of Local Government and the Environment table a motion seeking approval of financial arrangements to progress . . . ' For goodness' sake, we could have debated this today, but the Minister for the Department of Local Government and the Environment chose to withdraw it. He denied you that debate, not I, not any other member in this hon. Court; the minister and the Council of Ministers took a decision to deny you the debate today. So that is up in the air; that is not anybody's fault but the minister who moved.

How can you possibly support an amendment that not only acknowledges the findings of the EPA report as stated on the original resolution but then goes on to say 'Well, let's have a look at the other effects too and then bring it all together with the vote for the incinerator'? It does not say when. One or two members say 'Well, July.' I have not heard anybody say - it is not written on here - when that is going to come forward, and how on earth could you possibly consider all the implications not only contained in the EPA report and get them evaluated but all of these other implications without conducting a whole-Island human body study? How can you do that? If you are going to do a proper comprehensive study then you have to assess body weight. In order to assess body weight you are going to have to test fat in humans; you are going to have to test blood in humans. Not only is it an uncomfortable procedure, it is an expensive procedure and, if you are going to conduct that across the Island, which is what we ought to be doing, it is going to take a long time. For goodness' sake, I would hope that hon. members will have the sense to drop this one in a recycling bin where it belongs. Let it be shredded and baled and shipped across for recycling!

The President: Hon. members, I have been asked, because of the conditions in the Court, that if hon. members would like to remove their jackets they may so do. The hon. member for Onchan next to speak.

Mr Karran: Eaghtyrane, I was somewhat surprised at seeing the original draft of the proposed amendment by the hon. member for Castletown and the actual updated one, which

just highlighted the reasons why I moved the proposal for an adjournment of this debate, because really what we see in this amendment here is that there is no real commitment to looking into the health implications. We have got a mission and we have got a mission to create, to build an incinerator, and that is the real bottom line as far as this amendment is concerned. When you look at what was originally proposed before the break and after the break, then we have got our own foetal monster as far as this without any dioxins to worry about.

I feel that we should go with the original proposal. I think that we made a mistake by not holding over this thing and let us get this thing cleared once and for all because I have listened to some of the input from some of the members around here and they could do well in some sort of religious group, some sort of Moonies sect or something where it becomes almost a new religion so that logic and anything else goes out of the window, and we have seen the problems of that when we have seen the problems that we have had over the new hospital. Admittedly there are the others on the other side who are convinced that they will do everything to destroy us getting on and making the best job we can of the situation.

So this debate here today really will not serve any purpose by supporting the proposal of the hon. member for Castletown. I hear these red herrings thrown in. We talk about red herrings from one extreme, as they say, from the hon. member for East Douglas, to the other extreme as far as the other side is concerned. As for the hospital incinerator, we did look at alternatives. I was told that I was not to look at alternatives and to put everything away because there will be an incinerator, so as far as I am concerned, I do not like the inference in this hon. Court that somehow, as the member for health, I have got an incinerator at the hospital which is not ideal. It is not ideal but it is not because we do not want to try and do something about it; we have been stopped by central government doing anything about it and I think that point needs to go back to the Council of Ministers.

So all I would say is, I know the hour is late but if we go with the amendment now of the hon. member for Castletown we will achieve nothing. All it will be is a matter of a brow-beating exercise in order that we will say the Earth is flat; yes, the Earth is flat, we will have incineration. So I have to say, as much as the motion might not be ideal, I think the motion is the best of a poor bunch, because if we support this we are not supporting the independent investigation, we are just supporting the Flat Earth Society, the Moonies or whatever they are, and it is a matter of having one lot or the other lot, and at the moment we have got our public health officer who has stood up and said what he says, and I think it is something that we should congratulate our Chief Minister on, that he is statesman enough to have done what he has done and that is something that we all, anti-incinerator, pro-incinerator, should pat the hon. member on the back for. (*Laughter and interjections*) The knife - I have never come out in anybody's back; I have always done it right between the eyes in this hon. Court! That might be why I am the chief rabbi.

I do think that it is important that we do not support the amendment and especially those who were privileged to see item (a) and item (b) when my proposal went out of the window.

Mr Singer: Mr President, I think the withdrawal this morning of item 17 by the hon. minister did show a certain change in what I think was his adamant attitude that incineration had to be the answer, and that perhaps he needs to know that there perhaps is another side to the story.

Dr Maclean's view is that he does not know and that he has concerns. Now, this lends support to the resolution on the paper and adds strength to its validity, certainly perhaps even widening the scope of the investigation, as has already been suggested by the hon. member for Rushen, Sir Miles Walker. But the fact is I asked the question of the hon. Minister for the DHSS yesterday on the expert situation of Dr Maclean, and she herself said that he was not a toxicologist. He certainly will understand a lot more than us in this chamber but he would not be accepted in the court of law as an expert witness, and therefore whatever he says can still be disputed because he will not have an expert view, and I think he himself would probably accept that position.

So what we need is for people on both sides of the argument to agree on lines somewhat indicated by the hon. Minister for Tourism: to agree on a neutral acknowledged expert to act in the position, I suppose, of an ombudsman to evaluate all the overall situation, because both sides of the argument trundle forth their experts and those experts are diametrically opposed in their views. No member of this Court is an expert on incineration. Any member may have been swayed by one side or the other but, with the evidence being so conflicting, either case may well be wrong and unfortunately, during our lives and other people's lives, there have been too many examples of being wise after the event.

I certainly do not support the amendment before us today because I read into this an implication that the hon. mover of this amendment is seeking to bring this back to this Court as soon as possible and I suspect that he would see to bringing this back in July if he could and that, as I said before, is within 20 days, and there is no way that members could absorb any papers that were produced in that time. I do not believe that the investigation that is needed could be carried out in that time. We need to fully study the implications in detail and particularly in relation to the Isle of Man situation.

I would refer to my hon. colleague and his comments on the traffic going through Ramsey and, as he knows and everybody knows, I have been an opponent of this for all the years that I was on the commissioners and in this parliament, and it is a dreadful situation; it is a dangerous situation. I am perhaps less cynical than my hon. colleague, in that I think perhaps people did read their cards before they signed them and they did know what they were signing, but what I want to know and I do not know is, if we do get the incinerator, are we still going to have the lorries going through Ramsey carrying the bottom ash to Wright's Pit? Is it true or is it not true, I want to know, that latest research shows that dioxins are possibly present in bottom ash? Will that bottom ash that is being carried through Ramsey, if it is to be carried through Ramsey, contain the hazardous waste, such as mercury, from the incineration process?

I believe that I need to know that and the people of Ramsey need to know that and I think members of this hon. Court need to know that in order to come to a logical decision on which way we should go, and I find myself almost in the position of being between the devil and the deep blue sea, and I gather, from my conversations with uncommitted members of the public, that they feel the same concerns on this whole matter.

We know that the opponents of the incinerator will challenge every comment of the minister and accuse the department of not listening but choosing only to listen to his chosen people, whilst I have no doubt that the minister will reject arguments of the opposition, claiming that time is money and the opponents' arguments are flawed, this having been

proven by his experts. You turn on the internet and you look at the information on the internet, and it absolutely scares you to death when you read about the dioxins, whilst the department is almost claiming that incineration is the best thing since sliced bread.

So for anyone sitting in the middle and listening to the arguments, which are quite often diametrically opposed, it is impossible as a non-expert to decide which of the experts supporting either side of the argument is correct and who is wrong. Yes, I want to make a decision, I do not wish to sit on the fence, but it is my duty to make a decision that is right because it is going to affect our lives, the lives of our children and the lives of our children's children.

My suggestion is that we have this few months' moratorium and that we do get the involvement of what I term this expert ombudsman, a person with a great knowledge of waste disposal, who could consider in an unbiased way the arguments of both sides and adapt those arguments to the Island's situation, an ombudsman who is agreed by both sides -

Mr Gilbey: You would never get them to agree.

Mr Singer: Well, yes. . . and who would then accept the argument, and I know that this is pie in the sky. It is quite clear from the minister's comments just now that he would not be prepared to do that.

Mr Gilbey: I simply said you would never find anyone we would all agree on.

Mr Singer: Well, the minister has made that comment. I do not know that that is true until we try. The message that the neutral ombudsman could then give to me and other committed members of this hon. Court and the general public can then help us make a decision which we feel comfortable in supporting. If not, when this comes back again, whether it is in one month, five months, twelve months, we are still going to get the same polarisation of views.

Therefore I support the resolution as printed on the paper and, as I say, possibly with an enlargement of a further investigation into other matters, but in view of the hon. Minister for DoLGE's and the government's clear recognition that this Court is not satisfied, I hope that we will realise now that there are genuine concerns at the validity of the present incineration policy. I hope the government will accept this resolution and realise that they may well be right or they may well be wrong, but surely we all need to know. The answer may be incineration, the answer may not be incineration, but let us be sure that we are as close as possible to being right in our decision and I believe that with the withdrawal of item 14, Mr President, now is the time to investigate all the current matters causing this great concern to this Court and to the people of this Island.

Mrs Hannan: Eaghtyrane, I am concerned that there has been criticism that this motion is on the agenda, and I am concerned about that because this is a very far-reaching study that has been carried out over a period of very many years and I think that for us to progress towards incineration then this is something that maybe a report should have been brought forward by government and not necessarily just a member of this Court.

But I would congratulate the mover of this motion. It is an issue that should be discussed and I think it would be very remiss of us if we dismissed this just like that because we felt very strongly that something must be done and the something that must be done should be incineration.

The previous speaker suggested that there may be somebody who could satisfy all the concerns. The Department of Local Government brought together two risk assessors, ex-medical experts, to relay their reading of this report to us and, granted, it was at short notice but they did both state that there were problems, they expressed concern with the small particulates because they caused more problems, they were ingested further because they were smaller and therefore, I think, anyone looking at incineration, creation of dioxins would also probably . . . Because these were experts brought to discuss this issue with us. Granted, there were not that many that turned up, but I did; the minister was there, his experts were there, the director of public health was there at someone's invitation and he was there when questions were being posed, and when it was said to them that 'You're talking about the problems,' and they said 'Yes, but there wouldn't be a problem as long as the monitoring was effective and continuous.' That was their expression and I think the situation has developed today because a question was asked yesterday by Mr Henderson, the member for Douglas North, 'Has the director of public health expressed any views to your department on the public health implications of the future operation of a mass-burn incinerator in the Isle of Man?' and it was spelt out then, surely, that the director of public health had assured the minister that the stated limits - and I am only going from my notes - will be monitored, concerns that fine particles from the incinerator, dioxins and the size of them.

Now, it was also spelt out that the director of public health had a responsibility not just to us but to national health and therefore I would have thought that, because of that and his responsibility being spelt out quite clearly in this hon. Court, questions would then be posed to him. I do not think any of us should have been surprised that the question was posed, and I think it would probably be remiss of the press, if no-one else, if they had not posed the questions which were posed. I do not think any of it should come as a surprise. If the questions had not been asked, if this report had not come forward at this time, maybe the questions would not have been asked in the way they had of Professor Blain and Dr Floyd - or it might be the other way round - but we had 45 minutes to speak to these two medical experts, and they certainly expressed their position on this in quite a clear way over the video link. Of the 10 members that attended this briefing obviously some people saw it in a different way than others, and I am surprised that further questions were not carried out both by the department and also by the Council of Ministers. What these experts said is that we could act as, in a way, an experiment because there would be readings before and the monitoring would be effective and continuous. It would be a belt-and-braces approach in relation to monitoring and that was said on more than one occasion. He also said that the EPA report does not contradict him from the evidence that he gave at the public inquiry that dioxins were a health carcinogen. Now, we have heard talk today about other issues in the environment and therefore the studies such as the EPA report should be able to be considered with regard to all of the issues of dioxins in the environment and whether we should in actual fact be adding to those dioxins within the environment. Everybody keeps talking about the 1000 and we are only adding one more to it, but little by little it is increased and it does not matter whether it is more cars going into a particular area, more electricity being produced. We know that we are consuming more than we did in the past, we have a greater population and we also have a higher lifestyle; that is what we keep being told.

Members have talked today, leaving that point, about there being a policy within the European Union for banning landfill. Yes, I think we all should look at reducing landfill. Since

1988 that has been the policy of the government of the Isle of Man - reduce, reuse, recycle, and then -

Mr Downie: Incinerate.

Mrs Hannan: - incinerate. The government has done nothing to reduce, there has been no publication on how you would reduce, there are all sorts of things being put out in other places - what a waste! And it advises. . . and this is the environment agency in the UK, and I make no apologies for drawing this to members' attention because the department has circulated a document from the UK department of the regions and transport. But this goes into how you can actually reduce with recycling, returning milk bottles, old clothes, glass bottles, aluminium, aluminium foil, food waste, car oil, and so it goes on. That is advertised, an advertisement that could be put out to every household on a regular basis. Nothing has been done to reduce. Reuse, recycle - it is only just recently that action has been taken with some of the areas because we all know that people have been recycling and nothing has been happening to it except it has been dumped in the landfill that people now seem to be criticising, because nothing, or very little, has been done to reduce the amount that is going in. Someone was telling me the other day - the minister has talked about recycling inert waste, but I am told that is still going into the Ayres, filling this hole which is supposed to be so precious. I would also add that minerals have been extracted from there, and while the members for Ramsey state that they are concerned about refuse wagons going through Ramsey, the extraction will continue at the Ayres so that there will be gravel vehicles coming back from the Ayres as long as that gravel extraction continues.

The President: Hon. member, I am reluctant to stop you in full flow but I am trying to read the motion on the order paper and ally it to your comments with reference to mineral extraction. Could you come back a little closer, please?

Mrs Hannan: I am talking about landfill. It is to do with landfill, it is to do with vehicle emissions, it is to do with vehicle travelling.

However, the member for Ramsey stated that the opponents have not offered anything else. I would say that the opponents have. They have been involved in a recycling forum with the Department of Local Government and the Environment, trying to encourage that particular area. As I have said before, the policy of the department passed by this parliament has not been followed by government.

With regard to the amendment before the Court today, I too have my concerns with regard to the amendment because it deals with the health implications but then it goes on to say, 'Well, it doesn't matter because we're going to incinerate anyway.' and therefore that concerns me. I continue to be concerned about the withholding of information from this Court; questions were asked yesterday with regard to dioxins and how they could be monitored and it was totally ignored by the minister, and it was only with the interruption and the pointing out by the Minister for Health and Social Security that it was not possible to monitor continuously and effectively dioxins, and the minister said that that information should not have been given. He turned to the Minister for Transport and said that. I am really concerned about what else has been withheld from us in this parliament.

Mr Henderson: Mr President, I am a bit uncertain as to which bit I should be debating here, but I will try and stick to the point. There have been that many different comments -

The President: Try to be brief whichever it is, Mr Henderson, I would suggest.

Two Members: Hear, hear.

Mr Henderson: Mr President, what I would like to do is for the mover of the resolution, when she comes to the summing up, to just answer me one or two questions. The Environmental Protection Agency has taken a bit of stick in here this afternoon, and that is on the resolution. What I would like to know is what authority they do have in America, and are they an official agency or are they some sort of tin-pot outfit that works from a back office - I would like that clarified - or are we actually talking about something fairly substantial and reputable here, just for the record?

The only other couple of comments I have - there has been plenty made about cigarettes and cars and all the rest of it and they can cause noxious fumes. So they can. My comment to that is, why add to it?

My second comment on that particular issue is there was an analogy made for one lump of sugar in Loch Ness. If that one lump of sugar in Loch Ness happened to be a certain chemical, I can bet you that the whole of Loch Ness would be poisoned.

Mr Lowey: Including the monsters.

Mr Henderson: There are some seriously strong and noxious chemicals in this world and that is, I am afraid, something there that has to be considered just to put a bit of balance on that.

Re-use, recycle and all the rest of it - that could work if there was £42 million worth of commitment behind that. That is my entire feeling on the subject and I do not think we should be adding any more to what noxious fumes there already are in the atmosphere and I think waiting for a report which I think is going to be considerable and have some weighty bits and pieces in is a valid comment, and I do not think it is going to be long in coming; I think it is going to be sooner rather than later.

Mr Quine: Mr President, I felt convinced this morning that we should have continued and had the debate on the incinerator. I think we have had it.

Mr Houghton: Hear, hear.

Mr North: Oh, no you have not!

Mr Quine: Unfortunately we have had it in such a piecemeal fashion, I think we have wasted the day.

Mr Houghton: Yes, absolutely, hear, hear. Even the President would agree with you!

Mr Quine: I heard the director of public health this morning. I certainly did not read into it what some members apparently read into it here today. I think he made one very important qualification to what he said. He said 'in an ideal world'. Well, if you can find this ideal world for me, let me know and, even at my late stage in life, I will consider a move.

Mr North: Sulby!

Mr Brown: Well, we will find it then!

Mr Quine: In an ideal world. It was very clear that what he was saying is, if you are seeking perfection then he would like to have further information. Wouldn't we all? We do not live in these ideal worlds. (**Mr Houghton:** Hear, hear.) We have problems to deal with and we have to go ahead and take decisions and deal with the problems.

Mr Houghton: That is right, 'take decisions' is the word.

Mr Quine: But as far as that decision this morning must go, that is a matter for the minister and the Council of Ministers. That decision was taken. That is water under the bridge.

What I am convinced about is this: a number of the contributions here today, particularly those who are opposing this, and the men of straw who are thinking of switching sides, seem to be under the illusion that we have the luxury of time. We do not have the luxury of time, and perhaps in a way that is why we should have gone into this debate today.

Mr Cannell: Absolutely!

Mr Quine: We could have either approved it or rejected it and, if it was rejected, then these people with these ideal solutions can get in there and see if they can find the answers.

Mr Houghton: That is right.

Mr Quine: For 20 years others have not been able to find them, so if we have got these wonderful people with these highfaluting ideas, get them in and get on with it and we should have had the decision today, had the debate and got on with it.

Messrs Cannell and Houghton: Hear, hear.

Mrs Hannan: Like housing.

Mr Quine: Now, what is this motion all about? It has come about because of a draft report, not one that has been subject to peer review, not one which we have had valued assessment on it. It is a draft report and, for all I know and for all you know, there could be a long line of these draft reports, (**Mr Houghton:** Hear, hear.), all which could be in some way related to our requirement to produce an answer to our waste problem.

What this motion calls for is that it should be evaluated by professionals. It has been evaluated by professionals. Two very qualified people which the department have commissioned have evaluated it, but that is not going to be acceptable; I can see that now. But it has been evaluated. That has been done, and I am afraid in reality it does not matter whether we provide an ombudsman, as has been suggested, to look at this or whether we provide somebody else to look at this, we are not going to find common ground on this. At the end of the day we are going to have to come to a view on the information that is before us at a particular point in time and take a decision (**Mr Houghton:** Hear, hear.) and that comes hard to some. (**Mr Cannell:** Hear, hear.)

Take this report for what it is worth. I think we have to remind ourselves that it is not particular to incineration. It is a report about the relativity of dioxins as a carcinogen, and that is not new ground; that is old ground. It has been accepted here today by several people that that relationship has been established before. This adds nothing new. But the point is, it is not particular to incineration.

I would submit to you that the impact which the state-of-the-art incinerator being proposed by the department would have would be a net beneficial effect, and I will explain why. First of all, it is going to be producing a large quantity of electricity, and that means it is not going to be produced through a power station with all that comes out through that stack. That is just one example but, not only that, because the waste will be processed within two or three miles of 70 per cent of the arisings, all the exhaust fumes and all the dioxin emissions from the vehicles taking half the waste at least two-thirds of the way across the Island, that is going to be dispensed with and so that is going to offset this fraction that we are talking about in relation to the incinerator.

So again, it is not an ideal world but, if we look at it just in the narrow context of, 'is there a case on the basis of this issue about dioxins that we should not proceed at this time?' the answer is no. The answer is, there is every reason for us to proceed at this time. I would submit that by not progressing this we are perpetuating if not aggravating the situation, and what we need to do is to take a decision on this incinerator, which I believe should be a favourable decision, and get on and solve the problem. Have regard to the fact that it may be that somewhere along the line there is going to be some better gasification, some better solution. I heard this when we were discussing the meat plant and we are still in litigation - this cutting-edge of technology. What we want is a proven technology, one that is going to give us the security to deal with the problem. We cannot afford to get and indulge in these one-off situations. Look to the UK - how many of these are around there? They are not there, and I think it just really is pie in the sky. (**Mr Houghton:** Hear, hear.)

There is a great deal I would love to say about this but I do not want to cut across the incinerator debate and I will have my say in full when that arrives, but what I would say in relation to this is that I see the motion on the agenda simply as a device to delay this incinerator. The opponents of this incinerator - it is their strategy to run this out until the political will does not exist here to find a solution, but somebody is going to have to find a solution and find it pretty quick, because the planning permission on Wright's Pit East expires in December 2000, and although there is a planning application in for an extension it is a relatively short extension, so we are going to have to find an answer for this pretty quick.

So I certainly cannot support the motion on the agenda. I see it for what it is, and even if we took it at face value there is nothing in this motion that is not in the amendment, because it simply calls for a professional evaluation of the results of that report - no more, no less, that is what it asks for - and that is more than embraced in the amendment. But my sincere regret is that we have not gone ahead on the main motion that was on the agenda and sorted that out here today, (**Messrs Cannell and Houghton:** Hear, hear.) because this has not been a productive day, it is not going to change anything and we are going to have to take this decision in a very short period of time. So if we have to go along with anything here today, then I am inclined to support the amendment that is before us.

Mr Gilbey: Mr President, I am only going to refer to points that have been made in this debate. I start with the hon. member for East Douglas, Mrs Cannell. Now, she is right that the report was out on 16th June, but it says nothing new at all. I have here a letter from Professor Blain which says: 'I have read the draft report and do not find the EPA are saying anything new that would give reason for us to amend our original assessment and recommendations.' She then said the EU are considering one part per trillion standard. That does not alarm me at

all, because our standards will be the same as theirs, whatever they are, and the contract makes this perfectly clear. The operators are contracted to keep to the current EU standards at the time.

Now, the UK are not giving up incineration. I do agree with Mr Shimmin that of course we cannot leave the whole decision alone to the director of public health; of course we cannot, and we intend, as I shall explain later, to get the widest expert advice, and I would confirm that we are absolutely advised that the figure of dioxins produced by an incinerator would be, as Dr Floyd stated, less than one in every 1,000 units of pollution already in the atmosphere in the form of dioxins. That is an increase from 1,000 to 1,001 - a minuscule increase; to use his own words, 'a tiny fraction', and if we want to go on to particulates, if we want to rid ourselves of all particulates because there are concerns about them, we should be taking steps to deal with the 18,500 nanogrammes per cubic metre that are already present compared with the 15 which could be produced by an incinerator. That is 15 added to 18,500 - again a completely negligible increase.

I certainly agree with his points about cutting out dioxins as much as we can. The department will be very pleased to look at this, but perhaps those most concerned about these risks from pollutants, if they are smoking or smokers, will put their actions into effect and will do what they are saying should be done and will give up smoking themselves. I think this would be a fine example by those who are so concerned about the dioxins.

I can assure the hon. member for Onchan, Mr Cannell, that the officers of the department and I are perfectly calm about the course that events have taken, but I would here like to take an opportunity to thank the members of the project team, (**A Member:** Hear, hear.) three of whom are here and also Mr Clive McGreal and Mr Ian Thompson of the Treasury. They have done a vast amount of work to bring us to the state we are in. They have continually worked on this, they have had to travel frequently to London and to other places, and whatever happens it will not be their fault. They have done what they have been asked to do in pursuing a policy of this hon. Court.

Mr Cannell - I can assure him I have total conviction that Tynwald has been following the right policy in seeking to have incineration as the last step of a policy of minimalisation, re-use and recycling. I have no doubt about that and he should not think that my views are in any way shaken or altered as a result of the events over the last 24 hours. I can also tell him DoLGE does have the required information. However, there was not time between everyone hearing the statement by the director of public health and the sitting of this hon. Court to explain the position, and that is why I accepted a delay in the resolution and withdrew it - to be able to give more confidence to those who might have been, and indeed have been, alarmed by the director's statement. I am quite confident that we can give the assurances that are needed and am greatly fortified by the wise words of the hon. member of the Council, Dr Mann.

The hon. member for Castletown is right, that since 1988 we unfortunately have not had a long-term waste disposal strategy. He again has explained as to why the motion was withdrawn, and he is right that the US report is not complete and is subject to peer evaluation by the end of July. It could be this year, next year, some time, never, before the final form of this report comes out and before we get the peer evaluation. He is also right that, however good we are at recycling, we will have a residue of refuse which needs an incinerator or landfill. As the hon. member of the Council, Dr Mann, says, the resolution only points to one

issue, and he is absolutely right that we should not decide this important matter on one issue and that the resolution should be widened so all effects on public health are taken into account, and I was fascinated to hear his wise words and glad that he said there was no one disease that could be attributed directly to incinerators and that he has not been shown a case of cancer caused by dioxins. I am very pleased that he accepts the amendment.

The hon. member for South Douglas, Mr Duggan, asked how the incinerator would be controlled. It would be controlled very firmly on behalf of the Isle of Man Government by the UK Environmental Agency, who have considerable experience in controlling other incinerators and methods of waste disposal. Furthermore, there is the great beauty that being off the Island they have no local interests and they would say just what they thought was technically right regardless of anyone else's views.

Now, unfortunately, it is no good him talking of baling as if it was the end of the matter. It is not. The bales are landfilled with many of the problems that arise from any form of landfilling.

I would like to thank the hon. member of the Council, Mrs Christian, for her support. Mr Cretney asked whose advice will be in the report referred to in the amendment. It will be the government's advisers who, I am confident, are independent people. In fact, I can assure this hon. Court that when Professor Blain was appointed we had no idea what his views were. We also have to remember that people of that standing have a reputation which they have to protect. They are not going to risk their reputation just for a small contract with the Isle of Man Government. They will say what they think is right without fear or favour. For instance, he told us very clearly that he would never have had the material from the incinerator in Newcastle, his own area, put on the path with the troubles that were caused by that.

Also, I would suggest some new advisers as well. We would have to think who they might be, but it may be we would accept top advisers from the UK DHSS or UK Department of the Environment, but that would have to be considered by the Council of Ministers. Now, I can assure hon. members that the report would be circulated well before the debate. There would also be detailed presentations in respect of it, and I do not think anyone can say that the department has recently held back in making presentations. We have been having in the last few weeks a presentation virtually once a week, and presentations to all interested parties, not just members of this hon. Court but the media and people like Braddan Commissioners and those that they wanted to invite.

The hon. member for East Douglas, Mr Braidwood - I would like to thank him for the points he made. He has scientific knowledge and clearly stated the situation.

Now, the hon. member for Ramsey - I totally agree with his remarks about the speech of the hon. member of Council, Dr Mann. I also concur with him about the US report being a red herring. As I have said, almost like a gramophone record, there is nothing in that report which was not known before. He is also right that there is nothing in this world that is absolutely safe, and do not let anyone pretend there is. There is a risk that even in walking down the stairs one might fall and injure oneself, so please do not let us think that there is anything that is totally safe. But the hon. member for Ramsey is absolutely right in saying it is absolutely cynical to stop an incinerator which would produce one dioxin for every thousand that exist and do

nothing about the thousand. But as I have said, the department is quite prepared to consider steps regarding that thousand.

He is also right - what do we do if we do not have an incinerator? Landfill is the only reliable option. It should be near the main sources of waste, I would also stress. He is correct that those who object to the incinerator, which is government policy, should have spoken up before; more than spoken up, they should have put forward firm alternative proposals. There have been no worthwhile proposals. Complete recycling, I am assured, works absolutely nowhere. It is not working. But even if it could be made to work, do we really believe that the citizens of this Island would be prepared to agree to the restrictions and controls that would be necessary? I am sure they would not. We are so afraid of a few cards that we have got about the incinerator, imagine what we would get if we brought in the controls that were necessary to bring in complete recycling if it was practical.

Mr Cannell: We brought in seatbelts; that worked.

Mr Gilbey: The hon. Treasury minister is right that following the expressions of the director of public health . . . and I should stress that the latter said these were his personal views and therefore I presume he was not expressing them in an official capacity.

A Member: Oh!

Mr Gilbey: He did say that because I heard him on the radio. It is no good sighing; that is just what he did say. I do not know why he said it because that is what he actually said.

The hon. Treasury minister was right that in the interests of public confidence it was necessary to have time to answer them, and that is what I believe we should do. He is also right to point out that we have to decide if EU policies on safety levels are good enough for us, and I agree with him that we should accept they are the standards that we should follow.

The hon. member for Middle, Mr North, confirms that we will not be able to landfill MSU in the future, and he is absolutely right and I thank him, as someone who is not a supporter of incineration, for confirming that. He says we should have pyrolysis. I am not going into that in detail because we have had presentations to members of this Court, to the media, to the Braddan Commissioners and others, and hon. members are quite capable of forming their own judgements on those presentations. I can assure him, however, that any incinerator that was ordered by this government would be updated as necessary. There is absolutely no doubt about that; the contract is totally clear on that point.

The hon. member for East Douglas, Mrs Cannell, says 'Who will produce the report?' I have replied to this. The government will produce the report and the government will have suitable advisers to advise them on it. She then says, 'When will it be produced?' It will only be produced when we get the required information and advice, and not until then. Now, it may be the July Tynwald but I frankly doubt it; I personally believe it will be the October Tynwald and it would be more sensible to aim for that so there is time to get all the information, time to collate it, time to circulate the report, time to have presentations et cetera.

Mr Karran, the hon. member for Onchan, says we will not have a proper, professional, impartial report. Well, I hope what I have said shows that that is not an accurate statement. We shall have impartial, professional advice.

I am glad he supported the withdrawal of the motion earlier today, but if he supports the Chief Minister and Council of Ministers' decision to do that, I hope he might think that he is also right to support them in the amendment which the Chief Minister supports.

Now, the hon. member for Ramsey, Mr Singer - I can assure him I have not changed my personal views one iota, and it is not because I have any predetermined interest in incineration. Frankly, as I have said elsewhere, personally I do not mind at all how we deal with our waste. In fact, what I would like to do is export the lot, but we cannot. But nevertheless, having heard all the arguments, having considered the matter, I believe that our policy is completely right.

He asked then about the bottom ash. That will certainly not go through Ramsey. I can assure him there is absolutely no intention whatever of having bottom ash in the north of the Island, and the reason for this is quite simple: it is a question of proximity. The whole basis of waste disposal is proximity. But what I can say to him is that if we do not find some other way of dealing with our waste and go ahead with the policy, it is a grave danger that we will have to use Wright's Pit North at least for an interim period, and that is a very real danger.

I have already said that we all know about the danger of dioxins and that is not the point; the point is that the amount of dioxins produced by a modern incinerator is no risk to public health, and it is not just me saying that; we have got people who really know who are saying that.

To Mrs Hannan I would state that the experts did not say there were problems if the monitoring was continuous and properly done. That is perfectly clear from the letter from Professor Blain. If the incinerator is run properly, as it will be, there are no problems.

I am sorry that recycling is not being done as quickly as she wants. I would like to see it done faster, but this is hardly my fault. I can assure her that it has been pursued with vigour in the last 12 months and I think there are clear signs to show that. Again, I would say to her, if we do not have an incinerator we will have to have in the next 25 years no less than five landfill sites each the size of the Raggatt or Wright's Pit, and it is very likely that one of those could land up in the west of the Island, perhaps at Ballaleece, so she should be aware of that.

Regarding my remark to Mr Brown which he, I thought, rather improperly remarked on - because clearly he and I will not be able to have any private conversations in future - I was actually right in what I said, that it is wrong to say there is no continuous monitoring of dioxins. There is not a direct one, but let me read this - I am reading it because it is too scientific for me to speak ad lib on it: 'Continuous monitoring of dioxins. Dioxin measurement is extremely difficult because the accuracy needed is so great. Looking for one billionth of a gramme in one cubic metre of flue gas does challenge science, but it obviously can be and is done successfully on a regular basis. Continuing monitoring of dioxins, which is not required by the EU regulations, has been required in the Belgium region of Flanders since 1st January 2000. In Flanders some plants' flue gas is sampled continuously and the sample is passed through a dioxin absorbing filter. After 300 to 500 hours this is analysed. Obviously such system provides no useful alert to a problem as the information obtained is only historical. Clearly it is a continuous monitoring in name only. Recognising these limitations, science therefore uses surrogate parameters, which means that you measure a range of emission parameters and dioxins at the same time. If you then continually monitor those emission parameters the

dioxins are recognised as varying proportionately. This proven and widely accepted, including by the environment agency of the UK “combustion fact of life” is little understood by environmentalists and the public, but it means that just two measurements a year provides enough data for compliance purposes. The significance of the memory effect identified in Belgium relates to the fact that it leads some to question the validity of the surrogate parameter approach. However, experience in Belgium has now shown that this memory effect is related only to recommissioned older plants which have been used wet and had scrubbing systems and are short-term. As such the EC regulations are being vindicated.’ As I see it, basically it says you know the dioxins are in the same proportion as other things that go up the chimney, in a fixed proportion, so therefore if the proportions of the other things vary you have an alarm about the dioxins.

Now, I would like to thank the hon. member Mr Quine for his support.

Mr Cretney: Robust!

Mr Gilbey: I would finally like to say that the resolution before us just limits the report that will be produced to that on a report on the United States Environmental Protection Agency report. Now, our government decisions, as the hon. member of Council, Dr Mann, has said, should not depend on one thing and particularly just one report by one organisation. Even more important than that is that this report may not completely finalise and be subject to peer review, this year, next year some time or never. No date is fixed. However, the amendment covers *all* aspects of health and this includes Dr Maclean’s points which do not appear to have been based on the American report at all but on other matters.

As I have said, the report that we propose under the amendment would cover all health matters, it would be reported carefully and impartially and it would be circulated well before the Tynwald sitting at which it would be on the agenda and there would be detailed presentations on it. So I hope that hon. members, to get the maximum information on every health aspect, will support the hon. member for Castletown’s amendment.

Mr Shimmin: Mr President, speaking to the amendment I am privileged to be following the two main most recent architects of the incineration policy of DoLGE. Brought to my feet, having been glared at by the teeth of the lion from Ayre when he refers to what I can only assume was myself as a man of straw, (*Laughter*) So as a scarecrow from over here -

Mr Quine: The hat fits! (*Laughter*)

Mr Shimmin: - the issues of take a decision, action - I find those heartwarming coming from a man who for 2¹/₂ years denied there was a housing crisis on the Island (**Members:** Hear, hear.) to turn around and say that on this issue men of straw changing their minds. I would ask the two architects of this initiative, why has that happened? You should politically have been aware that the vast majority of this chamber are clearly ensconced in one camp or another. That has been blatantly obvious to everybody in recent years and certainly in recent months. I would believe, as the only person who has publicly stated that he has changed his vote on this occasion, that I am the man of straw talked about.

Mr Gilbey: I never mentioned you as a man of straw.

Mr Shimmin: No, Mr Quine, your predecessor did, in more ways than one.

Mr Delaney: Who said he was a man of straw? (*Interjections*)

Mr Brown: He has had an operation since then!

Mr Shimmin: What we have got to try and consider is whether the tactics of the department have been persuasive and whether the amendment before us now is going to give all of us any more confidence than we have already had. My vote for incineration was there for the taking, and even the supporters of incineration have, quite frankly, been astonished at how poorly DoLGE have handled it in the recent months. They might not state it publicly here, but certainly there is a fair amount of dissatisfaction in the way that DoLGE have got the message across politically and publicly. It is no good bullying men of straw or the members of the public by saying 'We are right. Do it our way.' The fact that at the 12th hour they have now had to withdraw this motion would indicate the closeness of this vote and the appropriateness of moving forward.

The hon. member for Ramsey, Mr Bell, refers to this motion as a red herring. Of course, to an extent he is right. All other attempts to stop this roller coaster from going out of control have been ignored and denied by the department. Every attempt to try and get information has been limited to the last three weeks when we have had, yes, presentations, a number of them quite well done. Have they worked? Certainly most of the people from the press and the commissioners appear to have come out against even when some of them were previously in favour of incineration. So the presentations did not work. The bullying did not work. The issue now is whether we go with the original motion, which I would remind hon. members was put down some weeks ago as being the last attempt to be able to try and delay until more information was available.

Mrs Cannell: The 30th May.

Mr Shimmin: The 30th May, I am told by the mover of the motion. So much, as we know, has happened in that time. The Council of Ministers this morning pulled the plug on their motion because of the actions of the director of public health - one person. I would argue equally eminent people have been making the same sort of concerns for months, if not years, on this very same issue. They have all been brushed aside and ignored by the department. Now, at the 12th hour one person has had the opportunity to make a comment and that has meant that the decision has been deferred.

We have an amendment to the original motion, I remind you, as put down three weeks ago. What does it add to the original motion? It is one where there are too many questions begging. Yes, it is one issue. It refers to the EPA study. The EPA study does have credibility, but it is not as relevant to the Isle of Man, it is not EU directives and EU measurements, but if the department were to take a more wholesome attitude towards this they would not see they have got to restrict it just to information on the EPA study and its findings but would actually utilise the time to address all of the concerns of Dr Maclean and many of those concerns being raised today and previously and to actually come back to this Court with a case well made, well argued, and then they may have a chance of getting it through. Until that time I believe that the motion as it stands should be supported. I believe the amendment does not offer us a greater level of security that we will have the time to make the necessary investigations and I would urge members to support the motion as stated, sir.

Mr Waft: Mr President, I have listened to the debate up to now, and quite honestly I think this hon. Court is owed an apology for presenting us with a petition to spend £42,690,000 on

an integrated waste incinerator and then, as an after-thought today, somebody says 'Oh, well, we haven't got the medical officer of health on board'. That is appalling. It is absolutely appalling.

A Member: It is appalling.

A Member: Hear, hear.

Mr Waft: Now, we have my colleague, Dr Mann, saying, 'Well, really it is quite hard to make a decision one or another.' The gentleman was on the radio this morning and he said he is not a toxicologist. Well, neither are we. The point is, he is more able to find out from the reports that have been made as to what depth of substance there is within those reports. You can go home tonight, open up your internet and you will get reports churning and churning out, some for, some against, but you have got to make a decision. Now, the person who is in post to advise us has not made that decision because he has not had the information. Now, why has he not had the information up to now? If he is not a toxicologist, as I said, he must know a man who is or he would make recommendations and that is all we want, recommendations, otherwise we have got the balance of probabilities. We go on what we have heard and balance them ourselves.

There are very few of us here in this Court who can know what a dioxin is even. There are over 200-odd compounds. It does not mean a lot to any of us, but the point is we do know that it is carcinogenic. We do know point all the waste vehicles that are going to be started up tomorrow morning, £100,000 vehicles, that are going to go to the Bride; once they start those diesel engines they are going to be pouring out dioxins, believe me (**Mr Delaney:** Hear, hear.) and they are going to travel a very, very long way around this Isle of Man, and what is going to happen to all the dioxins?

There is all this to take into consideration. We have had presentations coming out of our ears. I respected the work the department has done, they have certainly done a good job, but we have fallen down at this last gasp and it is a very sad state of affairs to find ourselves in, but however, that being so, I am of the opinion that the Council of Ministers was right this morning to say, 'Look, hold on, but a government to turn round and completely ignore their medical officer of health is absolute lunacy (**A Member:** Hear, hear.) and we have to take advice' and the man has said he wishes to take advice and we have to take the advice that he deems to be appropriate in these circumstances. I think we should all take a step back, get the advice. We have waited 20 years now; another month or two is not going to matter too much anyway, even if it is six months, and then we will be acting correctly irrespective of which camp we are in or which camp we are not in. The point is we have taken advice on the balance of probability it is best to go for the incinerator. I am only glad that nobody today has blamed the civil service, because that has been blamed in the past: we have been led by bureaucracy down one road or the other. This is a vote all the members have to take at the end of the day and you have to be making that decision on all the information that is available.

So I suggest we wait and find out exactly what the situation is and then vote on it when the time comes. Thank you, Mr President.

The President: Now, hon. members, I invite the hon. member for East Douglas, Mrs Cannell, to wind up the debate.

Members: Hear, hear.

Mr Cannell: I can't think of a finer person.

Mr Singer: By nine o'clock.

Mrs Cannell: Thank you, Mr President. We have had an interesting debate. In some respects, though, I believe a disappointing debate because we have had a lot of the old red herrings coming out. In view of the fact that we have moved on, we are in now the 21st century, technology has moved on et cetera, and there is new scientific evidence, we still have got some of the old stories coming forward.

In relation to the USEPA report, they produced a report in 1985, 1988, 1994 and subsequently May 2000. In the 1994 USEPA risk assessment of dioxin confirmed earlier reports of 1985 and 1988 that dioxins are potentially carcinogenic; the immune system also can be directly and indirectly damaged by dioxins even in small doses. Now, that is the European Environmental Agency. Interestingly enough, we have had a lot of comment in relation to the background levels, and I agree with every comment that has been made in relation to background levels: we do not know what they are. We are judging them. The comment was made on diesel. Yes, we know now that diesel is also carcinogenic, but that is only information that has come out in the last two, three years. Prior to that it was thought to be environmentally friendly. We also know that unleaded petrol is now actually more dangerous than it is environmentally friendly, and that has only come out in the last 18 months, two years.

There are new findings all of the time but I thought members might be interested to know that in 1999, one year ago, Warren Springs Laboratory were asked to review incineration in the United Kingdom by the UK Government, and they found that wood, coal and vehicle emissions suggested that they are 'of relatively minor importance'. In 1989 the lab had perceived them to be high. Now, what they also said was that coal is not comparable with a municipal incinerator for total TCBDs. So let us not get confused thinking that everything that goes up into the atmosphere is damaging, because not everything is as damaging or as contributing to ill health as we have heard in this chamber today. But dioxin is.

We know the Isle of Man has background levels. The problem lies in the fact that we do not know what those levels are. The department has mentioned one in a thousand that is already there and yet I have heard from the hon. minister just five, ten, minutes ago less than one in a thousand. I heard less than one thousand and then I heard one in, so we still seem to be unsure. What is the other thousand? What is the composition of the other thousand? How are they made up? How are they measured? Well, we do not know because there has not been any effective, continuous monitoring to assess what the background level is. We have had two monitors in Douglas: we have had one at Richmond Hill and we have had one at Quarter Bridge, but what they have measured is soil and cow's milk. We have had no measure of dioxin in the atmosphere, absolutely none whatsoever. We do not know what is coming out of the power station and falling on those poor people in South Douglas. (**Mr Duggan:** Hear, hear.) We are told that the sulphur coming out is less than it was, but we do not know what else is in there. How can we be sure that one small measure of increase is not going to contribute to the ill-health for those people, for instance, (**Messrs Duggan and Cretney:** Hear, hear.) without the assessment and without gathering background levels. We may be surprised.

We may find the background levels are so low that that tiny portion of dioxin produced by the state-of-the-art incinerator will not make a hoot of a difference - fine. Nevertheless, we may find the level of toxins in the human body in some of our population, particularly the people in South Douglas, for instance, might be very high and, yes, they might be contributed by cigarette smoking. They might be attributable to the power station effluent; they might be attributable to the vehicle emissions; there might be a whole raft of things that are bringing them up to a certain level, but if that level is high why add to it? (**Mr Duggan:** Hear, hear.)

A Member: We have to reduce it.

Mrs Cannell: Now, one thing that has not come out is that dioxin is more than three times higher for a young child as compared to that of an adult on body weight basis. Now, we have an assessed body weight. We have no figures or stats on body weight. Babies - the average daily intake of a nursing baby, a breast-feeding baby, is 100 times greater. The risk of dioxins passing from the mother's body through the placenta into an unborn child, effects on the central nervous system, have all been discovered in America in the normal population - that is to say, not a deprived area. What has not come out here today, or has not been acknowledged, is you may be thinking there is only one minuscule part that is going to be contributed to a thousand already out there. It is not going to bother us. We should be thinking ahead, because what happens is the dioxin exposure occurs over a lifetime. That is in essence what is contained within this report. It is saying that the levels are going down in the environment but they are increasing and being contained within the body, and we are not getting rid of those. (*Mr Downie interjecting*) When we have children we are passing them on to the child who then is taking in more, so as we go through the generations, two, three, generations ahead, those children could have an exceedingly high dioxin level within their body because it is contained within the fat. That is the point. We have got them. All of us have got it. All of us have got dioxin in our bodies, but we do not know what the level is.

What I am asking here in my motion is to wait for the results of this to come out. Now, at the moment it is being evaluated by a scientific peer group. It has gone to the peer group; they are looking at it. There is a schedule and they are hoping to come out at the end of July this year. If they do not come out at the end of July this year you can bet your bottom dollar it will be this year because the findings are so serious. (*Interjections*)

Now then, we have heard in this debate about the department's two eminent advisers, Professor Blain and Dr Floyd. Well, let me tell you, hon. members, there were only a handful of us there at the video link. We were only given a very short time in which to place questions and when I had more than three I was told I had had my fair share. 'You have had your fair share, Mrs Cannell.' That is not good enough. I had other questions I wanted to ask and I was told, 'Oh well, that's it, sorry. You have got to get out. The press are due in now.'

Mr Downie: You should have come to the public inquiry.

Mrs Cannell: What Professor Blain said at the very beginning of his video link was, he rests on his proof of evidence submitted at the public inquiry in 1998. There is nothing in his proof of evidence that he would wish to change and his case was resting on his proof of evidence. So let us look at his proof of evidence. In 4.2 he said 'Population health data is not available. Preliminary review cannot be made of the health of the population living around Richmond Hill or within a five-kilometre radius of the proposed site.' He went on 'The proposed

incinerator could be perceived as having a potentially direct effect on the health of the population living down-wind.' Now, it is interlaced with 'perceived' and 'potentially'. That is to cover himself because he cannot be sure, and why can't he be sure? Because he works in a laboratory and this whole model, this whole incinerator, is based on a laboratory model. That is what it is, hon. members; that is what he is basing his predictions on. They ultimately have to be validated following operational data of the incinerator. It is all theory, it is all perceived, it is all presumption and, further, his predictions are based on 'provided everything works in an ideal situation' - in other words, provided the high engineering standards are maintained, provided we do not have certain weather conditions and everything is perfect, provided this, provided that and provided the other. He is waiting for the incinerator to be built, then he can check his figures against the predictions that he has made.

What is very important, though, is the issue of particulates, and in 7.7 of Professor Blain's proof of evidence he said 'The size and chemical nature of particulates are important characteristics. The size of the particulate firstly determines how far they will travel in the atmosphere. The size also determines the extent to which particulates penetrate the respiratory system. It is recognised that particulates act as carriers of other chemicals, that the other chemicals actually stick to them. The smaller they are, the micro-particulates of 2.5 nanogrammes or smaller attract other particulates which stick to them. He recognised that, and he says because they are carriers of other chemicals they may thus be an additional health risk. That is what we are looking at here today. In summary, at 9.2, he said 'Ground level concentrations are predictions based on models and must ultimately be validated by operational. . .' That was in 9.2 of his proof of evidence.

Galway in Ireland has taken this report extremely seriously. What they have done is they are asking for independent, professional evaluation of this EPA report when it has undertaken peer review. They have put a moratorium on theirs; that is what the Irish ministers have done.

We have heard about the memory effects. Memory effects have been reported as a particular difficulty in systems. Now, our own director of public health is concerned about this, where a wet scrubber is used as the final gas-cleaning step after dioxin removal by absorption. The large surfaces of polymer material in linings and packages can accumulate dioxins causing difficulties to obtain emissions below the limit value of 0.1 nanogrammes. Now, that is interesting, isn't it? They set theirs at 0.1; our Minister for the Department of Local Government and the Environment says ours is 0.5. Why should ours be higher?

Dr Floyd, another one of the department's experts, who was supposing to be giving us advice and allaying our fears, rested on his proof of evidence also, so let us take a look at his proof of evidence. It is interesting: at the time of writing his report for the 1998 public inquiry he cited the USEPA report as the most comprehensive study to date. He recognised it was the most comprehensive study undertaken by the most eminent scientists in the world and that it was a government-run agency financed by government. Now then, he said all sorts of things to try and sell the incinerator to us. He actually said very little on the health implications, and what he did say he would nervously try and qualify with the salesmanship of an incinerator. But it is interesting that at the time he was writing his report and Professor Blain was writing his report in their laboratory working on their model and their predictions and their theories in 1998, right outside their window the local authority were contaminating pathways, thereby contaminating allotments in Newcastle in the Byker area. I asked them on the video link, 'Were

you aware that your area was being contaminated at the time of writing your report?' Oh no, no - very jumpy they were; very, very jumpy.

Going back to Professor Blain, in 3.1 he makes it quite clear in his introduction; he says, 'Incineration is a combustion process which under ideal conditions yields emissions of carbon dioxide and water vapour only. However, most combustion processes are not ideal and partial combustion may take place. This is what the good doctor is concerned about because you get spikes - you get times when the plant does not work, it breaks down; you get times when you have to stop the plant working in order to give it a service, give it a clean. There are times when that is happening and that has to happen, because you cannot keep an engine running for 25 years non-stop. It has to stop to be cleaned, to receive repair. It is the cooling down and it is the heating up that is the danger. The dioxins form between 200 and 500 degrees centigrade and they collect and those are the micro-particulates that the good doctor is concerned about. (**Mr Cretney:** Hear, hear.) He further went on to say in 3.3 . . . Now, we have heard lots of propaganda in the last three weeks about almost zero emissions, that our incinerator will be 99.9 per cent safe, when in 3.3 of Professor Blain's evidence he says 'It is impossible to reduce level of emissions to zero.' He further admits, 'The finer the dust, the smaller the size determines how far they penetrate into the respiratory system' - I am quoting him here. 'The finest micro-particulates' - now this is the key, because the higher the engineering standards today - and I admit they are higher and they are emitting less pollution than they did 5, 10, 15, 20 years ago. I agree with you there; I will concede to that because that is fact. The problem is, the higher the engineering standards of today's machines, the smaller and finer those particulates are - the very fine aerosol dust that is coming out.'

A Member: What is the problem then?

Mrs Cannell: They are smaller, they are more toxic, they are actually more lethal because they breathe in more easily. They actually get stuck in the narrow bronchi in the chest, from where they cannot be coughed up.

Mr Quine: Senior Service.

Mrs Cannell: I asked Professor Blain about mercury: 'What are you going to do about mercury.' 'Oh, that is very difficult,' he said. 'We cannot put that in an incinerator,' but he did not offer an explanation as to what else he could do with it.

The incinerator is planned to run 24 hours a day, 365 days a year for 25 years.

Mr Downie: It is not going to stop for a repair then.

Mrs Cannell: You measure the contribution that that may make to ill health. It is immeasurable.

Mr Cannell: Pass me a Woodbine!

Mrs Cannell: Right. Now then, in the final conclusion of the Professor Blain's proof of evidence he said, and I quote, 'Provided the installation functions to high engineering standards proposed, 10.2, however this health risk assessment is dependent on the accuracy of the dispersion model results.' Now, this model he has been working at in the laboratory is based on the figures that he has been given by whoever has been putting together the figures and he did say also in his proof of evidence the figures he has got are crude; they are crude figures. Now, provided that they measure up, provided they are accurate, we should be okay.

This is where the uncertainty lies, because I know the good doctor has done his figures and taken advice from other toxicologists and they are coming up with different figures to Professor Blain's. He describes them as crude. He describes the monitoring as crude. I asked him about the 2.5 micro-particulates, whether or not . . . because he mentioned particulates in his proof of evidence, but he never mentioned size. 'What is your view on the 2.5 micro-particulates?' 'Oh, yes', he said, 'They are being studied, there are reports on them.' He mentioned a very powerful committee of scientists who are actually studying it. What was the conclusion? He could not say, and do you know why? He said 'The jury is out. I do not want it to sound like a sop,' he said, 'but the jury is out.' So he could not give us any assurance there.

Can I just throw into this final summing up here, talking about the department's so-called advisers and consultants, we had another presentation where it started off with a good number of hon. members covering it and it ended up with three and then there were just two of us from half past twelve until four o'clock one day, and we were introduced to the incinerator salesman - I beg your pardon, sorry, the department's consultant on incinerators, a fellow from Denmark. I pushed him about his examination on recycling and costs and evaluations, and do you know what he said to me, hon. members? I quote, 'It is cheaper to recycle and export to the United Kingdom than to landfill' and I would have said this in broken English, but basically what he meant was, if we maximised recycling and it was washed and it was clean and it was separated and then collected, we could market that, it was cheaper to send that to the United Kingdom as a recyclable material to a market than it would be to landfill.

Now, we know that landfill in the Isle of Man is not an ideal solution. That is why we should have been putting in place this type of policy years ago, even if it meant you are stock-piling milk cartons, plastics, cans, whatever it was, provided they are in good condition and you piled them up until you had a container and then you could have shipped them off-Island. If it cost you to do that, to be marketed somewhere else, then so what? It would have saved you on landfill. That is what you should be doing now. That is what the department should have done if it could find its way. But he said that and I find that quite an admission.

Now, further, the hon. minister said today that his incinerator will meet with the highest possible European standards, and if new standards come in, then ours will fulfil the new standards. What he did not say, hon. members, is that if this incinerator needs a refit, which is highly likely because the EU is moving and tightening up pollution, it is highly likely if you bought today that in five years or less you would have to tighten up. What the hon. minister did not say, hon. members, was who would pay for the refit? This was a question that we put at the last presentation, and we were advised by the department's eminent lawyer, which I assume was from off-Island, 'Well, that is unsure. We are not sure whether it would be government or whether it would be the incinerator operator.' Major refit had to take place quite recently in a place in the United Kingdom. It was quoted £9 million for a refit and it turned out to be £28 million. That is what we are looking at here and that was Sheffield. That was an energy from waste plant in Sheffield and that happened very recently.

Now then, let us have a look at landfill and disposal of ash, shall we?

Mr Cannell: Mr President, is this a summing up?

The President: Hon. members, I have been following the clock, hon. member, if you will just resume your seat for one moment, and I have been trying to be very fair this afternoon. I

have now given you exactly the same time as the minister had to tell us who he agreed and disagreed with. Can I ask that in fact you bring your remarks speedily to conclusion if you can?

Mrs Cannell: Thank you, Mr President, I just think there is just a little bit of uncertainty in relation to the disposal route.

The President: All right.

Mrs Cannell: The two eminent scientists did not identify a safe disposal route. Now, hon. members should be aware of this. The department assumes that this is going to be the UK Environmental Agency which is going to take the fly ash, and a request for that has been made. A letter has been forthcoming, we understand, but when we spoke about it at the last presentation nobody had seen the letter of confirmation. Now, the letter from the UK Environmental Agency is basing this decision provided on all sorts of things. This is under the Basle Convention, Mr President. The Basle Convention runs out 31st December 2000. Once that runs out, under that agreement we can make a request to export our highly toxic fly ash. If that is not done, then we have to make a duly motivated request to have it exported off-Island, but in order to do that we have to have in place import and export of waste regulations. That is one piece of legislation. I am not going to name the rest, but if the list is like that that we will need in place to dispose.

Now, let me just give you the latest in landfill options. I do not suppose the department will be very pleased with me here because I have acquired information that is not in the public arena and has been prevented from. . . Well, members have not seen it. The hon. member for Peel alluded to something similar earlier in her contribution and she is right, because I have come across other pieces of literature which we have not seen.

The landfill options - Turkeylands is out of the question due to an extension of operation by the current users for a number of years. This is the bottom ash and anything else. The department would, however, need to build this site up again above the water table, if it ever because available, so it is out of the question. Ballahara sand pit is out of the question because of limited space.

A Member: What has all this to do with the motion?

Mrs Cannell: Wright's Pit East has been subject to an application to extend its life, which I understand is approximately seven years. Now, the planning inquiry was held on 15th May and we still await the outcome of that. As far as is possible, it seems likely that it will be Wright's Pit East that will be used for bottom ash from the incinerator. You have had assurances in here, hon. members for Ramsey, from the minister. I have a document here which is in black and white, which is from meetings with the department, so if you want evidence I can give it to you.

Finally - if I can just find it - and I am sorry, but members have gone on a long time and I have sat very patiently and listened to you all.

Members: Oh!

Mr Cannell: Pots and kettles.

Mrs Cannell: I would ask hon. members to think on this!

Mr Cretney: She knows what she is talking about!

Mr Downie: I hope not!

Mrs Cannell: RPS Consultants Limited have been hired by the Department of Local Government and the Environment to advise them on waste and waste arisings; indeed, they produced and wrote a report in October 1999. Why hasn't the hon. minister let members see that report? I will tell you why: because it is rather damning. It criticises the department's ability to manage landfill. It criticises the department's ability -

Mr Downie: We do that every week!

Mrs Cannell: - to manage waste arisings, to recognise what they are and to separate them; it criticises the department's ability to even imagine to operate or even instigate a mass burn incinerator. I have got a paper here with the conclusions of that report which were leaked to me this morning.

Mr Downie: Did it come from America with the other one?

Mrs Cannell: No, they were leaked. It was actually leaked to me. I have no idea of the source, but I have checked it out and it is genuine. It is very damning, but why haven't we had a copy of this report?

Mr Downie: Read it out then.

Mrs Cannell: Why haven't we? If there was time I would read it out. I would read it out if Mr President gives me permission. It is very damning.

Mr Downie: Keep going before he stops you.

Mr Brown: Go on then.

Mrs Cannell: It is very damning.

Mr Downie: Keep going then.

Mrs Cannell: 'The lack of reliable waste arisings data for a number of waste streams on the Island precludes the efficient and economic management of waste. This gives cause for concern for a wide range of issues, including long-term planning of the waste disposal facility at Wright's Pit East, landfill site in particular, void capacity and operational life, doubts regarding total waste arisings and the associated incinerable fraction for the Island to make it difficult to plan and design the Island's incinerator facility with an appropriate level of confidence. This makes projections difficult with regard to the quality of waste still requiring disposal at landfill. In addition -

Mr Cannell: Mr President, a point of order, please. Standing order 3.16(1), 'When any motion is before Tynwald a motion may be made that the motion now be put.' I so move.

Mrs Cannell: Getting close to the bone!

Mrs Hannan: There is such a thing as freedom of speech.

Mr Karran: There is such a thing as freedom of speech. The hon. member has got the floor; she should be allowed to finish.

The President: Hon. members, in fairness I asked the hon. member for East Douglas to draw her conclusions to a close some seven, eight minutes since. She is now actually introducing new information to this Court which is in a reply to the debate and in actual fact it

should not be happening at this particular stage of the debate to be introducing new measures, and I propose to put to the Court the motion moved by the hon. member for Onchan that the motion be now put. Will those in favour that the motion be now put please say aye; against, no. The noes have it. Divide.

A division was called for and voting resulted as follows:

In the Keys -

For: Messrs Gilbey, Henderson, Bell, Corkill and Cannell - 5

Against: Messrs Quine, North, Sir Miles Walker, Messrs Brown, Houghton, Cretney, Duggan, Braidwood, Mrs Cannell, Messrs Shimmin, Downie, Mrs Hannan, Messrs Singer, Karran, Gelling and the Speaker - 16

The Speaker: Mr President, the motion fails to carry in the House of Keys with 5 votes in favour and 16 votes against.

In the Council -

For: None.

Against: The Lord Bishop, Messrs Lowey, Waft, Dr Mann, Messrs Kniveton, Radcliffe, Mrs Christian, Messrs Delaney and Crowe - 9

The President: Now, hon. members, the voting is unanimously against in the Council, so the motion to be put is lost and I invite the hon. member for East Douglas to continue, (**Mr Duggan:** Hear, hear.) but I would remind her that she should not be introducing new measures, and can I suggest to her it may be helpful to the Court if she does try to bring her remarks to a conclusion.

Mr Brown: Before you do, Mr President, may I raise a matter under standing order 3.23(7) please, sir, and your ruling?

The President: Standing order 3.23(7)? Tell me what it is, first.

Mr Delaney: Circulation of documents, Mr President.

The President: In actual fact, hon. member, the hon. member for Castletown is right in that ruling and I would ask the hon. member not to circulate anything further out of the papers which she was referring to when we stopped her in mid-flow previously.

Mrs Cannell: Right, thank you, Mr President. Well, in view of that, what I will do to help hon. members is photocopy this particular piece of evidence and I will circulate it (**Mr Duggan:** Hear, hear.) to every individual member of this hon. Court, including your good self, sir, (**Mr Delaney:** Hear, hear.) because it is essential and it is very important. (**Mr Brown:** Hear, hear.)

I will finish by saying - I am just winding up - some hon. members are aware of this and others are not - on 5th June I wrote and signed my letter 'urgent' and addressed it to the Chief Minister, and I asked him in relation to the video link presentation which was scheduled for 7th June at the Manx Museum seminar. I expressed my extreme concern that this meeting had been put together in such a rushed manner, because that was the first opportunity, hon. members, some of us had anyway of looking at this whole project. I urged him, because we are common people representing common people and do not have the necessary scientific expertise, please to allow to be in attendance the director of public health and also a

toxicologist, and I recommended who that toxicologist might be. I urged him to do that. I also was concerned that we were being given only 30 or 45 minutes in which to put our concerns and questions and, particularly as they rested on the proof of evidence, to actually question that proof of evidence. That was hand-delivered to his office on that date.

The next morning I had not received a response and I had to chase up the Chief Minister's offices to find out when he would respond, bearing in mind the time factor, because DoLGE had actually arranged the video link very quickly and so there was very little time. The toxicologist, I thought, would provide us with a balanced atmosphere, a balanced viewpoint so that we could make a balanced judgement because we would have not only Professor Blain and Dr Floyd and their theory, but we would have a practising toxicologist and his findings and on top of that we would have our own director of public health there to act as the go-between to assist hon. members in understanding the implications further so that they could make a well-balanced, well-informed decision if and when the hon. minister brought forward the incineration money vote, which of course he subsequently did.

I eventually got a 'phone call from the secretary of the Chief Minister, who was very nice to deal with and very polite and was very understanding, and she came back and she said to me that she would do her best to get a reply. Now, the toxicologist that I wanted to give us the benefit of his experience would have to have travelled over from Liverpool so that is where the time was urgent, because he would have to book his flight to come over. Eventually I got a reply which was faxed through the following day and it said, 'Dear Brenda, thank you for your letter regarding the incineration presentation at the Manx Museum tomorrow. I have spoken to Walter Gilbey and he assures me that there will be ample time for members to discuss Doctor Blain's views at the video conference link. Yours sincerely.'

Hon. members, I have done my best to try and provide for all of us, myself included, the necessary expertise to be able to make a fully balanced decision on this whole debate - on the EPA report, on the technology for the incinerator, on the health implications or otherwise for the Isle of Man. I tried to provide that opportunity for you and it was ignored. We have been getting one side of the story and one side of the story only, and it is almost as though 'Dare you challenge what we put to you. Dare you provide another side to this. Just accept what we are doing, like it or lump it.'*(Interjection)* Well, I believe members will not like or lump it.

I would ask members to please support the motion as written. The EPA report covers everything; it is the dioxins, but it is also coming out with a series of measures, and let us not forget, in my opening remarks I made the point, if members were listening, that they were critical of the lack of data on background levels. Their remit extends to bringing forward recommendations of how we could correct that situation. They will come forward and give ideas of how we balance, how we judge, how we assess body weight and how we monitor and how we conduct background levels. They will embrace the whole thing. It is not just focusing on dioxin. There is a whole string of measures and they have to deliver, and they have to deliver this year. I beg to move, sir.

The President: Hon. members, the motion is that printed at 36 on your order paper and to that there is an amendment in the name of the hon. member for Castletown, Mr Brown, and equally circulated to you all. Will those in favour of the amendment, please say aye; against, no. The noes have it.

A division was called for and voting resulted as follows:

In the Keys -

For: Messrs Gilbey, Quine, Sir Miles Walker, Messrs Brown, Houghton, Cretney, Braidwood, Downie, Bell, Corkill, Cannell, Gelling and the Speaker - 13

Against: Messrs North, Henderson, Duggan, Mrs Cannell, Mr Shimmin, Mrs Hannan , Messrs Singer and Karran - 8

The Speaker: Mr President, the amendment carries in the House of Keys, 13 votes in favour and 8 against.

In the Council -

For: The Lord Bishop, Mr Waft, Dr Mann, Messrs Kniveton, Radcliffe, Mrs Christian and Mr Crowe - 7

Against: Messrs Lowey and Delaney -2

The President: With 7 votes cast for in the Council, 2 votes against; the amendment therefore carries, hon. members, and I put to you the motion on the order paper as amended. Will those in favour please say aye; against, no. The ayes have it.

A division was called for and voting resulted as follows:

In the Keys: Messrs Gilbey, Quine, North, Sir Miles Walker, Brown, Houghton, Cretney, Braidwood, Shimmin, Downie, Mrs Hannan, Messrs Bell, Karran, Corkill, Cannell, Gelling and the Speaker - 17

Against: Messrs Henderson, Duggan, Mrs Cannell and Mr Singer - 4

The Speaker: Mr President, the motion carries in the House of Keys, 17 votes in favour and 4 votes against.

In the Council -

For: The Lord Bishop, Mr Waft, Dr Mann, Messrs Kniveton, Radcliffe, Mrs Christian, and Mr Crowe - 7

Against: Messrs Lowey and Delaney - 2

The President: Again, hon. members, 7 - 2 in the Council. The motion as amended therefore carries.

Procedural

The President: Now, hon. members, we have two further items on our order paper and, being conscious of the clock, I have spoken or had a communication with the hon. member, Mr Henderson, who I understand will be in agreement to withdraw his item on the order paper subject to a level of precedence when setting the agenda paper for next month.

Members: Agreed.

Mr Henderson: Yes, please, Mr President.

The President: And I understand from Mr Karran that he is equally prepared so to do in relation to his item on the agenda paper at 38.

In that case, hon. members, that draws to a conclusion our order paper for today. Council will now withdraw and leave the House of Keys to transact such business as Mr Speaker may place before them. Thank you, hon. members.

House of Keys

The Speaker: Hon. members, of the House of Keys, the House will now adjourn until Tuesday next, 27th June, at 10 a.m. in our own chamber. Thank you, hon. members.

The Court adjourned at 6.59 p.m.

CORRIGENDUM

Tynwald Court (20 June 2000), p. T811, column 2, line 19, for '[SD No 186/00] please substitute [SD No 185/00].