

**REPORT OF PROCEEDINGS OF  
TYNWALD COURT**

**Douglas, Thursday, 21st June 2001  
at 10.30 a.m.**

Present:

The President of Tynwald (the 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 Mrs C M Christian, Messrs E A Crowe, J R Kniveton, E G Lowey, and G H Waft, with Mr T A Bawden, Acting Clerk of the Council.

In the Keys: The Speaker (the 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 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); 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) and Mr J Rimington (Rushen); with Mr R B M Quayle, Acting Clerk of Tynwald.

*The Lord Bishop took the prayers.*

**Clerk of Tynwald – Appointment – Motion Carried**

**The President:** Hon. members, we had completed our order paper as far as item 41. We have reached 42, and I call on the Chairman of the Tynwald Management Committee, Mr Speaker, to move.

**The Speaker:** Mr President, I beg to move:

*That, in accordance with the provisions of standing order 9.2, Mr Malachy Cornwell-Kelly be appointed Clerk of Tynwald with effect from 1st October 2001, the appointment to continue during pleasure.*

The Tynwald Management Committee interviewed a short list of five candidates for the position of Clerk of Tynwald, and on behalf of the committee I have much pleasure in recommending to Tynwald that Malachy Cornwell-Kelly be appointed its Clerk.

Mr Cornwell-Kelly was born in 1947 and his nationality is British. He is a law graduate of King's College, London and the College of Law, London. After serving his articles of clerkship, he joined Her Majesty's Customs and Excise Solicitors' office, where he remained for five years. He then transferred into private practice and then worked for a period with the Law Society of England and Wales. In 1988, Mr Cornwell-Kelly became a Parliamentary Commissioner for Administration, the ombudsman directing investigations dealing with complaints against Customs and Excise, the Inland Revenue and the Department of Trade and Industry. In 1993, he returned to private law practice. Mr Cornwell-Kelly is currently a member of the Law Society Revenue Law Committee, a member of the VAT and Duties Tribunal and a member of the Special Commissioners of Income Tax. He is retained by the European Court of Justice as a freelance translator for the English Translation Division as he has a fluent reading and speaking knowledge of French.

Hon. members, the Tynwald Management Committee believes that Mr Cornwell-Kelly has the right combination of academic and professional qualifications to prove an able and distinguished officer of the legislature. If Tynwald Court today approves Mr Malachy Cornwell-Kelly's nomination, he will take up his position on 1st October. In the interim, Mr Robert Quayle, our Acting Clerk of Tynwald, has agreed to continue until 31st October and then will provide a lesser consultancy service, if required, for a further two months to assist Mr Cornwell-Kelly's

assumption of the full responsibilities of the post. Hon. members, I commend to you the motion standing in my name that Malachy Cornwell-Kelly be appointed our Clerk of Tynwald.

**The President:** Chief Minister.

**Mr Gelling:** Yes, thank you, Mr President. I rise to second the motion moved by Mr Speaker and, as I said in Keys in doing the same thing, the gentleman is very well qualified and has a wide experience. Now, having met him on two occasions, I too believe that he will do a good job for this Court and for Keys and for the Island, so I have great pleasure in seconding the motion, Mr President.

**The President:** Hon. member for Ramsey.

**Mr Singer:** Thank you. Could I possibly ask a question of the mover of this resolution? Obviously Mr Cornwell-Kelly is a particularly distinguished person and lawyer, and you have read out, Mr Speaker, a long list of his other responsibilities in the United Kingdom and the various committees et cetera on which he sits. Could you possibly tell me what arrangements have been made for him continuing with those responsibilities, which do seem to me to be quite onerous, in regard to his responsibilities here on the Isle of Man?

**The President:** Mr Speaker.

**The Speaker:** Mr President, I can inform you that Mr Cornwell-Kelly's appointments as a member of the VAT and Duties Tribunal and a Special Commissioner of Income Tax will no longer apply when he takes up his office here. He is retained by the European Court of Justice as a freelance translator for the English Translation Division and, as that says, it is freelance, so he will, if he wishes to, do as much or as little as he is able in his own free time. But I do say that it is a great advantage for us to have as the new Clerk of Tynwald such a distinguished linguist in the French language, as much of the European legislation comes out in French and therefore he will be able to give a knowledgeable response to it. Otherwise, his duties will be full-time.

**The President:** Hon. members, the motion before us is printed at 42 on the order paper. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

### **Air Quality – Implementation of Sections 89 and 90 of Public Health Act 1990 – Amended Motion Carried**

**The President:** Item 43. I call on the hon. member for Peel, Mrs Hannan, to move.

**Mrs Hannan:** Thank you, Eaghtyrane. I beg to move:

*Tynwald is of the opinion that the Council of Ministers should draw up a timetable for the early introduction of sections 89/90 of the Public Health Act 1990 relating to air quality standards, with plans for implementation and funding for areas affected by smoke and poor air quality, and report thereon at the October 2001 sitting.*

This is a very simple motion which I am moving before the Court today; it is just to ask for a report from the Council of Ministers. Although the Public Health Bill was introduced into the branches in 1990, sections 89, 90 and a number of other sections have not been enacted. Sections 89 and 90 relate to air quality and, as I said, this is a simple motion before the Court today; it seeks a timetable for the early introduction of this part of the Act relating to air quality. Investigations of the existing situation regarding air quality in those areas that are badly affected by smoke and smuts must be carried out to form a basis for action in these areas. One of the things that must be remembered is that the Public Health Act sets standards and allows exemptions and controls to be put in place. This should, I feel, be reported on to this hon. Court.

My motion also seeks a timetable for the changes necessary to introduce this legislation and compensate the householder for changes that are the principal aims of this section of the Act, to bring a better quality of life to the people badly affected now by poor air quality and smoke.

We had high hopes for this legislation, but I think also a realism that to implement this legislation would mean funding and controls and an acceptance that good air quality can improve our health and our quality of life. Now, I feel, is the time for these changes. Recently, I have been approached by constituents to express concerns regarding air quality, some because people visiting have stated that they could not believe the poor quality of our air, another complaining about bonfires on sunny days, others complaining about our power station chimney - and I realise under this legislation that that would continue - and others about inversion, smoke, smuts and air quality in general. As I have said, now I believe is the time to address this area of our environment and to address not only my own area, but also down-town Douglas, Ramsey, Laxey and Castletown, in fact any of the areas harbouring smoke. Many people mention inversions over Douglas on cold winter days, but other areas also suffer from weather inversions. I move this motion, Eaghtyrane, with a timetable for report back to this hon. Court at the October 2001 sitting. I beg to move the motion in my name.

**The President:** Hon. member for Ramsey, Mr Singer.

**Mr Singer:** Thank you, Mr President. I would be very pleased to second this motion, and I would support this effort by the hon. member for Peel to stimulate the government into action. This problem has been raised several times in this session, and there has been a general unwillingness by the present Minister for Local Government and the Environment to even accept that there might be a problem. As a Ramsey Commissioner in the early 1990s, I was approached by local residents at that time concerned at the clearly visible problem in the town, and although I tried at that time to get some kind of answer from the Department of Local Government, the approaches were basically ignored.

The problem is still there in Ramsey and obviously in many other places in the Island. Who will believe the department when they say that there is no cause for concern and that we are well within European guidelines when, in particular weather, there is a thick pall of smoke hanging over the town of Ramsey, a pall which you can taste and smell and which is made up of unburnt particles of carbon or soot, tiny particles and hydrocarbons? Car exhaust emissions are then trapped under this pall and add to the pollution. Ordinary coal burnt in open grates can produce up to 20 times as many tar and hydrocarbon particles as industrial chimneys and, unlike industrial smoke, domestic smoke is emitted at low level and is less likely to be dispersed in the atmosphere. These particles can penetrate deep into our lungs and cause respiratory problems for children and old people and those with bronchitis or asthma. Car exhaust emissions introduce into the atmosphere PM10 and PM5 particles, the latter of which can embed themselves in the lungs, and even smaller PM2.5 particles can get down to the deepest portion of our lungs where gas exchange occurs between the air and the bloodstream and the lung has no efficient method of removing them.

So, in certain conditions, we have this pall of smoke hanging over the town, just above roof level, plus the trapped vehicle emissions which contain carcinogens, including dioxins that have been churned out into the atmosphere and trapped within this pall and which present, I must say, a far greater public danger than anything that might come out of the incinerator chimney. I could take hon. members to the upper balconies of the apartments of King's Court in the centre of Ramsey, where thick grime from the chimneys covers the outer walls. I have been on these balconies when the inversion factor is causing the smoke to be trapped; your eyes sting, the nasal passages are irritated and the throat is burning and sore. It would, without doubt, remind older people who ever experienced the fogs in Britain during the 1950s of the total unpleasantness and, of course, the permanent health disabilities that these fogs caused. I am not saying that our present situation directly compares to those dreadful conditions, but there is a parallel, and people of all ages are affected. I would say that areas in the UK which are now smoke-free zones will never get as unpleasant as some of the days that we get here. We are told, however, that, in general, our air quality is within the European guidelines. On most days,

yes, but on several days in the year, most definitely not. It is also important not to forget that even if the pollution is well within legal limits, it is still having a deleterious effect on those with chronic heart and lung ailments.

Hon. members will remember that I questioned the hon. DoLGE minister about the quality of coal imported to the Island and, despite his statement to the contrary, I provided lists to show that it was not necessarily the cheapest coal which produced the most sulphur dioxide on burning. I asked him if he would take steps to ensure that only low-sulphur coal could be imported into the Island, rather than us being a dumping ground for coal that could not be sold elsewhere. I believed that such a licensing régime could be introduced and that it would certainly help reduce the pollution fairly quickly, but unfortunately this is not a priority of the department. I have been told that the Department of Local Government needs to set a base-line on air quality and that this has to be done in a systematic and prioritised way in order to define the way forward, and I am sure that that approach is scientifically impeccable, but if the truth is to be told, the known scientific evidence on atmospheric pollution and the experiences and discomfort caused to ordinary people going about their normal lives will not be helped one iota by the setting of yet another scientific base-line. People are already living the bad experience, which has been proved scientifically.

I know the commissioners, and particularly Ramsey Commissioners, have been proactive in removing coal fires from public houses during refurbishment and replacing them with smoke-free fuels. However, there are many private homes which burn coal and which cause pollution of the atmosphere, and it is these house-owners, however, who would not be able to afford to pay the necessary conversion cost to smoke-free fuel. Even within a grant scheme, many would not be able to find perhaps £800 or £900 as their share, and as the introduction of smoke-free zones would make conversion compulsory, any scheme would need full government backing and financial support. The responsibility also of paying the conversion costs of public housing could similarly not be lumped on to the general rate. In terms of government expenditure and the fact that these smoke-free zones would probably be introduced over several years, the cost to government would not be excessive and the advantages to all the community in terms of better health, fresher air and general cleanliness would be well worth the effort. Again, we come down to the question of government commitment rather than the question of cost, and that commitment has not been there for 11 years since the passing of the 1990 Public Health Act. Mr President, I am asking, 'Is that commitment there now?' And I think the public want to know. If the Council of Ministers was to vote for this motion, then the public will be prepared to believe that a commitment is at last there, as a timetable will be drawn up, but within that future planning the true commitment will be shown also if the government is prepared to finance the schemes to ensure that they come to fruition. Therefore, Mr President, I am pleased to second this motion.

**The President:** Hon. member for Douglas West, Mr Downie.

**Mr Downie:** Yes, Mr President. I have listened with interest to both the mover and the seconder of the motion, and to some extent I have no problem with the principles of what they are trying to get across to the Court today. Although nobody wants to see an environment which is polluted by smoke and affected by poor quality air, I would need to be convinced that we have a situation in the Island where that is actually the case, because I know from my time in the Department of Local Government and the Environment that, apart from an odd few hours in a year, the rest of the year we were well within the guidelines laid down by the EU for air quality. Now, why rush out and attack a problem which, in my opinion, is not there - and by funding the replacement of open fires with fires that can burn smokeless fuel and by altering other people's living habits, what you are going to do is push the cost of living up, because it costs a lot more money to go on to some of these other types of fuels - when what is actually happening in this Island is that we are importing 50 per cent less coal than we were 10 years ago, firewood sales

from my own department are dwindling because there are less and less people burning it, and this year we have only had one enquiry about digging peat on the mountain? That tells you that there is less and less dependency on the old type of fires.

As far as I am concerned, if you look at government's energy policy as a whole, which is to replace the existing Douglas power station, which without a doubt is the main pollutant on this side of the Island, and if Peel power station is scheduled to close not too many years down the line after that, our quality of air in the Island is going to improve tremendously. That, coupled with a reduction in electricity prices, will make electric heating much more cost-effective than it is at the moment, and with a reduction in gas prices, why should we go out now at this stage, when really I need to be convinced we have a problem, to fund the reconversion of a lot of properties which, in all sense, will probably convert to some of these more modern types of fuels in the next few years anyway? If we are going to spend the money, let us spend it on putting proper insulation into properties and getting them ready for the newer and more environmentally-friendly types of fuels that come along and perhaps get rid of the old coal fires and the open fires anyway. That is the way I see the situation.

My hon. colleague, Mr Singer, the member for Ramsey, mentioned car emissions. He was a member of the Department of Transport; as far as I am concerned, when he was there he never made a case here to bring in emission controls on vehicles. There are still vehicles running round this Island which have never had a proper testing régime in place, but there again, if you look at the amount of unleaded petrol and green petrol which is sold on this Island, there has been a tremendous clear-up. We have even got the new environmentally-friendly diesel on the Island now, and I would suggest the days are perhaps gone when you followed a heavy vehicle up the Richmond Hill to have all this black smoke spewing out everywhere. It does not happen anymore, because what is happening, whether we like it or not, is that we have a much higher regard for our environment and we are cleaning our act up.

As I say, I have some sympathy with the mover, Mrs Hannan, in that perhaps we could accelerate the process a little bit, but I think it would be a retrograde step if we just came in and decided we were going to ban coal fires and people could not have a bonfire any more or perhaps the kipper houses would be closing in Peel. They are things which I think will be addressed, but I think we are setting our priorities in the wrong direction. I think what we have got to try and do is look at government's energy policy and see which parts of that we can implement sooner rather than later which will ultimately improve the environment. I think a tremendous amount has been done in the last few years. I know in my own particular area, and from having talks with the members for South Douglas, that the MEA have done a tremendous amount to clean up their act down there; it is nowhere near the dirty old mucky operation it was, and when the new power station comes in, I think we will have a totally new environment.

So, I have no problem in supporting this, but I think really it is not the right way to spend our money; we should be looking at the long-term advantages and not trying to deal with a problem that perhaps is not there at the moment. It would be foolish to go and try and convert a lot of properties which are burning solid fuel to smokeless fuel only to find that 18 months or two years afterwards they were either going to go to gas or electric anyway. It is a false economy, really, and I, as I say, have no problem supporting the mover, but I think we just need to hang back a little bit on this one, and before we make a decision, we need to be absolutely certain from DoLGE that a problem exists anyway, because my information is that the situation is much better.

**The President:** Hon. member Mr Gilbey.

**Mr Gilbey:** Mr President, there is certainly no unwillingness to address this matter as the hon. member for Ramsey, Mr Singer, has suggested there is. Indeed, plans are already in train to pursue it. However, no department can do everything at once. The department's directorate of

environmental health, under the political direction of my colleague, the hon. member for North Douglas, Mr Houghton, and our very new able Chief Environmental Health Officer, Mr Martin Hall, is most actively introducing and pursuing environmentally-friendly policies. There is a very firm commitment to these policies, and the department will soon be publicising them even more, but unfortunately it does appear that some people do not realise how much is being done, and is planned to be done and I am very grateful to the hon. Minister for Agriculture for pointing out some of the things that have already taken place.

As the question of air quality is closely related to greenhouse gas emissions, I would like to refer hon. members to the speech I made in this hon. Court in January of this year, in which I informed the hon. Court that it had been estimated, based on work undertaken by the University of Exeter in 1999, that greenhouse gas emissions in the Isle of Man are rising at a rate of 1.26 per cent per annum. This means that they are currently 13 per cent higher than they were in 1990 and will be 25.3 per cent higher in 2010 if there is no intervention. This is a matter of deep concern to the department and obviously, as I explained recently to a meeting of local authority representatives, lack of intervention is *not* an option. This leaves the question of where we should best place our efforts to secure the reduction in emissions. As space heating, electricity production and transport all share a similar proportion of the blame, the simplistic view would be to undertake measures to reduce the emission of greenhouse gases by at least 13 per cent from each of these categories. However, the department takes the view that it may be more practical to make reductions in one area rather than another and that we should target the areas with the greatest potential to affect public health. I am sure that the hon. members will agree that it is both correct and prudent to target our resources in this fashion to obtain the maximum effectiveness. It is for this reason that the department has commissioned Cambridge Environmental Research Consultants Limited to carry on the work started by Exeter University and take it a stage further. This will involve undertaking an inventory of emissions and thereafter using this data and other relevant data to provide a model of current emissions and three scenarios for 2005 and 2010. The Cambridge Environmental Research Consultants will use a computer model to indicate where the greatest problems are to be found. It is proposed that the output from this project will form the basis of the Isle of Man strategy for environmental protection, which will include a review of the effects of the implementation of sections 89 and 90 of the Public Health Act 1990. The Cambridge report should be published towards the end of this year. Tynwald has already endorsed the Department of Local Government and the Environment's approach to developing an environmental strategy based on scientific evidence. In return, the department has agreed to submit a detailed report to the April 2002 sitting of this hon. Court which will include recommendations on the implementation of sections 89 and 90 of the Public Health Act 1990.

Mr President, in view of the information I have given this hon. Court, I regret I cannot support the motion in the name of the hon. member for Peel, but suggest that her laudable aims should be met in another way, and that is by including this work in the arrangements that have already been set in motion. Accordingly, I would like to propose the following amendment to the motion on today's order paper:

*For the words following 'Tynwald is of the opinion' substitute -*

*'that the Department of Local Government and the Environment, mindful of the previous Tynwald decision, addresses within its environmental protection strategy the implementation of sections 89/90 of the Public Health Act 1990 and report thereon at the April 2002 sitting.'*

I beg to move.

**The President:** Hon. member Mr Houghton.

**Mr Houghton:** Yes, thank you, Mr President. I am very happy to second the amendment put forward by the Minister for Local Government and the Environment, and I would just like to reiterate what he has indeed said: there is an enormous amount of work going on behind the scenes, and when we have further details those will be brought forward in train, hopefully in time for the April 2002 sitting. Just as, indeed, there was an offer to the hon. member for Rushen, Mr Rimington, who did come to the division at some time in the recent past, may I offer an open invitation to the hon. member for Peel, Mrs Hannan, to come and visit the officers and actually see the work that is going on behind the scenes? We would be very, very happy to update her at any time, and if that would be taken up, I would be more than pleased to make the appropriate arrangements. I can say that I can concur with the minister that Cambridge Environmental Research is doing an enormous amount of background work, and it really needs some time for them to put together all the results of their research et cetera and then bring those details forward to the department so, it is just simply a matter of time; the matter is being addressed, and I do hope the hon. Court will take note of that. Thank you.

**The President:** Hon. member for Rushen, Mr Rimington.

**Mr Rimington:** Thank you, Mr President. Yes, I support the motion as it stands without the amendment, not because I want to launch into an attack on the department today - I am feeling a little mellower today (*Laughter*) and do not really want to go too far overboard -

**A Member:** You might fall in!

**Mr Rimington:** - but I think that the way that the motion is constructed is right and proper, asking the Council of Ministers to draw up the timetable rather than the department. And that is not to say the department is not doing its job or it has not got any interest in the issue; it has. It has got limited resources, as indeed a lot of departments have limited resources in areas where they want to move forward in improvements and policy, and therefore often where they have the will they are not necessarily able to put that fully into effect because they just do not have the bodies to do that, and that is, I think, possibly a problem in the environmental areas which are under the control of the department. It may or may not have the political will there - and I believe there is a moderate amount of political will at least - but often does not have the resources. And then it has to come at 2002 or whenever and make its bids in the policy process; it brings the report forward in April 2002, and Tynwald says, 'Yes, jolly good stuff; let's go for that.' Then it goes into the whole budget cycle next year and is part of all the competing bids and it has its manpower and financial things, and the chances are it will not see the light of day, because there is only so much money to go round and there is this quite obvious and reasonable desire to control the number of civil servants or government employees that we have to keep the economy in some sort of balance between public and private.

So, whatever the best will of the department, by pushing it solely to the department, it then, in my mind, sort of 'cubby-holes' the issue a little bit and downgrades it. That is not to say that that is how the department might feel about it, but that is the actual reality of how we treat the issue. I think it is an issue, and I had it in my last three manifestos; it has taken a long time from these manifestos to get here to be able to speak on the issue, but it is an issue which is concerned not with the environment - it is not a green issue - but with public health. That is what it is, and public health is not just the responsibility of one department; public health is a central responsibility. Obviously, the Department of Local Government and the Environment is a key area in that, and so is the DHSS, coming in from a different direction, if you like 'mopping up' the bits at the other end in our acute services. What is really needed is an overall - and this is something that has been there and the department is looking at the overall health of the population - a health improvement strategy. Now, without trying to formulate that off the top of my head in one go, certainly in an area like this air quality must be a central part of that health improvement strategy. It is something that has got to run across departments and it is

something that has got to come from the Council of Ministers; they have got to be the central body which says, 'Yes, this is an important issue; yes, the Department of Local Government and the Environment, go off and do your stuff; and yes, we will lend a sympathetic ear when you say that you genuinely need more resources to do X or Y' but the responsibility for the public health of the Isle of Man rests with the Council of Ministers and cannot be cubby-holed off into one area or another.'

Now, I dispute the hon. member for Douglas West's comment that the problem is not so bad and -

**Mr Downie:** Show me your figures, then.

**Mr Rimington:** Show you what, sorry? (*Interjection*) Figures? I am sorry, I have not got figures with me, no, but I doubt you have either -

**Mrs Hannan:** The minister -

**Mr Rimington:** - in terms of what the actual air quality figures are. I am sorry I have not brought the consultants' reports listing the testing at Quarter Bridge over x years, but I think to a certain extent we can rely on a certain amount of common sense, and I would refer to the visiting consultants who came over on behalf of the department in respect of the incineration issue; I am right - and I am sure I will be corrected if I am wrong - that Professor Porteous, who was the consultant on behalf of the government, remarked on the air quality in Douglas. He said, 'What on earth are they going on about, these protesters? The incinerator will only give out so much, a thousandth if you like, of the air pollution when you've got this huge pall of dirty, horrible smoke over South Douglas.' Now, I am sorry, hon. Minister for Agriculture, I am not sure exactly where you live, but I live in the South and therefore I come in over Richmond Hill and down through the golf course and I see that pall of smoke quite regularly: it is just there, it is self-evident, it does not require a figure. Even in my own area, it is self-evident: it is only a small community and it has local government houses and most of them are on coal, so if the window in the kitchen is open, I am wiping the smuts off the windowsill, or if my wife puts out her work shirts on the line and the wind is going the wrong way, they are a goner, basically, because they have got coal dust. I mean, it is self-evident in that respect.

Now, I think it is right that the Council of Ministers should address the issue, and what is being asked for really is a timetable. He did mention about gas coming on board, and that is a golden opportunity, but the golden opportunity is to be started now so that when the gas comes on board and you have hopefully a cleaner fuel, hopefully one which is economically attractive to convert to. . . And I think I do take on your point that there is an economic issue there of the standard of living; you cannot just say, 'Right you're going to have to spend a lot more money when you haven't got much money in the first place', which is the case, but if you start that programme now, you know when gas is coming on board, you know when the power stations are going to be there, and you know there is a timetable when that gas can come into the domestic market. You start planning now; you start putting in that programme now to say, 'Yes, in two or three years' time we are going to introduce this legislation' and start putting in and drawing up those programmes to make sure that that legislation can work, and work without detrimental effect to the population.

I do feel that the hon. minister was concentrating a little bit too much on the energy policy of the Isle of Man, and I would just like to take up an issue there, because I have been looking for an energy policy for the Isle of Man ever since I have been on the Isle of Man, and I look in every October's policy statement for the energy policy and, to be honest, it is not there. Now, I think what you were referring to was the policy for the production of electricity, which is quite a narrow, focused thing, but an energy policy is actually something a little bit more expansive and broader

than that, and that is, in fact, quite rightly what has been lacking in all the issues about insulation and so forth, which is what I have been pushing through over the years.

So, I will conclude that it should, I believe, be the Council of Ministers. Not to downgrade the role of the department: the department has obviously got a very large part to play in that and that is right, but it is a public health issue, it has been asked for a long time, it would be a great improvement to people's lives, and we do need that timetable to say, 'Yes, in years to come, we know when we can start introducing that legislation, we know what programmes we need and grant assistance and all the rest to put it in there, and the time to do it is now.' It is not to do it in April 2002 and then go through this whole cycle again and then putting it off for effectively quite a few more years; the time to start looking at it is right now.

**The President:** Hon. member for Douglas West, Mr Shimmin.

**Mr Shimmin:** Thank you, Mr President. I think it is appropriately and timely that this comes forward, and I am grateful to the hon. member for Peel for coming forward. She, as have some of the Douglas members, has first-hand experience of the greatest levels of air problems on the Island. It is something which is evidenced by all of us, but it is one where, within Peel and parts of Douglas, it is felt at its most extreme. I remember about three years ago taking it up with the then minister, the member for Ayre, Mr Quine, regarding the introduction of smokeless fuel doing something about the air quality, and at that time he pointed out a number of the realities and the implications, and I was grateful to him at that stage, but I do look forward to a time when we move away from polluting the atmosphere with acrid smoke coming out of domestic as well as energy-producing establishments.

I think that the motion and the amendment both need to be underscored by a warning to the Council of Ministers currently and any future Council of Ministers that those of you or us who are returned after the next election will be coming back expecting action to be taken. But I think the previous speaker has fermented my views on this where he refers to the bodies available within the department and the resources available. As the minister pointed out, in all of our departments we have priorities; we set those priorities and we put things in action and therefore, if we were to go with the motion as originally written, I believe that that will actually do a disservice. I think that the idea of making it an issue of the Council of Ministers is commendable, but we have already been told that with the amendment by the April 2002 sitting, more information will be available, and to me good decisions can only be based on good information. If that information is already in hand, being collated, then it strikes me that to rush something through by October 2001 is counterproductive.

I would point out that we often refer in this place historically to issues that have gone before and failings that have happened in the past, and this is often used when talking about crime on the Island and the policing of the Island; it is also talked about with social issues and the length of time it has taken for these things to come forward. But I do feel that sometimes we push against open doors, where an argument has already been won and acceptance has already been taken by the departments that we either have a level of trust with the ministers in the departments who we empower to do this work on our behalf or we do not. I think we have had it stated by the mover of the amendment and his departmental colleague that this is in hand. My view is that we would be better advised at this stage not to underestimate the seriousness of the original motion but to await the information the department is already collating. When we have that information, we then can make our judgement as to whether that trust which we are giving them is legitimate. If it is not, then I have every confidence in this chamber to call to heel the department and the Council of Ministers to make sure action is taken. Therefore, although I commend the member for the original motion, I believe, in view of what has been stated, that the best course of action at this stage is to go with the amendment and get good information before making a decision.

**The President:** Hon. member for Ayre.

**Mr Quine:** Thank you, Mr President. I do not think there is really a great difference of view here; it is a question of the method really by which we pursue a solution to it. Tynwald has already made it quite clear that it requires issues regarding air quality to be addressed and, as has been mentioned this morning, of course, the department has and is further developing an environmental protection strategy; that has been reported to Tynwald before and part of that is quite clearly going to have to take into account, and does take into account, the import of sections 89 and 90 of the Public Health Act. So, I do not think there is any great divergence of view; it is a question of getting a more finite position taken on the way forward.

If we are to move forward, I think it does make sense for us to move forward with the best information available to us, not to come forward against a timeframe which is unrealistic, which is what I fear that an October timeframe would be. What we are going to end up with is nether fish nor fowl; we are going to end up with a timetable if that is what this hon. Court so decides, but it is going to be an incomplete and imperfect product. It is not as if action has not been started to bring this thing to fruition, because we have the University of Exeter exercise already under way, and that is going to, I think, bring into focus for us the answer to a very important question, because, yes, we have pollution. That is, I think, beyond question; there are places on the Island where we have pollution. The level of acceptance of those pollutants is a matter, of course, that we can take guidance on by looking to extraneous bodies who advise on these matters, but if we are going to come up with a timetable and a programme to address them, then we need to know more specifically what those pollutants are, where they are and the actual source, and from that we would be able to put up a programme - a cost-effective programme, I would trust - which can provide a full answer to the problem but will also represent a cost-effective answer to the problem, because it will allow us to target.

So, I would recommend to this hon. Court - because we are only talking about, essentially, a difference between October and April - that the hon. Court bear with the department and allow us to complete the exercise in the manner that is currently planned, and I am sure that by that date we will have a complete picture to put to the Court. That will allow us to have a proper timetable and that will permit us to take into account all the various aspects; it will allow us, of course, to take account of the practical aspects, the personal aspects and the fiscal aspects of this. I think we would be, in many ways, being impatient if we were just to forge on on the basis of the substantive motion. I think it would be prudent for us to allow us this little extra time to come up with a more complete product and one which is really going to benefit the people of the Isle of Man in the manner that we all wish. So, I would ask members to lend their support to the amendment rather than to support the substantive motion, but I do not think there are great differences. The differences really, I suppose, evolve on two points: if we stay with the substantive motion, we are not going to have as complete a programme as we would wish; and secondly, I think we may be entering into paths which will cost us money that could be better used in other areas if we can allow ourselves time to come up with a more specific targeting approach (**A Member:** Hear, hear.), and that is what I would commend to this hon. Court.

**The President:** Hon. member for Rushen, Sir Miles.

**Sir Miles Walker:** Thank you, Mr President. There is no doubt that there is a need to continue this comprehensive exercise which is taking place to get a full picture of our air quality standards, but while that is happening there is no improvement, and it seems to me that it is in this area of smoke control that the Island could take some very simple steps and have some effect on our environment. I remember when I left school - a long time ago now, in 1958 - and I went to work in Cheshire. I left the environment of the Isle of Man and I went to work on this farm in Holmes Chapel, which is 30-something miles south of Manchester, and I was appalled at the acrid taste of the air when the wind was in that direction blowing from Manchester. I go back

there now and it is quite different; there is none of that acrid taste in the air. You come back here to the Isle of Man some 40 years later and that very same taste is in the air in some parts of this Island. And I have to say I think that is very sad. I can understand why it has happened, but I, like my hon. colleague, from time to time come - and we all do, don't we - down into Spring Valley and we see this pall of smoke. Some of it may be attributable to the power station - I have no doubt it is - but the vast majority, I have no doubt at all, comes from solid-fuel open fires.

**Mr Delaney:** And vehicles.

**Sir Miles Walker:** And maybe vehicles. (**A Member:** Definitely.) But solid-fuel open fires appear to me to be the main cause, and I see the smoke coming out of the chimneys at 5.30 p.m. and 6.00 p.m. and levelling out; it happens, and we see it happening in Ballasalla. (**A Member:** Absolutely.) If you drop down when people are getting home, stoking their fires and preparing to sit or whatever they do in front of the fires at night, that is when it happens.

I think we could be doing something about it, and we should be doing something about it, very simple things. I think we should be declaring new development areas; we have got one in Peel of some 230 houses or whatever it is, so why don't we declare that a smoke control area? Why don't we do the same for Governor's Hill? No immediate effect, but it stops the rot setting in.

**Mr Houghton:** No-smoke fires -

**Sir Miles Walker:** And I can remember when I was Chairman of the Local Government Board - and that is between 1981 and 1986 - replacing the gas fires in the houses in Anagh Coar - no, electric central heating, sorry - because people could not afford to run it, and so portable gas heaters were being introduced, with all the downsides of those. At Station Park in Colby we installed gas central heating - no fireplace at all - an absolute disaster and people could not afford to run it. So what did we do? We put in open fireplaces; we gave people a choice - smokeless fireplaces or open fires - and in those days open fires were required by so many people because they wanted to go down to the beach to get the wood to burn on the fire. They could not afford smokeless fuel. I hope those days are gone, and gone forever, but it does not take very long to have a dip in the economy where people start to make savings in their household; they turn off the central heating, they put in the gas fires and then you have all the problems associated with that.

I think we should be doing something about it. I am delighted to learn - in fact, I should have known - that the houses that are going in Pulrose now, the replacement houses, are not having open fires, and I think that is fine, and I think that in itself, when those houses are replaced, will have a benefit. But we should be tackling it. Owners of public authority housing, whether they be local authorities or central government, should be considering removing the open fireplaces out of those houses. It is expensive, and I know refurbishment is taking place, and I know part of that refurbishment is some sort of central heating, but fireplaces are being left in in a lot of cases. It is said it is good for ventilation; so it may be, but at some stage it is nice to sit up against an open fire and put the logs on and stir it up and get the smoke coming out of the chimney. And what happens? Smuts all over the place, over the washing over the windowsill, over the net curtains (*Interjections*) Even in Colby we get net curtains covered in smuts, and we ought to be doing something about it. (*Interjection*) And we have consultants and we have computer surveys and desktop surveys and all the rest, but there is a little bit of common sense required somewhere, and at little cost, I think, we could be making a definite improvement to the air quality to get rid of some of this smoke pollution that we are facing. It is horrid when you come down to Douglas and see this happening on those beautiful, calm, still days we get.

**Mr Lowey:** All the time.

**Sir Miles Walker:** At Spring Valley roundabout it is a beautiful day, and 200 metres further down the road you are in this pall of cloud. And we should be doing something about it, something more than employing Exeter University or whoever to tell us we have this problem; we *know* we have got it, but why can we not do something about it? I did not realise that they had the same problem in Ramsey; I do not go very often.

**A Member:** We noticed.

**Sir Miles Walker:** I certainly know it is in Peel, I certainly know it is in Ballasalla, I certainly know it is in Douglas and I certainly know it is in parts of Port Erin; and it is in the parts of Port Erin where the local authority houses are, I do not think there is any doubt at all about that, and we ought to be doing something about it.

I am content to support the amendment; I think it is a department responsibility, but please do not just sit back and get more and more advice. There is a common-sense thing to do: we all know that we have got some money now, and I believe we can afford to make steps, and I ask the minister just to think about that area of smoke pollution and let us do something about that.

**The President:** Hon. member Mrs Cannell.

**Mrs Cannell:** Thank you, Mr President. Well, the legislation was passed and came into effect in 1990; that is actually 12 years ago. We have been asked today to be patient. How patient does one have to be? Do we need to wait another 12 years? It reminds me again of a comment that I made during debate yesterday about our ineffectiveness in delivering to the people in as short time as possible. This is a public health issue, and the hon. member for Rushen is quite right.

It seems it is almost like *déjà vu* for me in one respect, having been part of an environmental lobby group that lobbied for air quality controls to come in in the late 1980s and very early 1990s, and during that time there was regular monitoring carried out by the Government Analyst's Department, although in those days the activities of the Government Analyst's Department were part financed by Sellafield, which gave us a great deal to worry about in those days. Nevertheless, monitoring equipment was put out regularly at places such as Quarter Bridge and also Ballakermeen School to monitor effluent in the atmosphere, and I call it 'effluent' because the pollution is made up of all sorts of things and it is not just coal fires we are talking about; we are talking about vehicle emissions also. I still have the certificate at home in a file that was produced by the Government Analyst - very qualified in his capacity - who stated that the levels of pollution were equivalent to a busy metropolitan area anywhere in the world, and that was back in 1989. Now, our car ownership was a lot lower in those days and we certainly did not have these huge haulage lorries on the roads in those days; we did have Pulrose going full belt and, of course, we still had coal fires.

How far forward have we come from those days? Well, I would suggest that there are a number of reports and there have been a number of university studies and models looked at over the last 12 years. The facts, the figures, the action, the proposed course of action and a timetable for that action have been forthcoming over the last 12 years. The government has known for the last 12 years the consequences of poor air quality, and so to say to us today, 'Well, give us a little bit longer, another six months following on from October, and we will produce a comprehensive detailed report, and we can consider that and look at the true facts', all we are doing is producing the latest monitored reports and an opinion by either Exeter or Cambridge University. But we have had those opinions in the past, so there is no excuse for no action, and I would agree with the comments made by the previous speaker that there are areas where we can activate controls now and that we should be doing that now, not sitting and waiting, again, for more reports, another debate, then an argument, and then getting it into budget if we can reach an agreement on it. Before too long, we will be looking at another 12

years, so we will be looking at 24 or 25 years, quarter of a century, and we still have not done anything about it.

The hon. member for West Douglas, Mr Downie, said 'less dependency on old type of fires'; well, there might be for the more affluent in our society, but the low-income families still rely on coal to burn and wood to burn. We still have lorries; I have seen lorries in the member's constituency, going up from Quarter Bridge into Douglas, and I have seen thick black smoke. In fact, I have been stuck behind a number of them very recently.

**The Speaker:** And the buses!

**Mrs Cannell:** They may not be as prevalent as they once were, because I believe the police now are taking more action when they do witness or receive a report about a lorry, and the Department of Transport has also played its part in that. But it is still happening.

The other thing that has not really been covered today is that we have heard that people still have fires, we have heard - and I would agree - that the burning of open fires in households is probably one of the largest contributors to air pollution, but it is only a part; The other major contributor, which I think might be a greater contributor, is vehicle emissions, and we certainly could be doing something to correct that situation, and we could be doing that now, not in April next year. The other thing we have to appreciate is that because of the lack of an effective waste management policy, in my view - and I know it is shared by a number of others - we do have a situation where people who have open fires not only burn coal and wood but they burn all sorts of other rubbish: they put plastic on, they put cellophane on, they put waxed products on; anything whereby they can reduce their bin for collection by the refuse collectors, they will burn on a fire. Now, we might say, 'Well, what can we do about that?' Well, obviously, if we provide an alternative form of heating or if we assist them financially to go for something more environmentally-friendly, then that will help that, but also education is needed. What has the Department of Local Government and the Environment done over that? Their solution to that is: rather than have a host of de-centralised mini-incinerators, they are going for one big major one. So we are not really moving forward in that respect; we are still relying on burn, whether it be for heat, whether it be to get rid of waste, whether it be for whatever. We are still going to have a problem with pollution, I would suggest.

The motion on the agenda is timely, because it not only provides an opportunity for Tynwald to give a commitment to recognising - because they have already recognised that we have air quality problems and that we desire to have clean air, just as we are striving for clean bathing water - but what it will do is to set the ball rolling into an action plan, and that is what the hon. member, in putting the motion down, is seeking. Looking at the wording of the motion, she is asking quite rightly that it is the Council of Ministers, following the directive from this hon. place where policy is determined and requests are made, to draw up a timetable. Now, that timetable might be over the next five or seven years, because it is not going to be easy; a whole raft of measures are going to have to be put into place to counter and bring forward the air quality that we all desire. But it is also asking to look at sections 89 and 90 of the Act which this hon. place recognised 12 years ago, and a plan for the implementation and funding. Now, as I said at the beginning of my comments, we have reports and the department has a host of reports - I had a number of them myself before I entered this hon. place - that indicate the models that could be put into place and where costs might come in. But we are looking at smoke and we are looking at poor air quality and we are looking at ever-increasing budgets for the Department of Health in looking at the end-product of that poor air quality; all of that has been covered by the hon. member for Ramsey, who is at the sharp end in often administering prescriptions that are geared towards respiratory disorders, asthma, bronchitis, et cetera. *(Interjection by Mr Downie)*

We have an opportunity today to do something about it, to start the ball rolling. I see no problem with the original motion at all, because it will focus attention for the Council of Ministers,

who are supposed to be the implementers of policy, to come forward in October and give their findings. Now, they could well come back in October and say, as part of their findings, 'we further acknowledge that the Department of Local Government and the Environment is bringing about an environmental protection strategy and it hopes to have a report which will further enhance the figures, the timetable, et cetera that we are providing to you today in April next year.' But I would urge hon. members to perhaps support both the motion and the amendment, because I think one can work and can dovetail with the other. I do not think the original motion should be thrown out, because I feel it is incumbent upon us, especially those of us who will be facing an election, to show to the public in October that there is a commitment to address the issue of poor air quality, which is affecting every man, woman and child on this Island. Thank you.

**The President:** Hon. member Mr Cretney.

**Mr Cretney:** Yes, thank you, Mr President. I will be brief. I, along with my colleague, Mr Duggan, for years have had to be at the sharp end in terms of our meeting with constituents regularly in their homes with bronchial disorders, whether those are asthma or emphysema or other problems, and that can be put down, in my opinion, to a number of sources: inadequate housing with coal fires, smoking, the old engines at Pulrose, car pollution. We have, for a long time, tried to do something about that, and I know he and I remember people in Pulrose, because of the inadequacy of the housing, having to sit downstairs at night to try and keep warm in their front room with a blanket round them rather than going upstairs. So, let us now look at the positives, which are that at long last the houses are being rebuilt with an alternative form of heating. The Douglas Corporation sadly did not have any policy in relation in what to do with the houses at Lower Pulrose; it took pressure external to Douglas Corporation to get something done, and it took years even after that pressure was applied before we saw the welcome results on-site. I think that once that development is completed and the houses do have an alternative form of energy, that will be something which will contribute significantly to the air quality in the area we have the honour to represent.

In terms of Pulrose power station, again isn't it good, at last, that the Manx Electricity Authority have a positive, forward-looking policy in terms of what they are proposing to do? They are going to remove the old engines, which have been a constant menace and a constant source of sulphur dioxide and other emissions into the atmosphere, and those are going to be replaced with a gas-fired power station, which is something I know the hon. member for South Douglas and myself felt might have been more appropriate before the latest power station was put in there. So, we are making progress in that regard, and it just really is so nice to be part of it although it has taken far too long to get to this point.

In terms of smoking, then, I guess the Department of Health and Social Security are doing their best to try and discourage and educate people as to the hazards of smoking. There appear to me to be a lot of older people who still smoke -

**A Member:** And younger people.

**Mr Cretney:** I was just going to say -

**A Member:** And young girls.

**Mr Cretney:** - and younger people who need to really consider that activity.

Also, in terms of car pollution, I agree entirely with the hon. member for East Douglas, Mrs Cannell: there was monitoring of the pollutants in the Quarter Bridge area, but unfortunately, though, the monitoring at that time did not extend to benzene emissions. And so, what I would like to say positively about that, from my perspective anyway - and I know it only goes a fraction of the way - is that, from my department's perspective, at least the new bus fleet does have the latest environmental standards from Europe and they are being modernised. We have got a long way to go in that regard, and also again it is an education thing: we passed legislation in

here to try and encourage car-sharing; however, if you go any day of the week - I like to go walking - up along the Peel Road, each car sadly has only one person in it. (**A Member:** Yes.) I do not know what we could do to try and encourage people to consider that more seriously from a number of perspectives: financially; environmentally, there are a number of reasons; socially, you have would somebody to chat to in a car on the way in and it would nicer than just thinking, 'I have got to get to work.'

**A Member:** Get a pushbike!

**Mr Cretney:** Yes, get a pushbike. Well, the hon. member puts in that comment, but it is something which, again, I know that the Department of Transport is keen on trying to do something about, encouraging more cycle use, and perhaps we should be doing more in that regard also.

All I want to say, Mr President, is - I will conclude my remarks now - that for a long time my colleague and I have been trying to get some work done in relation to what we believe are the most obvious problems in our constituency; at long last some progress is being made. I accept, and I believe the Department of Local Government and the Environment accepts, that there are further things that can be done, for example in terms of insulation, conservation of fuels and all those kinds of things, and I welcome the time when they come back to this hon. Court and we can take further steps of a practical nature.

**The President:** Hon. member for Douglas North, Mr Henderson.

**Mr Henderson:** Thank you, Mr President. In setting the scene for my small contribution, I just want to hark back to yesterday when we were discussing population issues and the fact that there was issue taken with negative aspects of tenure of debate and so on. I would just like to say that the two main points of my contribution were: one, that far be it from trying to stifle development, the point is I was saying we should be careful; and the second main point in my contribution yesterday was to look at the other things that are special in this Island. And those were the two issues; it was nothing to do with turning the tap off, which I have heard on Manx Radio this morning, not at all, - (*Interjection*) but I think the hon. member for Rushen, Sir Miles Walker, put it very nicely - and probably a lot better than I did in my blunt fashion - that things should be taken in a bundle and looked at in that fashion. The point I was trying to drive at was that maybe some of the fibres of this bundle are taking a little more precedence than some of the others which have sort of gravitated to the bottom, and this debate this morning, which I am pleased we are having, is pushing those fibres of the bundle back up where they should have a little bit more priority and we should be taking more care of things and notice of the things that are special.

The environment and the air quality are special, and we should be taking more note, and the government of the Isle of Man should perhaps be giving it more priority than it is. And I agree with the hon. member for Peel: it should be a corporate situation rather than a departmental one, and there should be more emphasis on policies of this nature, and that is the position I come from this morning, Mr President. We have heard various bits and pieces; there was one comment thrown in about peat burning. No peat burning, rare habitat, conservation interest - leave it alone. Our hills are special.

One other comment was the tremendous amount of work that has been done, and why are we here when all that . . . The point of the motion, I think, is not in any way to knock that, and I accept, along with the hon. member for South Douglas, Mr Cretney's good, positive comments, that the work is going on, that is great, and it is tremendous, and I am proud that that is going on too. But the point is that the Act that is under scrutiny here is 1990 and we are now at 2001; that is the point, and I think the phrase 'It has been too long coming' or 'It has taken a long time taken to happen' or something of that ilk is correct and we could be speeding things up if things

were given a little more priority. How long do we have to wait for more consultants' reports? How many more thousands do we have to pay them? I was especially interested in one contributor's line: 'Oh, well, we will wait a little bit longer and have a little bit more; then we can make a more accurate decision.' Well, while that was going on, this huge tome of information arrives and is slapped on the hon. member for Rushen, Mr Rimington's desk. I mean, how much more do we want? And I agree with some of the sentiments that perhaps we could be doing a little bit more now and progressing things a little bit more quickly, (*Interjection*) and I think we should. The difference between the hon. member for Peel's motion and the proposal for the amendment from the department is October or April. Well, if that is the case, what is wrong with October, then? We have got a whole stack of information, everyone is saying they are concerned and everyone is saying that perhaps we are a little slow in doing things. The hon. member, Mrs Hannan, is not saying, 'Oh, the moon is going to fall out of the sky and the earth is going to crack open with this'; it is just putting a bit of a framework on and getting some sort of a commitment. It is not going down to the Treasury to hammer open the doors of the vaults and bring a great truck in and remove some of the hon. Treasury minister's 'stash' as it were, far from it.

Now then, Mr President, the only other thing I would say is that, unless the hon. member for Peel directs otherwise, really, I feel inclined that her motion should be supported in this substantive form. We have seen time and time again that when a member of this hon. Court moves something that is common sense, it is sensible, it is realistic and it is not causing a strain on the Treasury to any great degree, or on the department, I feel, usually we have an amendment, and quite often I think, 'Well, what is the point in having an amendment which says virtually the same thing?' Why not say that the department accepts your sincerity, so let us go away and talk about it, or that we will just let the motion stand and you can come and help us or whatever, rather than a confrontational kind of impression that is given sometimes? The hon. minister has stood up and said all the reasons and so on, but I feel that for once this is really quite a common-sense approach and it should be supported.

One or two other comments were made, Mr President. If we are talking about North Douglas and Governor's Hill, I would have to inform the hon. member for Rushen that we are already environmentally friendly, running on gas-fired central heating, thankfully, but when we talk about coming into Douglas on fine, calm days and we see that pall of smoke and fumes caused by the inversion effect that is there, there is no denying that it happens. There are some points here which this hon. Court should take into account, because it is not just the calm days; when you have a breezy day, all that dreadful pollution is dispersed in a wider area, and that is why you cannot see it. It settles in an invisible blanket on a wider area, and not just in South Douglas, but it spreads over West Douglas and it lands all over the top onto North Douglas and goes into Onchan, I would assume, and maybe further, as probable tests will show. So, it is kind of a mistake to think it only happens on calm days; that pollution and the damage to the environment is going on day in and day out, and it does not mean it just happens on a calm day, so hon. members need to be careful with that. Coal fires are a problem - yes, that is accepted - but also, I am afraid, car emissions have got to be taken into account when we are looking at this. It is fine to say, 'Oh, well, coal fires, most local authority houses have them and blah blah blah, and that is the main issue.' That is the main visible issue; the invisible issue, which is possibly worse still and more carcinogenic, is what is coming out of everybody's car exhaust, whether we like it or not, and the worst place to see or smell it or get the effects, unfortunately, is the likes of the Quarter Bridge and Peel Road in the early morning or late evening when all the traffic is either entering or dispersing. And it is sad but true, as the hon. member for South Douglas has pointed out: one driver per car. I have made a point of keeping an eye out for that kind of thing and see what car sharing is like, and it is woefully sad to see that it is not being done, really.

So, that is the end of my contribution. I would just say to hon. members to take on board that it is not just calm days and that there is a heck of a situation with output from vehicle emissions as well. For once, hon. members, let us support the substantive motion; it is a common-sense initiative that probably, in all reality, should have been here a long time ago, and I am thankful that the hon. member for Peel has had the courage to launch it in this morning.

**The President:** Hon. member of Council, Mr Crowe.

**Mr Crowe:** Thank you, Mr President. I think we have accord in the House today that all speakers have clearly stated that air quality should be improved, and in fact the minister of the department has said air quality is a matter of concern for the department. As he clearly explained, the department of which I am a member has commissioned Cambridge Environmental Research Consultants to carry out the work, and, as he said and I will just repeat, 'It is proposed the output from this project will form the basis of the Isle of Man's strategy for environmental protection (*Interjection*), which will include a review of the effects of implementing sections 89 and 90 of the Public Health Act.' So I am certainly going to support the amendment; if the work has been carried out, it seems to be a duplication of effort to ask the Council of Ministers to do the work that the department is already doing now. (**A Member:** Yes.)

A point that was raised is something that I did just want to mention, and this was the question of vehicle emissions, which Mrs Cannell and Mr Cretney mentioned, and again I would just like to refer to the testing of environmentally-friendly cars that the department is taking. You probably read recently in the press that the department has on loan an environmentally-friendly. . . I think it is part electric and part petrol, so again it is a project that we are very serious about, we are looking at it actively, and, as I say, it is part of the Department of Local Government and the Environment, so we are concerned about the environment as well as local government.

**The President:** Hon. member for Douglas South, Mr Duggan.

**Mr Duggan:** Thank you, Mr President, sir. I will be supporting the resolution; I congratulate Mrs Hannan. As Mr Cretney stated, hon. members, we have been inundated over the years with problems with constituents with asthma and what have you and respiratory problems in our area, but, as I said in the Court yesterday, we really welcome the moves by the electricity authority to bring in the gas turbine, and there again, hopefully, that reduction of the sulphur dioxide emissions, which is four tonnes per day and must be a considerable factor in pollution in the area. The other factor is that the new houses which are going up in Lower Pulrose are not going to be coal-fired, so that will also contribute. Mr Henderson has mentioned the car exhausts; if you go at peak times to Quarter Bridge or Governor's Bridge - in the early morning, at half-past-eight or nine o'clock, or five to half-past- you can actually taste the fumes, horrid fumes, so that is a big factor, the cars. But overall I think it is a very good resolution, sir, and I fully support it.

**The President:** Hon. member of Council, Mr Waft.

**Mr Waft:** Thank you, Mr President. I have just been brought to my feet with the mention previously about the possibility of something to be done about the smoking situation as well as the fires. As you probably know, there has been a special committee set up within the Legislative Council, and it has taken quite a long time to report back. It is now, hopefully, with the Department of Health, and I am hoping to have great things from them and the committee which deals with these specialities. I am hopeful, too, that public health promotion will take a much more active part in the life of the Island than it has done in the past. There have been problems with it as far as I was concerned, and they must be looking more closely at their r<sup>TM</sup>le and the part they play within government.

When we talk about alternatives to coal, it is all very well saying, 'Yes, we are changing from coal to something else'; what we must be well aware of is whether the alternatives that we

put there are affordable to the people (**Several Members:** Hear, hear.) within the houses that they are put in. We have had the absolute crisis up in Anagh Coar, as has been mentioned by the member for Rushen, about the - I think it was electric-central heating they tried to put in up there, and they ended up building chimneys alongside the houses, as I understand it. Hopefully those days are gone and we will learn by experience, and I am sure it was done in all good faith. We have had meetings in the past; I remember the Onchan Commissioners and the local authorities met once in the Villa Marina and discussed open fires and what they could do about it, and back came the cry, 'Well, the European Union and these meters that they have said that there is no problem at all', but of course everybody who comes into Douglas every morning knows that there is a problem. So, hopefully we will be able to see the light and perhaps have a change of philosophy with regard to the situation that we are faced with. There has been concern about the cost of the changeover; well, that cost has been with us for a long time. Hopefully, with the innovative buildings that they are putting now in Pulrose. . . And every credit must be paid to the minister for actually progressing that, and if you go past you can actually see them being erected, and we must pay tribute to the department in that area. With regard to the European Union measurement and the metrology that is used, why should we use the European Union as your measure? This is the Isle of Man and we know what we are trying to achieve. We have done it with IRIS, we are attempting to clean up our beaches; let us do it with the (*Interjection*) situation, let us be a little bit better than them.

So, I am all in favour of the motion as it stands. The reason I give for that is that it has been so long on the cards that they are going to be looking at this, we have had adequate amounts of information supplied to all departments and local authorities, we know the problems that have ensued, we have to take cognisance of the people that live in the area and I am sure that the motion as written down is not too onerous for us to adhere to. Maybe we can sort something out before October, and it might give more power to their elbow. Thank you, Mr President.

**The President:** Hon. member Mrs Christian.

**Mrs Christian:** Thank you, Mr President. Very briefly, I do think it is important that I respond to one or two points that have been made. First, with regard to the smoking issue, as the hon. member knows, the Council referred the report to the Chief Minister's Drug and Alcohol Committee, which is also looking at smoking issues, and therefore it is being dealt with inter-departmentally, but you will also be aware that the NHS provisions for quitting smoking have changed recently and various products are now available on prescription.

I do think we should take a look at the resolution and the amendment and make the point that in moving an amendment, I am sure Council is not seeking to be aggressive or whatever the word was used by the hon. member for North Douglas; what it seeks to do is to be more informative and more detailed in terms of its response. I think if we look at the resolution - and, again, here we are pushing at open doors, as everyone is anxious to see improvements in air quality, not least the DHSS - I would say, so far as asthma and other respiratory problems are concerned, that the sorts of pollution we are talking about here are not the only issues. They are contributory, I would concede, but one must look at all the evidence in those areas. There are cities in Europe where the pollution is appalling but there are no serious asthma problems, so there are possibly other underlying considerations, and the department is doing a survey with the Department of Education on the prevalence of asthma and the reasons for handling that in our young people.

But with regard to this, if we take a look at the resolution as printed, it is asking the Council of Ministers to report in October with plans for implementation and funding for areas affected by smoke and poor air quality. What will happen? The Council of Ministers will refer to DoLGE and ask DoLGE how their plans are developing and what they are about. DoLGE will tell us that they are carrying out a study and, until they have completed that study, they are not going to be in a

position to decide how best to use the resources at their disposal and which areas are going to be most important and most effectively tackled first. Here I think it is important that we listen to the hon. members who have been speaking in support of the resolution and saying, 'I *suspect* that cars and vehicle emissions are the major contributory factor'; what DoLGE wants to know is: *are* they the major contributory factor? If so, then we will focus our resources on them first. At the same time, we have to remember the illustrations given by the hon. member Mr Downie: things are happening which are moving this forward. It might be more sensible to put financial resources into insulation because the other things are coming along in any case, and that will help those low-income people in the longer term better, perhaps, than throwing in money now to change fireplaces when they are going to be changed in a couple of years anyway. I do think that we need to look at this in a fairly broad way, notwithstanding the pressures and concerns, but I do think that if we go with the resolution as printed, we would be coming back to tell you. . . I think the amendment is an element of trying to be helpful and open and straightforward on the issue and saying that, until that is carried out, we cannot know how best to use the resource. Although we may surmise that doing this, that or the other would give a good result, and it might be common sense, I think most departments are constrained in the financial resources at their disposal and we are all seeking to work on evidence-based programmes. So, to that extent, I think that we should at least consider what advantage there would be in supporting the resolution rather than the amendment, because, in the end, I think the effect of the amendment is what you are going to get in October.

The other point that has been made is that we pass legislation and it takes us years to implement it. That is not only true in this case, it is true in a number of other cases, but what we ought to be bearing in mind there is that we should be looking more closely at the legislation we pass, with a view to considering how practical it is and how long it is going to take us to implement it, and be realistic about the fact that sometimes it does take a considerable length of time. We come along with quite positive ideas about moving ahead but without really examining how practical it is and on what timescale it will be that we can carry out the implementation.

**The President:** Hon. member Mr Lowey.

**Mr Lowey:** Thank you, Mr President. Just to be brief, really to say that I would remind the Court that air pollution is not a new science now. The United Kingdom did it many years ago and there have been dramatic results. So, we do not need a university, really, to tell us what the basic is; what we need is a start and, as Sir Miles rightly said, there are practical things we could and should be doing now. Nobody explained to me why we are not doing them now. We do not need a university to tell us, 'Well, you start next week.' We could do it now if the will is there, and this is the point I think the Court, or the non-ministerial members of the Court, are making to the Council of Ministers: 'Just for once, please, take it and run with it and come back with practical steps we can do. Yes, we do know the finer details will be required, but we could be doing that.' And yes, it does mean added costs; there is no use pretending, if we are going to start out on this, that it will not add a cost. There will be a cost, and we are saying, and the people certainly are saying, that that is a cost we are prepared to pay for clean air. We do not need experts to tell us that there is a high incidence, and I accept what the Minister of Health has said: there may be other factors. But we do know that dirty air does not help. We know that much. It is a major contributory factor. So, what I am really saying to the Council of Ministers is, 'Do not be dismayed if the main resolution goes through', and I do wish that, just occasionally, the Council of Ministers would try and go with the grain instead of going against the grain, which they do repeatedly, (**Several Members:** Hear, hear.) much to their detriment.

**The President:** Member for Peel to reply to the debate.

**Mrs Hannan:** Thank you, Eaghtyrane. I would like to thank Mr Singer for seconding my motion and I would like to thank him for his support.

I think that with this particular issue a number of issues have been raised, and I would hope that the Minister for Local Government and the Chief Minister will also have taken note of the comments that have been made with regard to this issue. I did not move this issue without a great deal of thought, or a great deal of thought into the wording of the motion and whom I should refer it to. I did it in this particular way because I did raise the matter with the Minister for Local Government and the Environment, who told me that there was no problem with air quality in the Isle of Man. I felt that that was different, and I am surprised by the comments he has made today before the Court, knowing that there is a problem with air quality, and for him to have made the statement to me that he did. The situation is quite clear: the motion before the Court is that the Council of Ministers should give a commitment. I believe the Council of Ministers is the government, and whether the Department of Local Government and the Environment gives that sort of commitment to the Council of Ministers is something which I believe is for the Council of Ministers. I believe the commitment should be from the Council of Ministers that this will be progressed, and I believe that it should be progressed.

I have circulated a photo of the air quality in Pulrose. I was using that as a demonstration, not that that is the only area in the Isle of Man; we heard from the member for Ramsey about the problems there, from the member for Rushen with regard to Ballasalla and other members talking about air quality in their area. So, it is not just Pulrose that we are looking at. There was recognition from the representatives of Douglas that there are improvements there, but Douglas is not the world. Douglas is not Mann; it is the rest of the Isle of Man which is important as well and which is governed and we are the parliament of. So, I think I would like to make that quite clear. Yes, there are a number of issues which come into it - open fires, the power station, all sorts of other things, bonfires, vehicle emissions - but when there is an inversion, this inversion which was demonstrated in those photos, it is the actual vehicle emissions, these very dangerous ones, and there are becoming more of them as well, because we have got more vehicles and more traffic and all the rest of that. I love the comment about people watching cars; I think the member for Douglas South probably walks and sees cars with one person in, but most of us are in cars -

**Mr Cretney:** You wave to me!

**Mrs Hannan:** Yes, there you are, you see. (*Laughter and interjections*) And I am the only one in the car, you see. But there are some of us . . . But these vehicle emissions are then trapped under this inversion, they are trapped under this coal. It is because the smoke is there hanging over that these emissions can then not escape, and it is because we have developed in the areas which we have in the valley bottoms that it has allowed this particular situation to occur. It is not the only reason, but that is one of the reasons why it can be displayed in those areas and why we can be higher up and look down on these situations.

I am grateful to the Minister for Local Government because he did say that there was no unwillingness to address this particular issue. He then went on to talk about all the problems that there are. He actually supported the motion before us today but then moved the amendment to say we have to wait until April for any commitment to be given, because the amendment actually says 'mindful of the previous Tynwald decision, addresses within its environmental protection strategy the implementation of sections 89/90 of the Public Health Act 1990 and report thereon at the April 2002 sitting.' That says it is looking at it but it does not say that it is actually going to bring those particular issues into action. I suppose, if you were looking at it from the point of view of the largest population, that doing away with the power station in Pulrose, the change of heating systems and all the rest could, in actual fact, change the

situation for a large population in Mann, but as I said before, it is not just that particular area which is affected.

So, I think those are the main comments of members that were made. I would just really like to thank everybody for their comments. I am just a little bit surprised by the comments made by the Minister for Health, because this really is a health issue, (**A Member:** Hear, hear.) and I really feel that I would have hoped for more support from the Minister for Health with regard to this issue. All right, the Council of Ministers are not seeking to be confrontational regarding this; they have put forward an amendment, but I do not accept that amendment. I would hope that members will support the motion laid down before the Court, because it has not been made clear by the Council of Ministers why this particular motion has been rejected. I would have hoped that the Council of Ministers could actually have come forward and said, 'We understand the concerns that have been raised,' because I think most people have recognised in this Court that there are concerns with regard to air quality. And I would have thought that, along with other health issues, it is not a departmental issue; it is an inter-departmental issue, as commented on by the Minister for Health with regard to other issues, and I would have thought that an issue such as this could have been accepted by the Council of Ministers to recognise that it is a serious issue and that it should be addressed and addressed by them and they would be collating the issues regarding this. So, I would hope that members will support the motion as it appears on the order paper. I beg to move.

**The President:** Hon. members, the motion before you, then, is printed at 43 on your order paper. To that we have the amendment moved by the hon. member for Glenfaba, Mr Gilbey, and circulated to you. 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, Quine, Sir Miles Walker, Messrs Brown, Houghton, Cretney, Shimmin, Downie, Bell, Corkill, Gelling and the Speaker - 12*

*Against: Messrs Rimington, Henderson, Duggan, Mrs Cannell, Mrs Hannan, Messrs Singer and Cannell -7*

**The Speaker:** Mr President, the amendment carries in the House, with 12 votes in favour and 7 votes against.

*In the Council -*

*For: The Lord Bishop, Mrs Christian and Mr Crowe - 3*

*Against: Messrs Lowey, Waft and Kniveton - 3*

**The President:** Hon. members, the Council will go with the Keys, and therefore the amendment will carry, hon. members.

I put to you the motion as amended. 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, Sir Miles Walker, Messrs Rimington, Brown, Houghton, Henderson, Cretney, Duggan, Mrs Cannell, Messrs Shimmin, Downie, Mrs Hannan, Messrs Singer, Bell, Corkill, Cannell, Gelling and the Speaker - 19*

*Against: None*

**The Speaker:** Mr President, the motion carries, with 19 votes in favour and no votes against.

*In the Council -*

*For: The Lord Bishop, Messrs Lowey, Waft, Kniveton, Mrs Christian and Mr Crowe - 6*

*Against: None*

**The President:** Again, hon. members, with unanimity in the Council, the motion as amended therefore carries.

### **Recycling – Materials Used by Government Departments – Motion Carried**

**The President:** We now turn to item 44 on the order paper. Again I call on Mrs Hannan, the hon. member for Peel, to move.

**Mrs Hannan:** Thank you Eaghtyrane. I beg to move:

*Tynwald requests the Council of Ministers to establish a clear policy on the recycling of all recyclable materials used by government departments and the use of materials containing all, or a high percentage of, recycled materials throughout all government departments and report thereon with a timetable of commitments and proposals at the October 2001 sitting.*

For very many years, government has had a policy of putting out bins and encouraging people to take anything that could be recycled to these bins. We have bins for paper, glass, cans, batteries, clothes, et cetera, et cetera, and so you may say, 'Well, why move a motion such as this?' The reason is simple: government is not very good at practising what it preaches; neither is Tynwald, but that is for another day. I am looking for a compact, an agreement, that government will make a start recycling and using recycled materials wherever and whenever possible, in fact providing the market. In the past, some ministers for Local Government and the Environment have been less than committed when required to heavily subsidise goods for recycling and have then suggested that it has not been worthwhile recycling materials. However, to simplify, to bury this material is also costly and takes up space in the tip and so on, and although this hon. Court wants to burn all in sight, I propose using it a few times first. By recycling materials and buying recycled materials, we then complete the circle and provide a market.

In government every week, we handle huge piles of paper, good quality paper. It may be recycled, but my understanding is that it is much easier just to dump it: out of sight, out of mind. So, it goes to that hole in the ground when it could have another six to eight lives, depending on its quality. Good quality paper, recycled, can be reused for a number of other uses: writing paper, rough jotting paper, kitchen paper, paper towels, toilet paper, tissue, et cetera. Cardboard is also of value. There are other areas, too, that I feel we should address, such as using glasses and cups instead of plastics, and although I recognise that plastics can be recycled, there are many different sorts of plastics and maybe we should use only those that are absolutely necessary.

These are just a few ideas, and I do not want to get bogged down by these illustrations. People within government are very busy, and expert help is needed in the form of possibly a short-term contract for a recycling expert to advise government on the processes necessary to set a timetable to find markets, both for materials for recycling and for the purchase of recycled goods. Recycling can be exciting. Mrs Cannell and myself visited a centre in the UK where they had actually done just this, by bringing in someone short-term to advise what was possible, and therefore I do not think it is too much for us to ask to do the same. It can be easy and, of course, it can be worthwhile. Once government has set a programme in motion, others will follow, but a clear policy is required. I do hope members will support my motion for a timetable of

commitments and proposals to be reported on by the Council of Ministers at the October 2002 sitting. Eaghtyrane, I beg to move.

**The President:** Hon. member Mrs Cannell.

**Mrs Cannell:** Thank you, Mr President. I am very, very happy to second the motion that is on the agenda. Of course, the motion is actually calling on the Council of Ministers to establish a clear policy in respect of the use of recyclable materials by government departments, which will include divisions, in other words embrace the whole of the government machine, and I think that is a very good starting point. Now, the Minister for Local Government and the Environment has given previous commitments to researching this, looking into kerbside collection, et cetera, et cetera, for the general population and that, I believe, is ongoing, and I daresay the minister will probably give us an update on that. What this motion is intended to do is for us to be able to focus on what we are doing here, whilst we are in government, in departments, in divisions and, of course, all the officers and the employees who work the government machine for us. It is a good start. A very good start.

If the motion is supported - and I believe that it is and it should be supported at this time - it will send a very clear message out that this government is serious about recycling because it is now going to focus on clearing up its own backyard. It sets a very good example to the private sector, to the industries that are out there, to individual companies and to also embrace the whole of the population, because on the one hand, if we did not support the motion today, people would say, 'Well, it is all very well government telling us that we need to separate now and we need to recycle and we should be using more recyclable goods, but what are they doing? They are telling us to do what they say, not what they do.' This, if supported, would give a different message; it would give a very positive message, because it would say, 'Yes, we should be doing more recycling, and we are going to provide the opportunities for that to be done. We are studying kerbside collection to bring that into being and make it a reality. We are determined to reduce, as much as possible, the tonnage of refuse that will be required to be incinerated for all sorts of reasons: cost-effectiveness; environmental awareness; responsibility.' And what it will say is, 'We are prepared to do it ourselves and we are bringing this into effect. A policy is going to be established and this is how we are going to operate in the future. Now, how about you joining us and doing something similar?'

And what could follow on from that, once it is established, are environmental awards that government could give to different companies, recycling achievements that could be given and recycling certificates that could be given. The publicity that could flow from that, the message of positiveness in terms of green tourism that could be advertised and could be ridden on the back of that: all sorts of spin-offs, opportunities and strands for further success to stabilise the economy in the long term could be triggered by a gesture by this government and its departments and its divisions to focus on what it uses in terms of paper supplies, cardboard supplies, all sorts of ranges of things, pens. I did, Mr President, circulate last year to all hon. members within Tynwald - and I pleased to see the member for Castletown still has his -

**Mr Brown:** I have not used it yet, so it will last longer. *(Laughter)*

**Mrs Cannell:** - biro pens which are made of recyclable materials. Brilliant, so simple. I actually purchased those out of my own pocket -

**A Member:** Well done, Brenda! *(Interjections)*

**Mrs Cannell:** - to give to all members to try and focus their attention on what can be used and what can be achieved just by small gestures, (**A Member:** Hear, hear.) like using recyclable pens. (**A Member:** Absolutely.) And so the motion is actually making a request that the Council of Ministers focus on this and establish a workable policy, within divisions and within departments, to make this a reality.

Now, the hon. member, when moving her motion, talked about the time that she and I went to Daventry to witness a recycling operation, and we were very impressed and it was a very exciting initiative. It was all started by a Liberal local county council that felt, 'We must do something about this; we must bring something into effect to reduce our rubbish.' They had, of course, lots of landfill left - they have not relied upon incineration for their refuse - but they brought in somebody on a short-term contract to conduct public surveys - this was in the general theme, to conduct public surveys and to start pilot schemes - and from that flowed a very, very successful initiative, which is gaining momentum as we speak. And so things can be done; from a very, very small seed, big acorns can result in big oak trees being established for many years to come. I believe that we should be focusing our attention, and the best place to start is in our own backyard, Mr President, because then we can say, hand on heart, 'We've done it. It can be done. Here you are, the people of the Isle of Man; let's now see if we can get you going on this too.'

So, I am very happy to second. I cannot see anything wrong in this particular motion that would require an amendment by the Council of Ministers or the Department of Local Government and the Environment. It is very simple. We were unsuccessful with the prior one; this is another one that is asking for some kind of policy determination to be afforded to us by October, and I believe the time is right. I believe there is sufficient time for them to establish this. It could be done very simply, Mr President: an employee within a particular division or department, or all employees, could be canvassed in terms of who would like to take on a conservation status 'hat' for a pilot scheme. Now, I know this has been discussed in the past by civil servants because I read regularly the Government Officers' Association booklet that is brought out and having been reading it for many years. They did cover it some years ago, but there was an unwillingness, not a political will at that time from this place that would help and endorse and enhance it, so it fell rather flat. What they were endeavouring to do was to initiate someone within Department of Local Government, the Department of Transport, even the Forestry Division or whoever - 'Would you like to take on board this initiative? Would you like to be responsible for ensuring that our paper supplies are coming in from recyclable sources and that we from now on are afforded the opportunity of using recycled pens? Can you ensure that all our paper products are shredded and go for recycling?' All these sorts of things can be easily co-ordinated using one individual to represent that area within a particular government department. And yes, we may have to enhance them a little bit more for doing it, but I think it is something that is worthy of consideration. It need not be a consultancy coming in, it need not be a university coming in to do a study; it is a very simple, small but very important first step that we, as a government, should be taking.

**The President:** Hon. members, it has been drawn to my attention that the hon. member for Peel, Mrs Hannan, may have inadvertently said 2002 when moving the motion. I assume that she does mean 2001, and I just want to -

**Mrs Hannan:** Oh, yes, sorry.

**The President:** - make it absolutely plain that it is 2001.

**Mrs Hannan:** Yes, sorry.

**The President:** Hon. member for Glenfaba.

**Mr Gilbey:** Mr President, thank you. I can assure the hon. member for East Douglas that a report on kerbside collections and recycling is complete and will be circulated very soon. I would also advise members of the House and the Court that all the members of the department plus their officers also went to Daventry and also found it very interesting, but it does not necessarily mean that we here should do everything that is done in Daventry, because our conditions are

totally different. For instance, Daventry has one authority collecting for the whole area, where we have several different authorities.

However, I really rise to totally support the principles that my hon. friend, the member for Peel, is seeking to achieve in her motion, but I regret to say I cannot support the motion and the terms in which it has been drafted, for reasons which I shall explain. First of all, I must refer to the suggestion that the Council of Ministers always hijacks resolutions. None of my colleagues or I would want to move any amendments at all unless we considered it necessary; certainly that applies to my colleagues in the Department of Local Government. We would not put in all the work and time and trouble and take up the time of this hon. Court with amendments unless there was a very good reason for it. However, we cannot accept motions which clearly cut across work that is already not only planned but, indeed, in effect being done, and this also applies to motions which appear to force departments into unrealistic timetables when they already have timetables for carrying out work. Now, I accept fully, and always have, that things in government often take much longer than we would like (**Mrs Cannell**: Hear, hear.), but they have to be fitted in to overall work patterns and, as I have said many times before in this hon. Court, it is no good us complaining about requests for more civil servants et cetera and for increases in the personnel budget when we are constantly putting more and more work on the people we have got, and what is more, expecting them to do it quicker and quicker. There are other commitments in the department, many other commitments, but we are, in fact, as I will show, dealing with the matter which is the subject of this resolution, and I think, regarding time, that it is far better to do a thing properly just for the sake of a few months than rush it through because you are forced to, and possibly get the wrong results. Also, I should point out, as Sir Miles quite rightly did in the last debate, that we do have departments to deal with these particular matters. It should really be left to them to do the work and it should not be pressed on the Council of Ministers to do things unless the department is manifestly failing in its duties, and I think I can show quite conclusively that, regarding this particular matter, the department is anything but failing in its duties and actually started doing what the hon. mover wanted before they ever heard of her resolution.

Now, the department is committed totally to a strategy which seeks to take appropriate measures to encourage everyone to be more environmentally friendly in their approach to waste management and disposal, and the department's commitment to this is embodied in the Waste Management Plan which was issued in November 2000. I would draw hon. members' particular attention to section 7 of that plan, on page 25, which, in addition to identifying current activities and initiatives, also sets out future opportunities for waste minimalisation, recovery and recycling. No fewer than twelve such opportunities are listed and one of these is 'the possible introduction of waste minimalisation initiatives in all government departments'. The Department of Local Government and the Environment takes its responsibilities in relation to the environment extremely seriously; indeed, it feels - rightly - that it also has a responsibility to set a good example to others, and in this regard, within the department, trial schemes have already been started to assess the practicabilities of collecting materials which can be recycled through the strategic siting of suitable receptacles for drinks cans and non-confidential waste paper. Recently, these trials have been extended to include the provision of containers to accept dry-cell batteries. The possibility of collecting glass containers has been investigated but for health and safety considerations has not been progressed. The trial schemes within the department are being used to encourage staff to assess how they can realistically collect suitable materials for reuse or recycling. The department intends to review the experience of the trial schemes over a six-month period; it is only reasonable to have a fair period of time over which to test out this procedure. The department feels very strongly that it should not only encourage the public to adopt environmentally-friendly policies but should also be seen to be doing so itself. (**Mrs Cannell**: Hear, hear.) Moreover, following on from this, the department believes that the whole of government should introduce recovery schemes where appropriate and a greater use of recycled materials; for example, in the recent distribution by the department of brochures on the

various aspects of waste management, the department insisted that only recycled paper should be used.

Accordingly, as I have said earlier, although I totally support, and have acted to support, the aims of the hon. member, I cannot support the wording of her motion and propose the following amendment:

*For the words following the words 'requests', substitute -*

*'the Department of Local Government and the Environment to report to the Council of Ministers within six months on the establishment of a clear policy on the recycling of all recyclable materials used by government departments and the use of materials containing all, or a high percentage of, recycled materials throughout all government departments, thereafter such report to be laid before Tynwald.'*

I hope that from this wording hon. members will see that we totally support the principles for which the hon. member is striving, and more than that: without her motion, we have already put in train steps to bring it about. All we ask is that we should be allowed to continue doing it in the way that we have started and be given a slightly longer time span than suggested in the main motion before us. I beg to move.

**The President:** Hon. member for Ayre.

**Mr Quine:** I beg to second, sir.

**The President:** Hon. member for Douglas West, Mr Downie.

**Mr Downie:** Yes, I am quite pleased, really, that the hon. member for Peel has raised this issue, because I do think that there have been a lot of advancements lately in the field of recycling, some of which I feel that not just the Council of Ministers but government departments themselves should be reviewing on a regular basis. Now, in the UK at present, where roads are planed and resurfaced, between 30 and 50 per cent of those planings are recycled: they go back to the tarmac plant, they are heated up again, the tar is extracted from them, there are new materials mixed with them and they are relaid. Now, I asked the Minister for Transport about this some time ago and he said that the department were investigating ways in which to incorporate this in our new plant.

This is a very positive step if this can be brought about, it will reduce the requirement both for quarried stone and, of course, for tar, and it is very positive from the recycling point of view, plus there is the fact that, if the planings go for landfill or they go to other areas, they do not degrade, they will last for thousands of years, and it makes more sense to recycle them so that there is less pressure on the natural resources of the Island. In Scotland and Southern Ireland and, I am told, now in Wales, on a regular basis, rather than rely on the natural resources, there is a lot of work being done to improve rivers and waterways. What they do is they take large amounts of gravel out of the rivers, and in Wales in particular the type of stone that they get in some of the rivers, like the Sulby River for instance, is very, very hard, and because it has been in the river for x number of years, it is very, very solid in its construction: it is a hard stone; it is a granite base or a spar-derived stone. What they do is they move round and they create areas of habitat and they improve the quality of the environment and they take the stone out of the river; then they grade it down - they have these mobile graders - and that material then is used in that particular location for roadworks, for infill and all sorts of other areas. So, you can see how, by applying a recycling régime, you can make tremendous improvements to your environment and you can also save your natural resources as well.

In Canada and America, a lot of work has been done in the last few years with tyres; they have a system there now where they shred the tyres, and they have developed a system where they can put the shredded rubber into tarmac and they can lay it on the road surface, and it does

improve the wearing quality of that surface. Whether that is starting to come in now in the UK is worthy of investigation. Another thing that happens in some countries is that they have a tax on tyres, so when you go to buy a new tyre for your vehicle, you have to pay a deposit, and the deposit is to get rid of the old one. What happens then is that there is an initiative there which encourages recycling and it stops these old tyres and things going into landfill or it provides another avenue for them so that they can be properly disposed of.

We heard the Minister for Tourism saying that at some stage we were going to have to start to discuss the viability of the airport. His view, and, I am sure, the view of most members, is that we really need to be expanding in some way so we can continue to take large aircraft, and without a doubt, perhaps in the life of the next House, I think we are going to have to consider whether we are going to be looking at extending the airport runway. Logically, it can only go in one direction. We are not going to demolish houses and property; we are going to have to start land reclamation, and that is another very, very positive form of recycling. There is a tremendous amount that can be done in a recycling scheme, and these are issues that I think we have to address.

I read an article the other day about one of the London boroughs which has just signed a deal with the prison that Mr Biggs is currently residing in. They have entered into a recycling contract, and they are supplying labour - the prisoners - to get involved in a local recycling contract. I am told that, within the confines of the prison, materials are being sent for prisoners to recycle and get involved with; some of it is clothing and other items - I think shredded paper - and they are also doing some work for the Salvation Army and other organisations, and eventually lots of those clothes will go out to the Third World countries. It is an idea, but let us be honest: we have a permanent workforce of somewhere between 60 and 80 people in prison, and I am sure they would benefit from some work. **(A Member: Hear, hear.)**

I am sure that, with a little bit of thought, we could do a lot more with our recycled paper. That is one thing we do produce in government and, in my view, a lot of the recycled paper that leaves this office could be utilised by people who keep cats for instance, as a replacement for cat litter and things like that, which would give it an additional use before it does go eventually to be burnt -

**Mr Quine:** Quite appropriate for it.

**Mr Downie:** Absolutely, yes. And I know that some people in the horse fraternity would be prepared to take clean shredded paper as a substitute for bedding. *(Interjection)*

We also produce a tremendous amount of glass. This can be now recycled for brick making, and it also can be recycled to produce aggregate. There are companies which specialise in this, and I am reliably informed that in some of the hard-wearing surface that the DoT puts down on Crellin's Hill and places where it does get a bit slippery, parts of the components are made from recycled glass, and there is a carborundum element mixed with that and that produces this non-slip surface.

So, whether these products could be created locally and help, I do not know, but they are worthy of investigation, and really the best people to look at this are the departments who have responsibility for a lot of these issues themselves; they are the best people to investigate ways to recycle. In Forestry, for instance, we look at recycling initiatives in there - what to do with tree bark and sawdust and cuttings and so on - so I think the departments themselves should be given the responsibility rather than throwing it at the Council of Ministers and saying, 'You people go and have a look at it'; I think that is totally wrong. I must pay a compliment to the members of my own department, and in particular the hon. member for North Douglas, Mr Henderson; he is very keen on recycling initiatives and within the department I am sure he is prepared to address some of these issues. I know the same applies to the hon. member for

Peel, Mrs Hannan, and if initiatives can be found within the Department of Transport, I am sure she would be prepared to pursue them, as would the hon. member for East Douglas, Mrs Cannell, in her departmental role. So we have got, within the body of the kirk a caucus of people I think we can rely on to progress some of these issues. I think it is time we discussed recycling again; it is an issue that does need addressing from time to time, and it is not just an element that I think should be left to the Department of Local Government and the Environment. We should all be doing our bit and we should all be coming up with ideas on a regular basis and trying to progress them. Thank you.

**The President:** Hon. member of Council, Mr Waft.

**Mr Waft:** Thank you, Mr President. I just quickly rise to my feet with regard to what was mentioned about Third World countries. The Overseas Aid Committee, as the Court well knows, is very well aware of the situation with regard to the recycling of materials. I have written to the Chief Officers' Group in the past to see if they could take cognisance of the fact that there are a lot of materials that they are now not using - and I include the likes of computers and things of that nature, which quickly become out of date, and it is not too hard for someone to take the time to wipe the hard disk and wipe all the confidential information off that has not been released to the press previously (*Laughter*) - and send these out to the Third World countries. They are very grateful for that. We do, as you know, send people through the Volunteer Service Overseas scheme, and we have two, I think, away at the moment. We have one girl who is coming back, but she said that when she got to the village in Africa, talk about computers, they never had pencils, neither did they have paper, and it was only her mother who raised up some initiative and got those materials together. I think one of the problems is actually getting people to realise that there are problems in certain areas, and they are only too willing to help if given the information in the first place and the facilities to be able to do so. We have used, by the grace of the Department of Home Affairs, their Emergency Planning officer and were able to send materials overseas, and we do that fairly regularly, especially in situations of emergencies. However, it is a case of we have this meeting today and we go away tomorrow and everybody forgets about it and nothing is done.

I take on board the views of the Department of Local Government and the Environment and the situation with regard to recycling. They did produce a lot of material with regard to the incinerator, and we hope to see that progressed in the very near future. Great play was on the recycling situation from those opposed to the incinerator, and I think they acted quite wisely in explaining the situation with regard to recycling. Recycling to one person does not mean a great deal, but for somebody on the receiving end, when they have not got anything, it means a great deal indeed. So, if we all have a philosophy of life with regard to our departments - it is alright for chief officers to go back, but they have got a lot of work to do - the ministers of those departments, when they realise they have an excess of materials of one kind or another, should gently nudge them in the right direction and say, 'Well, look, don't throw that on the tip; let us find a use for it and get in contact with the Overseas Aid Committee and see if they could do with this or that or the other. I know the DHSS, when we have asked for materials for hospitals in the Third World countries, have been very helpful, as have other departments, but it waxes and wanes, and the problem is keeping it at the forefront of people's thinking. We are a 'throw away' society, unfortunately, but we have to realise that there are people who are worse off than ourselves, and they need our thoughts. Thank you, Mr President.

**The President:** Hon. members, I am conscious of the clock. With not too much repetition, I think we can still complete this morning. (**Several Members:** Hear, hear.) Hon. member Mr Shimmin.

**Mr Shimmin:** Thank you, Mr President. I will be brief. I have been brought to my feet by the two previous speakers. Firstly, the member of Council: certainly, I think he has highlighted the

issue. It needs to be in our consciousness; it is often just as easy to recycle as it is to discard, and therefore all we need to do is to keep it in the forefront of everybody's mind and make it easy for people to follow and replicate good practice.

My colleague from West Douglas pointed out that it is the responsibility of all the ministers, arguing against my argument in the previous debate. I therefore will be going with the original motion here, because I think it is appropriate that this is brought to the consciousness of the ministers, as the bodies responsible for their departments. I do not believe that it is essential to have a master plan now which is perfect in every way; I think that it is perfectly acceptable to have the pilot scheme which is being carried out in the Department of Local Government and the Environment replicated elsewhere and learn from our experiences. And we can learn within this parliament ourselves: the amount of paper which we all discard at the end of any sitting is one example whereby it would be just as easy for a receptacle to be placed in an area within this body of the Court, into which we could all put good quality white paper instead of it being discarded. I think we can start, I think we can start within the time scale allocated, and I believe that we should do, sir.

**Two Members:** Hear, hear.

**The President:** I call on the hon. member for Peel to reply to the debate.

**Mrs Hannan:** Thank you, Eaghtyrane. I would like to thank Mrs Cannell for seconding the motion. The points that she has made are very apt: there are an awful lot of things that we can do and that we should be doing. The reason why I mentioned our trip, and Mrs Cannell mentioned our trip, to Daventry was not for any reason that necessarily the same thing could be done here but that they were doing something, they were taking the initiatives, and we could learn from their initiative of actually getting on and doing something about it, and this is what I am suggesting.

The minister then moved his amendment but then stated that the Council of Ministers does not hijack motions, but that he cannot accept this motion because it would not work. (**Mr Henderson:** Hear, hear.) I think that the main reason why I moved it is because I have raised this on a number of occasions just because of the amount of good quality paper which we use, produce and discard, as the previous member has mentioned. What I am saying is that government should practise what it preaches; it is all very well having a study in what can be done and what can be done in other areas, but I do believe that the Council of Ministers should make a conscious decision - 'This is what we are going to do.' And, as I said, it can be exciting; we have had a number of people speak about the exciting prospects of recycling and reusing some of the materials that are discarded, for example the member of Council, with regard to overseas aid and how all of those materials can be used. I hope members today will support the motion that is on the paper with a statement from Tynwald that Tynwald wants government to recycle, and then government can get on with bringing all these other studies forward and addressing everything that can be recycled. I think it is up to Tynwald, at times, to make demands of the executive (**A Member:** Hear, hear.), and I am suggesting today that we do make those demands. For about 14 years now, I have been going on about recycling, and it is only today that I am suggesting that government should actually do something about this, and I feel embarrassed because of that. I have been asking but nothing has been happening, and this is a statement which I feel should go from this hon. Court today, saying that government is going to do something about it; the valuable resources that we have, of the taxpayer - it is the taxpayer's money - should be recycled. It is the policy that I am looking for to do that.

We should take the environment seriously, and there are a number of things which the Department of Transport is looking at: we are recycling in Stoney Mountain; the materials that we do take off the roads are reused in other people's drives or whatever from time to time - yes, some of it is disposed of in other areas, but we are looking at actually reusing on-site; and we

will be able to recycle all our road-making materials, but that will mean that we will have to have a new tar production plant to do that, and that is something that will probably come forward in the future. But to reuse actually on-site is something that we are looking at and hopefully, all things being equal, it is something that we will be able to do with the potholes and that sort of area.

And I would thank Mr Downie for his comments with regard to this. He suggested, at the end, that we should all be doing our bit, and this is why I am requesting members to support my motion. As I have said, this is exciting; it can be exciting. I agree with the member for Douglas West: we should make a start and we should do our bit. I respectfully urge members of this hon. Court, Eaghtyrane, to support my motion as it appears on the order paper.

**A Member:** Hear, hear.

**The President:** Hon. members, the motion before you is that item 24 be approved. To that we have the amendment moved by the hon. member, Mr Gilbey.

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, Brown, Houghton, Downie, Bell, Corkill and Cretney - 8*

*Against: Sir Miles Walker, Messrs Rimington, Henderson, Duggan, Mrs Cannell, Mr Shimmin, Mrs Hannan, Messrs Singer, Cannell, Gelling and the Speaker - 11*

**The Speaker:** Mr President, the amendment fails to carry, with 8 votes in favour and 11 votes against.

*In the Council -*

*For: Mrs Christian and Mr Crowe - 2*

*Against: The Lord Bishop, Messrs Lowey, Waft and Kniveton - 4*

**The President:** Hon. members, with 2 for and 4 against in the Council, the amendment fails to carry.

I therefore, hon. members, put the motion as printed on the 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, Sir Miles Walker, Messrs Rimington, Brown, Houghton, Henderson, Cretney, Duggan, Mrs Cannell, Messrs Shimmin, Downie, Mrs Hannan, Messrs Singer, Bell, Corkill, Cannell, Gelling and the Speaker - 19*

*Against: None*

**The Speaker:** Mr President, the motion carries in the House of Keys with 19 votes in favour and no votes against.

*In the Council -*

*For: The Lord Bishop, Messrs Lowey, Waft, Kniveton, Mrs Christian and Mr Crowe - 6*

*Against: None*

**The President:** Again, hon. members, we have unanimity in the Council, the motion therefore carries.

## **Apologies for Absence**

**The President:** Hon. members, I wish to make it plain that I had accepted apologies this morning for the hon. member for Middle, Mr North, and from the members of Council, Mr Delaney and Dr Mann.

## **President of Tynwald – Tribute by the Speaker**

**The President:** Mr Speaker.

**The Speaker:** Mr President, I wish to draw to members' attention that Mr President's term of office finishes at midnight on the 9th July. A President of Tynwald will be elected at the July sitting commencing on the 10th July, at which, sir, you may be a candidate.

Mr President took office in April 2000, when his predecessor, Sir Charles Kerruish, the Island's most distinguished parliamentarian and Manxman, retired after 54 years of distinguished service. Noel Cringle has, as Tynwald's second President, maintained the high standards and traditions of his office and ensured that the business of Tynwald is conducted in an efficient manner. On behalf of members of Tynwald, I thank you, sir, for your presidency and ask one final favour: that you will ensure that the Tynwald Day ceremony is conducted in fine, warm and sunny weather. (*Laughter*) (**Members:** Hear, hear.)

**The President:** I thank Mr Speaker for his comments; recycling is entirely up to Tynwald Court. (*Laughter*)

Hon. members, the Council will now withdraw and leave the House of Keys to transact such business as Mr Speaker may place before you.

*The Council withdrew.*

## **HOUSE OF KEYS**

**The Speaker:** Hon. members, please be seated. As you know, we have an agenda. I have given careful consideration to the matter as there may be a debate on the suspension of standing orders, there may then be a further debate and I know that there is a meeting of a committee of Tynwald; I therefore recommend to the House that we reassemble at 2.30 in our own chamber. Thank you, hon. members.

*The House adjourned at 1.07 p.m.*