

REPORT OF PROCEEDINGS OF TYNWALD COURT

Douglas, Tuesday, 21st November 2000
at 10.30 a.m.

Present:

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

In the Keys: The Speaker (Hon J D Q Cannan) (Michael); Mr L I Singer and Hon A R Bell (Ramsey); Mr R E Quine OBE (Ayre); Mrs H Hannan (Peel); Hon W A Gilbey (Glenfaba); Hon S C Rodan (Garff); Hon D North (Middle); Mr P Karran, Hon R K Corkill and Mr G T Cannell (Onchan); Messrs J R Houghton and R W Henderson (Douglas North); Hon D C Cretney and Mr A C Duggan (Douglas South); Mr R P Braidwood (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 Mrs P M Crowe and Mr J Rimington (Rushen); with Prof T StJ N Bates, Clerk of Tynwald.

The Lord Bishop took the prayers.

Apologies for Absence

The President: Hon. members, we have apologies for absence from the hon. member for Council, Dr Mann. I spoke to Mrs Mann yesterday and I understand that Dr Mann is making progress and I am sure members will wish to send him our best wishes for a speedy recovery. (**Members:** Hear, hear.) We also, members, have apologies from the hon. member for Douglas East, Mrs Cannell, who is indisposed this morning.

Papers Laid before the Court

The President: I call upon the Clerk to lay papers.

The Clerk: I lay before the Court:

National Health Service (Isle of Man) Act 1948 -

National Health Service (Isle of Man) (General Medical and Pharmaceutical Services) (Amendment) (No. 2) Regulations 2000 [SD No 564/00]

Social Security Act 2000 -

Social Security Benefits (Isle of Man) Up-rating (Amendment) Order 2000 [SD No 653/00]

Social Security Contributions and Benefits Act 1992 (Application) (Amendment) Order 2000 [SD No 654/00]

Social Security Administration Act 1992 (Application) (Amendment) (No. 3) Order 2000 [SD No 655/00]

Jobseekers Act 1995 (Application) (Amendment) (No. 3) Order 2000 [SD No 656/00]

Social Security Legislation (Application) (No. 18) Order 2000 [SD No 657/00]

Social Security Contributions and Benefits Act 1992 -

Income Support (General) (Isle of Man) (Amendment) (No. 3) Regulations 2000 [SD No

658/00]

Family Income Supplement (General) (Amendment) (No. 2) Regulations 2000 *[SD No 659/00]*

Pension Supplement Scheme -

Pension Supplement (No. 2) Scheme 1999 (Amendment) Scheme 2000 *[GC No 42/00]*

Licensing Act 1995 -

Permitted Hours (Licensed Premises and Registered Clubs) (New Year) Order 2000 *[SD No 693/00]*

Public Health Act 1990 -

Import and Export of Waste Regulations 2000 *[SD No 695/00]*

Collection and Disposal of Waste Regulations 2000 *[SD No 696/00]*

Local Government (Miscellaneous Provisions) Act 1984 -

Body Piercing of Minors (Prescribed Form) Regulations 2000 *[SD No 606/00]*

Customs and Excise Act 1993 -

Customs and Excise (Community Instruments) (Application) (Amendment) Order 2000 *[SD No 621/00]*

Hydrocarbon Oil Duties Act 1986 -

Hydrocarbon Oil Duties Act 1986 (Amendment) (No. 2) Order 2000 *[SD No 542/00]*

Road Traffic Regulation Act 1985 -

Fixed Penalty Offences Order 2000 *[SD No 697/00]*

Highways Act 1986 -

Highway Diversion (Meary Veg, Santon) Order 2000 *[SD No 670/00]*

Animal Health Act 1996 -

Sheep and Goats Identification Order 2000 *[SD No 699/00]*

Sea-Fisheries Act 1971 -

Sea-Fisheries (Technical Measures) Bye-Laws 2000 *[SD No 709/00]*

Sea-Fisheries (Scallop Fishing) (Amendment) Bye-Laws 2000 *[SD No 710/00]*

Weights and Measures Act 1989 -

Weights and Measures (Quantity Marking and Abbreviation of Units) Regulations 2000 *[SD No 700/00]*

Weights and Measures (Equivalentents for Dealing with Drugs) (Revocation) Regulations 2000 *[SD No 701/00]*

Weights and Measures (Milk and Solid Fuel Vending Machines) (Revocation) Regulations 2000 *[SD No 702/00]*

Corporate Service Providers Act 2000 -

Corporate Service Providers (General Requirements) Regulatory Code 2000 *[SD No 703/00]*

Corporate Service Providers (Clients' Money) Regulatory Code 2000 *[SD No 704/00]*

Reports -

Council of Ministers' Report on the Implications of Independence

First Report of the Standing Committee on Economic Initiatives 2000/2001: Double Taxation

Agreements and Exchange of Information
Report of the Department of Trade and Industry on the initial feasibility study on the importation of natural gas to the Island

Church Records Measure (Isle of Man) 2000 -

Diocesan Record Office (Designation) Instrument 2000 [SD No 685/00]

Hydrocarbon Oil Duties Act 1986 -

Hydrocarbon Oil Regulations 2000 [SD No 626/00]

Licensing Act 1995: Advocates Act 1995 -

Licensing Court of Appeal (Assessment of Costs) Rules 2000 [SD No 674/00]

Advocates Act 1995 -

Advocates (Conveyancing Fees) Regulations 2000 [SD No 675/00]

Advocates Agreements and Fees Details Regulations 2000 [SD No 676/00]

Advocates (Prescribed Fees) Regulations 2000 [SD No 677/00]

Advocates Fees (Prescribed Rate of Interest) Regulations 2000 [SD No 678/00]

Advocates (Law Society Assessment of Fees) Regulations 2000 [SD No 679/00]

Superannuation Act 1984 -

Superannuation (Clerk of Tynwald's Department) Determination 2000 [SD No 694/00]

Child Custody Act 1987 -

Child Abduction and Custody (Parties to Conventions) Order 2000 [SD No 686/00]

European Communities (Isle of Man) Act 1973 -

European Communities (Control of Exports of Dual-Use Items and Technology) (Application) Order 2000 [draft]

Landmines -

Landmines Act 1998 (Isle of Man) Order 2000 [SI 2000 No 2770]

Appointed Day Orders -

Church Records Measure (Isle of Man) 2000 (Appointed Day) Order 2000 [SD No 682/00]

Corporate Service Providers Act 2000 (Appointed Day) (No.1) Order 2000 [SD No 687/00]

Reports and Accounts -

Isle of Man Water Authority Annual Report and Accounts 1999/2000

Isle of Man Water Authority Drinking Water Quality Report 1999/2000

Isle of Man Post Office Report and Financial Statements for the 52 weeks ended 29th March 2000

Depositors' Compensation Scheme: Annual Report and Accounts of the Scheme Manager for the year ended 31st March 2000

Coastal Erosion Report — Question by Mr Quine

The President: Turning then to our question paper, hon. members, I call on the member for Ayre, Mr Quine.

Mr Quine: Thank you, Mr President. I beg leave to ask the Chief Minister:

Pursuant to the Report into Coastal Erosion on the Northern Coasts of the Isle of Man, dated October 2000 -

(1) *is it proposed that responsibility for policy, works and maintenance relating to -*

(i) rivers,

(ii) coastal areas, and

(iii) surface water drainage

should be vested in the Department of Local Government and the Environment; and

(2) *if so, will you report in writing to this hon. Court by February 2001 on the structural, organisational and resource implications of this reorganisation?*

The President: I call on the Chief Minister to reply.

Mr Gelling: Yes, Mr President, the Report into Coastal Erosion on the Northern Coasts of the Isle of Man, which was approved by Tynwald last month, concluded that government should undertake effective means to manage and safeguard the Island's coastal and riverine lands where there is a justifiable and sustainable case and that the Department of Local Government and the Environment be granted appropriate powers to carry out such a policy and strategy. Implementation of that recommendation is a matter for the department of Local Government and the Environment, working, I would suggest, no doubt, in consultation with the Department of Transport.

Now, what structural organisational and resource implications arise from implementing the recommendation is a matter therefore for the department. No doubt to the extent that those may require legislative, budgetary or personnel resources these will have to be reported and considered within the annual policy and budget process. I would see therefore no necessity for a specific report on the matter to this Court, sir.

The President: The hon. member for Ayre.

Mr Quine: Has any examination been carried out to identify areas where there could be a conflict of interest within the Department of Local Government and the Environment should they assume these additional duties, and if so, when was this examination carried out and by whom because there was no reference to it of course in the report which was before Tynwald last month?

The President: The Chief Minister to reply.

Mr Gelling: Mr President, I think the answer to the hon. questioner is not to my knowledge has there been any enquiries into conflict of interest, but I would have hoped that the department would have come back to Council if that is the case when we can perhaps consider the situation.

The President: The hon. member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr President. May I ask the hon. Chief Minister then, on how many occasions was this particular subject discussed at the Council of Ministers and was the hon. minister for the Department of Local Government and the Environment present when this was discussed, sir?

The President: The Chief Minister.

Mr Gelling: Well, obviously the report came to the Council of Ministers, Mr President, and was fully discussed. Whether or not the Minister of the department was there the entire time or whether he was there at all I could not tell you, Mr President, because I have not got that record with me, sir.

The President: The hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, would the minister inform this hon. Court who will have the responsibility when rivers overflow onto flood plains as far as this is concerned and who does he think should be sorting that out, making sure that development does not happen on flood plains?

The President: I do not want to develop it into a development debate, but Chief Minister.

Mr Gelling: Yes, Mr President, the Department of Local Government and the Environment have got that remit to come forward with a Coastal Lands Bill and the implementation of that Bill and I would suggest that that would be the time when that department will come forward and inform us who has the responsibility, sir.

The President: Mr Speaker.

The Speaker: Mr President, is the Chief Minister aware that while this interdepartmental wrangling goes on, this bureaucratic morass, (**A Member:** Hear, hear.) that the erosion of the cliffs continues at Kirk Michael and isn't it about time that this debate as to who is responsible and who should do something is rapidly brought to a conclusion and the problem, which is coastal erosion and that is what this report originated at, that something is done about that serious matter.

Mr Houghton: Hear, hear.

The President: The Chief Minister.

Mr Gelling: Mr President, I was not aware that there was any wrangling between departments. I thought Tynwald had voted, with only three against the report that came to this hon. Court, for the way ahead, so therefore I would suggest that the Department of Local Government are the people who have got their hands on this particular area of responsibility and I would look forward to them coming forward with the results so that we could get forward with this Coastal Lands Bill so that it can move forward, so I am not aware that there are wranglings between departments, sir.

The President: The hon. member Mr Gilbey.

Mr Gilbey: And will not the Chief Minister agree that all departments have a duty to accept the decisions of this hon. Court and that the Department of Local Government is no exception?

Will he also agree that in the last 18 months since I have had the honour to be on the Council of Ministers I have only missed one meeting?

Mr Cretney: Hear, hear.

The President: The Chief Minister to reply.

Mr Gelling: Yes, I thank the hon. member for his very helpful question, sir.

The President: The hon. member for Ayre, I think a final supplementary on this question.

Mr Quine: Yes, well if I could just divide it into two parts, sir. (*Laughter*) First, is the Chief Minister aware that this issue had not been discussed by the Department of Local Government and the Environment prior to it being sanctioned by the Council of Ministers, and secondly, could the Chief

Minister advise me, having regard to the select committee which is now sitting to consider the prayer of the Carrick Park Residents Association, which addresses these same issues, would it not be prudent to await the outcome of the select committee report?

The President: The Chief Minister.

Mr Gelling: Well, Mr President, we have a decision of this Court. As I have said, the report was accepted. It went through this Court with quite a handsome majority, I think it was only three that voted against it, and obviously we are carrying through Tynwald's wishes. Now, those wishes are that the Department of Local Government and the Environment address the issue.

Now, the hon. member says am I aware that it was not discussed before hand. Well, I am not aware whether it was or not, but the minister of the department certainly was in the Council and accepted this responsibility with good grace, sir.

Queen's Pier, Ramsey — Free Vote on Motion — Question by Mr Singer

The President: Question number 2, I call on the hon. member for Ramsey, Mr Singer.

Mr Singer: Thank you, Mr President. I beg leave to ask the Chief Minister:

Will members of the Council of Ministers be allowed a free vote on the motion tabled for this sitting relating to the refurbishment of the Queen's Pier, Ramsey?

The President: Again the question is for the Chief Minister to reply.

Mr Gelling: Yes, Mr President, the guidelines used by the Council of Ministers in relation to collective responsibility are of course in the public domain. Now, they allow ministers a free vote in a number of clearly defined circumstances and namely they are matters of conscience, secondly where they have a previously declared position, thirdly constituency matters, and fourth, in consequential matters. Now, I will leave the hon. member to work out whether the motion to which he refers fits any of those circumstances, sir.

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

Mr Singer: I thank the Chief Minister for what I think was an answer. Allowing for the fact that the hon. member for Home Affairs has a direct constituency interest and that the pier is on the direct border of the Garff constituency, as far as the remaining members of Council are concerned was the answer, yes, they will have a free vote or, no, they will be bound by the majority view of Council?

The President: The Chief Minister.

Mr Gelling: Well, Mr President, I would take the situation of the hon. member for Ramsey, Mr Bell. It is in his constituency, so I would say he fits into this particular circumstance. Now, whether or not the hon. member for Garff, it is in his constituency on the border, I would not know, but what I can say is that we are awaiting a report back to Council and Council will obviously make their final decision on that when that report arrives, so therefore it is unfair to say that the ministers have even considered the situation, because it is not something that has been on our agenda and not until we saw the order paper did we know it would be on the Tynwald agenda, so therefore I can only say to the hon. member that in the circumstances that he has described the hon. member for Ramsey certainly will be able to vote whichever way he wishes, sir.

The President: The hon. member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr President. In view of the extremely poor response to the offer by the Department of Transport for members to travel to Ramsey and inspect the ailing condition of the pier last Saturday morning, may I ask the hon. Chief Minister, with the exception of the hon. member for Ramsey, Mr Bell, are any of his ministers remotely interested in this important facet of Island heritage, sir?

The President: The Chief Minister.

Mr Gelling: Mr President, it is exceedingly difficult when the Council of Ministers are waiting for a report. Again it is a report that is coming from the department along with heritage and we all know where the report came from and we backed that report and we await the outcome of it. So why should we be even discussing the Queen's Pier and the Council of Ministers when it is not an agenda item? We will discuss it when we have the proper details available to us on hopefully, or perhaps, I should say, a way ahead, sir.

The President: The hon. member for Ramsey, Mr Bell.

Mr Bell: Thank you, Mr President. Would the Chief Minister agree that the fact that an important part of Ramsey's heritage has been left to decay as a deliberate part of government policy should be on the conscience of every minister, both present and past, and therefore this should give mitigating circumstances for the Council of Ministers to support the resolution later on in this paper.

Mr Houghton: Hear, hear.

The President: The Chief Minister.

Mr Gelling: I cannot agree with my hon. minister, Mr President.

The President: The hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, would the Chief Minister not agree that we must not allow the future of the Queen's Pier to become a cheap political gimmick (**Mr Cretney:** Hear, hear.) and would he not agree that he recognises that 40 years ago few people would have valued the Laxey Wheel, but today it would be a scandal to let that rot, and would he also agree that in 40 years' time people will feel the same about the Ramsey Pier as far as its future is concerned, and will he assure us that he will rise above cheap political gimmickry over this important asset for the Manx nation?

The President: I think there are three questions there, Chief Minister. You can ignore the one on the Laxey Wheel.

Mr Gelling: Mr President, is it not therefore wise for us to await the outcome of the report into which Heritage are going to have an input. That is the very reason we need this report, is to get the Heritage angle as well as the structure and what it will take to do anything with the Queen's Pier, and I would suggest that is what we should do, is await the outcome of that report, Mr President.

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

Mr Singer: Thank you. Could I ask, as Chief Minister and understanding that with your guidance the Council of Ministers have made a collective decision, how do you personally rate the importance of the refurbishment of the Queen's Pier to the Island's heritage?

Mr Gelling: First of all, if I understand the questioner, we have not as yet made a collective decision on the Queen's Pier because we are awaiting the report. I particularly have been up to see the Queen's Pier on a number of occasions. I have had I think it is 246 postcards now, Mr President, from Ramsey. I

did not realise I was so popular in that area, but certainly if some of the money that had been spent on the 22p on the postcards had been put into perhaps some of the contingency fund for the pier, we might have been helping in another way, but certainly I cannot understand the situation in Ramsey for the reason that the people I have spoken to, that I have rung up who have sent me those postcards, actually are not fully aware of the facts and they are not fully understanding why they actually sent the postcards.

So basically what I am saying to the hon. member is my opinion of the pier is that if you tried to erect it today you would not get permission. It was there for a reason, it was there to assist passengers off the steam ships and later vessels of the Steam Packet, and it is no longer being used, so therefore we need to find a use for it. That is why we are waiting for the report.

The President: The hon. member for Council, Mr Delaney.

Mr Delaney: Would the Chief Minister not agree with me that regardless of what reason and why it is still there, it is there and it needs a decision taken very quickly by us on what is the future of that pier regardless of how many postcards he gets asking him to resign, from the people in Ramsey?

The President: Now, hon. members, the question is relative to a free vote, not a debate on the Queen's Pier itself. Chief Minister, do you wish to reply?

Mr Gelling: Could the hon. questioner repeat the last part of his question, sir?

Mr Delaney: Regardless how many postcards you receive asking you to resign would you agree or not agree with me that we need to make a decision about the Queen's Pier?

Mr Brown: Keep taking the pills, boy.

Mr Gelling: Mr President, I have not received any postcards from anybody asking me to resign, so I do not know where the hon. member has got that from -

Mr Delaney: Congratulations, Chief Minister.

Mr Gelling: - but certainly I can agree with the other part of his question, Mr President, a decision should be made. I agree with that, sir.

The President: The hon. member for Castletown, Mr Brown.

Mr Brown: Thank you, Mr President. Could the Chief Minister clarify with regard to an accusation that was made recently on the radio by the hon. member for Ramsey, Mr Singer, when he said the only reason that nothing is happening is because the pier is in the north and that all we have to do is look south to see the answer? Could the Chief Minister clarify whether or not there is any real north/south divide and that is why there is no movement, as is seen by the Ramsey members, on this major issue?

The President: The hon. Chief Minister to reply.

Mr Gelling: Mr President, I think you can see by the record of previous administrations and this administration. We would like to see the Isle of Man in its entirety and therefore the economy of the Island should be over all of the Island, but I think members must also appreciate that a lot of the investment is by private sector people and if those private sector people wish to invest their money in a certain area of the Isle of Man, it is extremely difficult for the government to direct them in another direction. So therefore I would say certainly not, there is not a north/south divide and I would like to see the whole of the Island prosper and I hope that is the case, sir.

**Government Policies and Decisions — Means of Informing Members —
Question by Mr Delaney**

The President: Question 3, the hon. member for Council, Mr Delaney.

Mr Delaney: I beg leave to ask the Chief Minister:

What do you consider to be the appropriate procedures for informing hon. members of government policies and decisions?

The President: The Chief Minister to reply.

Mr Gelling: Mr President, the means used for advising hon. members of government policies and decisions will vary according to the circumstances at the time, sir.

Mr Delaney: Mr President, a supplementary, please.

The President: The hon. member for Council, Mr Delaney.

Mr Delaney: Mr President, could I ask the Chief Minister, does he not think it is appropriate that changes in policy, government-stated policy, where they occur should be announced either to members through a statement at meetings at which members may or may not attend, and furthermore, would he not agree that the change of government policy should not be put to the media before it is given to the elected members of either branch of this parliament?

The President: The Chief Minister.

Mr Gelling: Yes, Mr President, obviously any changes in policy should be announced first of all in this Court and that is what we always try to do, sir. However, where there is a circumstance of an item that is on the agenda which is questioned by the media prior to the sitting of that Court it is extremely difficult not to answer the question posed by the media and in this particular case, which is the case the hon. member refers to, that is exactly what happened. It was not something that was given to them as a media release or a press release, it was a question posed on the Gordon Brown statement in the UK that actually led up to it, sir.

So what I would say to hon. members is I do not think you could criticise this administration for a lack of information, press releases and letters, in fact I get a few complaints that there are that many press releases coming out of that particular department you are getting one every other day which is what the hon. members have asked for in the past and I think the department is trying to respond to.

The President: The hon. member Mr Delaney.

Mr Delaney: A further supplementary, Mr President. Bearing in mind that the Chief Minister is of the opinion that I am referring to the matters dealing with the social security, can I actually inform him I am actually referring to matters where delays in government policy and policy matters are actually deferred and members of this Court are not informed other than through the media of deferrals, i.e. such as the Ramsey marina and also in relation to the prison.

The President: The Chief Minister.

Mr Gelling: I am sorry, Mr President, again we are getting down to specifics, but I think I can say to the hon. member that, never mind members and Tynwald and they should be informed, if he is actually referring to the Ramsey marina being delayed until the spring of next year, I think I also heard it first from the media, because that was the interest that was at the meeting that was held in Ramsey, that was the

decision that was made, and of course circumstances like this will happen. This was the media investigating, trying to get news, trying to get it on first. we do our very, very best to keep members fully informed and we will continue to do so.

Mr Delaney: It is not working.

Fireworks — Annoyance — Question by Mr Cannell

The President: Question 4, the hon. member for Onchan, Mr Cannell.

Mr Cannell: Thank you, Mr President. I beg leave to ask the Chief Minister:

What plans does the Council of Ministers have to reduce the annoyance and unease experienced by Island residents from the detonation of fireworks for some weeks before and after 5th November?

The President: The Chief Minister to reply.

Mr Gelling: Mr President, I am fully aware that there have been express concerns about fireworks being detonated over a prolonged period either side of 5th November and we have asked the Office of Fair Trading actually to provide us with a report on whether there is a need for any additional measures to be taken, sir.

The President: The hon. member Mr Cannell.

Mr Cannell: I thank the hon. Chief Minister for that assurance and I am sure that he would agree with me, would he not, that it is totally unacceptable that residential and shopping areas should be terrorised by the letting off of what are now mini high explosives guaranteed to cause distress, not only to the elderly folk and their pets, but to anyone seeking rightful peace on either side of November 5th?

The President: The Chief Minister.

Mr Gelling: Yes, Mr President, I think it is wrong and unacceptable. At least you know on or around the area of 5th November people are expecting fireworks and that type of thing and they can therefore take the necessary precautions with pets, not just pets, cattle, livestock. it is amazing how they are terrorised with that type of thing, and I think as someone commented to me, it is strange when you cannot let a shotgun off after dark and yet these mini-bombs are going off after dark and they are frightening to people, pets, animals, whatever, if it is unexpected. So that is why we have asked the Office of Fair Trading to actually look at the situation and come back and report, sir.

The President: The hon. member, Douglas North, Mr Henderson.

Mr Henderson: Thank you, Mr President. Would the Chief Minister agree also to ask the Office of Fair Trading in this good way forward at the minute for public comment in this assessment of how bad the situation is so that people's views can be placed on record?

The President: Chief Minister.

Mr Gelling: Yes, I am quite sure the chair of the Office of Fair Trading is listening, obviously, to the answers and the questions and the comments of members and that will be something that she will take on board, sir.

The President: The hon. member for Douglas West, Mr Downie.

Mr Downie: Thank you, Mr President. I would just like to ask the Chief Minister, as it is currently an offence to let fireworks off in the public highway, would he also take up this issue with the Chief Constable and see why the many complaints that have been telephoned through to the police have not really been followed up by the police and there appears to be a breakdown in communications in this regard?

The President: Chief Minister.

Mr Gelling: Yes, I will take that message to the chief, sir.

The President: A final supplementary, the hon. member for Onchan, Mr Cannell.

Mr Cannell: Thank you, Mr President. So would the hon. Chief Minister conclude then personally or on behalf of his Council the time has come for the Isle of Man Government to say, 'Enough!', to the continuance of these ludicrous celebrations of an act of treason committed in another sovereign state 300 years ago?

The President: Chief Minister.

Mr Gelling: Well, Mr President, personally I think that in a controlled situation lots of people get a lot of fun out of fireworks and I would not expect the Court to be a total killjoy on organised firework displays and so on, but I think that is really where we come down to, is they are now not organised and they are being let off at times that frighten people because some of the explosions are like, as I have already suggested, mini-bombs. So therefore we must be realistic I think, but we will ask Fair Trading to address the issue.

DTI and DoT — Government Action following Judgment — Question by Mr Karran

The President: Question 5, I call on the hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, I beg to ask the Chief Minister:

What action does your government propose to address the interdepartmental deficiencies following the judgment in Frost v Department of Trade and Industry and the Department of Transport?

The President: Again I call on the Chief Minister to reply.

Mr Gelling: Yes, Mr President, there are legal issues which are potentially still to be determined in relation to this matter and I am not therefore in a position to discuss the points which may have an impact upon those legal issues.

Now, all I will say is that the judgment is being studied seriously and if there are lessons to be learnt for the future, those lessons certainly will be learnt, sir.

The President: The hon. member for Onchan.

Mr Karran: A supplementary, Eaghtyrane. Would the Chief Minister not agree that it is unreasonable to plant thousands of trees, lock gates, put fences up, take away the land into the quarry as far as any government department on land that it does not own, or is he deciding to put up the red flag and ownership is not important as far as the properties concerned?

The President: Chief Minister.

Mr Gelling: Mr President, as I have said, I do not wish to comment on any of the points which the hon. member has suggested, because I am not aware of the details of what happened and or why it

happened. It is still, as I have said, under legal scrutiny, so therefore I would wish at this time not to answer that question, sir.

The President: The hon. member Mr Karran.

Mr Karran: Vainstyr Loayreyder, would the Chief Minister think it would be far more efficient for the taxpayers of the Isle of Man to try and get everybody around a table than to have to go back to court in order to resolve the deficiencies that have been made by trespass on this land than ending up paying it out to lawyers eight weeks after the judgment case?

The President: Chief Minister.

Mr Gelling: Yes, Mr President, there was no interdepartmental liaison, obviously, between the Department of Industry and the Department of Transport, because one was the person who was issuing the licence or to whom the applicant, the Department of Transport, had applied, so therefore, rightly so, there was no collusion or liaison between those two departments.

Now, the hon. member says why can't we just get round a table and sort this out? Nothing would suit me better than to do just that, but certainly when I made enquiries about this I was informed by our legal advisers that that was not the right thing to do, that things at the moment were still in the situation that there could be further legal proceedings, so we must not, therefore, speak round a table, as the hon. member has said, to try to unravel it.

The President: The hon. member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr President, does the hon. Chief Minister not agree that Mr and Mrs Frost have been on the receiving end of the most disgraceful and arrogant treatment at the hands of the Department of Transport and in particular would the Chief Minister see his way to offering those landowners an open apology on behalf of his government in this Court today, sir.

Mr Brown: What do you base that on?

The President: Now, Chief Minister, that is hardly relevant to the question on the question paper, but you may answer if you wish, sir.

Mr Gelling: Mr President, all I can say is I know the Frosts and I am sad that it has gone on so long, (**Mr Delaney:** Hear, hear.) but it has been protracted because of legal argument and this is something, as I say, which saddens me and I am sure everybody in the Court wished that it had been settled, but it has not been settled and therefore we must do what is legally right and I think that is where I would like to leave the question because I do not want to infringe onto areas which might harm either side in the legal battle.

The President: I appreciate the point you make, but I would return to the original questioner.

Mr Karran: Eaghtyrane, a supplementary. Would the Chief Minister recognise that we all want to do what is right for good government. Would he also not agree that if we do not go down the lines of appeal, then we are out of spending out more hundreds of thousands of pounds on legal costs? Can we then have a look at whether we can try and get something negotiated around a table if the opportunity for it to go to appeal is decided to be not the best way forward, in order to try and get this resolved more amicably as far as that is concerned.

The President: I think, Chief Minister, the hon. member is asking you to have a crystal ball on that. Do you wish to reply, sir?

Mr Gelling: Only that, yes, when the legal ramifications are sorted out I would hope that we can sit down and talk with Mr and Mrs Frost in a way that I would wish that we could do so. We do not want to cause people frustration and anger and concern, but there are legal ways of going about these things and that is exactly what has happened, and on the comments of any of the decisions, whether it should or it should not or whether there should be apologies, I think that has to wait for another day, sir.

Blind Persons — Reading Service — Question by Singer

The President: Question 6, I call on the hon. member for Ramsey, Mr Singer.

Mr Singer: Thank you, Mr President. I beg leave to ask the Minister for Health and Social Security:

What arrangements are in place to offer a reading service to registered blind persons?

The President: I call on the Minister for Health and Social Security, Mrs Christian, to reply.

Mrs Christian: Thank you, Mr President. The Blind Persons Welfare Act 1937 gives the Manx Blind Welfare Society a duty to make arrangements to promote the welfare of blind persons living on the Island.

With regard to a reading service to registered blind and registered partially sighted people the Manx Blind Welfare Service provides several different services. They are a weekly news service on tape, a talking book library on tape, a newly introduced service which will transfer on request from blind people the text of magazines or specialist journals onto tape. Volunteers are also available to read personal mail or anything a blind person may need to be read to them in their own home and the Manx Blind Welfare Society's magazine *Optic Topics* is sent out to all registered and partially sighted blind people on tape and informs people of the services available.

The department has a three-way partnership with the Manx Blind Welfare Society and the Royal National Institute for the Blind which delivers a range of services designed to meet the needs of visually impaired people.

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

Mr Singer: I thank the hon. minister for her answer. Whilst I am aware of the services offered to blind people by the provision of talking books, audio tapes and CDs et cetera, what help does your department provide to registered blind people particularly those classed as NLP, that is, no light perception, to enable them to know the contents of their private mail, other than having to rely on volunteers because would you not agree that some of these documents that come to them may be important and they may not have family around them to provide that service and is it not unnecessary for them to have to rely on volunteers to come and read their mail? Does the department not feel a responsibility to accept some of that responsibility towards those people?

The President: Minister to reply.

Mrs Christian: Mr President, I am not aware that there is any weakness in the situation at the moment with regard to providing assistance to people to have personal documents read to them. Certainly this service, as I understand is, also available to people with no light perception. Provided that they can indicate to the Manx Blind Welfare with the letter from their GP to indicate that they have a reading problem they will certainly provide the same services to those people.

In terms of whether or not the department should get involved directly, I think there would be a great danger of duplication being involved here. As I have indicated, we have a tripartite agreement between the department, the Manx Blind Welfare Society and the Royal National Institute for the Blind. There are

employed social workers who could go and read personal documents should that be required if there was a concern that the volunteers were not able to respect confidentiality, and I think that would be an unfortunate slur on the people who do volunteer.

So I am not aware of any circumstance where the Manx Blind Welfare Society, who are charged under statute with making this provision, have failed to do so when they have been approached for such assistance. If the hon. member is aware of a case I would be happy to liaise and to make sure that the Manx Blind Welfare Society are aware of the requirement and I am sure they would fulfil the need.

The President: Hon. member for Ramsey.

Mr Singer: I thank the minister for her answer. Is the hon. minister aware that there is funding provided across the water by local authorities to enable those who are completely blind to actually employ a person to provide a mail reading service rather than to rely on what may be limited volunteers at limited times, and does her department not consider that, particularly for those who are the five per cent who are totally blind, such a service could be made available to ensure that they are aware as soon as possible of what may be important documents in their mail?

The President: Minister to reply.

Mrs Christian: Mr President, the allusion to the structure in the United Kingdom I do not feel has any particular relevance because the service is available here from the Manx Blind Welfare Society.

The hon. member has referred to funding issues. I am not aware that there is a funding problem with regard to the service provided by the society and therefore I think that the matter which he has raised is not directly relevant. The service is available. The department does provide funding to the RNIB for a different service which is a social work service and an aids and adaptation service, but I am quite convinced that the provision made by the Manx Blind Welfare Society is equal to that provided in the United Kingdom.

Noble's Hospital — Serious Professional Misconduct by Surgeon — Question by Mr Delaney

The President: Item 7, I call on the hon. member for Council, Mr Delaney.

Mr Delaney: Mr President, I beg leave to ask the Minister for Health and Social Security:

Can you confirm that Willem Bigl, whose name was recently erased from the Register of Medical Practitioners for serious professional misconduct, has previously been employed as a locum tenens surgeon at Noble's Hospital?

The President: Again it is for the Minister for Health and Social Security, Mrs Christian, to reply.

Mrs Christian: Yes Mr President, I can confirm that Mr Willem Bigl, consultant neurological surgeon, has been employed at Noble's Hospital in the locum capacity on three separate occasions during this year.

Mr Delaney: Supplementaries.

The President: Hon. member for Council.

Mr Delaney: Is the minister aware of a letter that has been sent to people who were treated by this particular doctor on the Isle of Man, dated 17th November and will she inform the Court if she is aware, or if she is not aware, find out why no mention of apology is given to any of the patients that were treated by

this, even for the inconvenience that it is going to cause them to go back and be checked out by another surgeon or doctor?

The President: Minister to reply.

Mrs Christian: Yes, Mr President. Of course I am aware that we have taken action to notify any patients who might have been seen by Mr Bigl. Perhaps it would be useful if I gave some background to this issue.

As hon. members will be aware, this gentleman has recently appeared before a hearing of the General Medical Council's Professional Conduct Committee in connection with an incident in 1996. The outcome of the hearing was that Mr Bigl was found guilty of serious professional misconduct and as a result of that his name has been erased from the General Medical Register pending any appeal by him. The department was formally notified of that action in a letter dated 6th November. Prior to that there had been no indication at all of there being any concern about Mr Bigl. Now, we have consistently followed the procedures in relation to the employment of locum consultant neurologists. In accordance with those procedures his GMC registration was confirmed through sight of his certificate when we employed him and followed up by a phone call to the GMC Registration Enquiry Council Committee. On neither occasion was the department advised that at the time of checking the registration details were subject to suspension. The fact of the matter is that the department was made aware only on 6th November.

Now, with regard to the procedures we have followed since then the department has initiated a review of notes of all patients seen by Mr Bigl who have been made aware of the situation. We have asked them, if they have any concerns, to advise of the situation and they have an opportunity to contact the hospital in circumstances where they do feel anxious. Now, many of these patients have already been seen in a follow-up visit by another consultant and so there would be no concern in those situations.

I do not feel that we particularly need to offer an apology. I think more appropriate would be an apology from the GMC for not having structures which advise any authority where their members have been under investigation. However, since that time the rules have changed in relation to the Medical Act so that any medical practitioner who is the subject of an amendment to his registration conditions, for example is suspended or retained on the register with conditions applied, will have such details notified on the GMC website. In other words the changed status of any doctor will then be in the public domain and known to prospective employers.

The President: Hon. member Mr Delaney.

Mr Delaney: Thank you, Mr President. I thank the minister for giving us some details through the Court to the people of the Isle of Man who may have been treated by this gentleman. Can the minister let us know that as well as the GMC changing their methods of informing or giving information out in relation to people who may be suspended or under suspension or have complaints against them, would she also agree with me, bearing in mind the amount of people who are servicing the people of the Isle of Man in the medical field, we have either had bad luck or bad procedures in selecting those people who give medical treatment to our people in the Isle of Man?

The President: Minister to reply.

Mrs Christian: Mr President, there is an implication there that the service provided by Mr Bigl in the Isle of Man was somehow deficient. There is at the moment no evidence to suggest that. The gentleman concerned has been struck off for an incident which happened in another area and of course as a result of

that we have concerns for the way in which he performed here. I have to say that when he was here there were no concerns about his performance and nevertheless we are routinely following up on everyone who was seen by him. Now, of course not everyone was operated on by this gentleman. Most of his consultations were at outpatient clinics and outpatient consultations and therefore surgery was not involved.

So I think that we have certainly applied the most up-to-date procedures and rules and regulations in relation to the employment of locums that are consistent throughout the NHS, and as I say, the loophole which required notification of any condition being applied to any medical practitioner was not ours but perhaps that of the GMC and that was addressed in August this year under the UK Medical Act.

Mr Delaney: A further supplementary, Mr President.

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

Mr Henderson: Thank you, Mr President. Could the hon. minister confirm for the people of this Island that in future, notwithstanding that the GMC has made some changes to their registration details, it is incumbent upon the minister and her department as a matter of accountability in the future when hiring locum consultants for any period of time that her department should ask the question not only of alteration to registration but could she confirm that they will be asking if the consultant is under any form of investigation or complaint and also to the employer from whence he is coming?

The President: I think she has already indicated that but minister to reply if she wishes.

Mrs Christian: Thank you, Mr President. I have already indicated that.

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

Mr Singer: Thank you, Mr President. If I could just pick up one of the other items that were in the minister's reply, can the minister tell me are medical practitioners and consultants who are charged by the GMC with misconduct suspended during the investigations, as are, for example, teachers and government officers, or are they allowed to continue in practice here until the GMC have completed their investigation and made a decision?

The President: Minister to reply.

Mrs Christian: Mr President, I think I have indicated in the reply that, depending on the circumstances, medical practitioners may be suspended or retained on the register with conditions, depending on the circumstances of the case. What is important to any health authority and of course to any patient is that we are aware of those circumstances and that matter has been addressed now and this loophole should not prevail in the future.

The hon. member asks whether they are automatically suspended. I would think that in any serious circumstance relating to surgery they are suspended, but that is a matter for the health authority concerned.

The President: Hon. member for Ayre, Mr Quine.

Mr Quine: Thank you, Mr President. Having regard to the control of patients' personal data at Noble's Hospital, are you aware that this locum surgeon's patients, Isle of Man patients, received a letter about a month prior to the GMC hearing asking them to express, if they were so inclined, their satisfaction with the service they had received, and this being the case, can you explain where this personal data

came from for this surgeon to address his patients? I would have thought it is under control by the Noble's Hospital.

The President: Minister to reply.

Mrs Christian: I am not aware of such a letter, Mr President. I will certainly investigate the matter for the hon. member. **(Mr Delaney:** Hear, hear.) He does not indicate where the letter came from. It rather implies that it came from the GMC who were investigating this person. However, I am not aware how the GMC would avail themselves of patients' details from an Isle of Man hospital and I will follow that through.

The President: Hon. member for Council, Mr Delaney.

Mr Delaney: Thank you, Mr President. Bearing in mind the question 7 I have down, could I ask the minister to give some of the details of why this particular locum surgeon that we employed was struck off?

The President: I do not think that is necessary, minister.

Mr Delaney: It is to do with the question, Mr President.

The President: Okay, the minister to reply.

Mrs Christian: Yes, Mr President, I can give you that information. The incident which gave rise to the investigation occurred in Basildon Hospital, Essex where Mr Bigl was working as a consultant neurologist. The main issue surrounded the action of Mr Bigl in leaving the hospital shortly after operating on a female patient in circumstances when she was experiencing significant blood loss which was not under control. His action was found to be both inappropriate and irresponsible. The findings of the GMC indicated a serious breach of the principles of good medical practice and the standard of care and conduct expected of registered medical practitioners.

Mr Delaney: Thank you.

Retirement Pensions Increase — Question by Mr Delaney

The President: We turn to item 8 on the order paper and I call on the hon. member for Council, Mr Delaney.

Mr Delaney: Mr President, I beg leave to ask the Minister for Health and Social Security:

Will you give an undertaking that the increase in the basic retirement pensions will not be clawed back from pensioners who are in receipt of supplementary benefit or the Isle of Man pension supplement?

The President: Again I call on the Minister for Health and Social Security to reply.

Mrs Christian: Thank you, Mr President. The department has already identified that without action its plans to increase the pension supplement would leave many pensioners on income support disaffected and indeed has already advised hon. members of the Council what action it proposes to take.

May I refer the hon. member to the memorandum to all hon. members concerning the department's legislation for this sitting of the Court which the department circulated over a week ago and I quote, 'As retirement pension counts as income for income support purposes a £15.05 increase in retirement pension would result in a £15.05 reduction in income support. Those only just qualifying for income support would be lifted off that benefit and so receive advantage under the option to increase the pension supplement. To benefit those who would not, the department proposes to increase rates of income

support for pensioners. It has in mind to load such increase in favour of the very elderly and single. Increasing the pension supplement will release funding on income support by reducing the caseload and it is this funding the department proposes to use to increase the rates. Detailed proposals for income support will be incorporated in the department's 2001 uprating proposals.' I would add that detailed proposals will of course have to be subject to the concurrence of Treasury and Council of Ministers in due course.

The President: Hon. member Mr Delaney.

Mr Delaney: I thank the minister for the reassurance for the people who are on benefits about these raises and what they will actually have in hard cash. Can I ask the minister is she aware that the briefing paper she referred to in answer to my question was not sent out or received by members earlier than the 10th of this month and my question had to be placed down by the evening of the Monday and therefore there was no way at all I could have known what the intentions of her department were until I asked this question in real terms? Could I ask the minister was she aware of that and would she in future, if possible, give members a briefing when major government policy of this good news value to the Manx people is to be given so that we can inform the people we represent, certainly the House of Keys members, when they are asked questions on what is happening?

The President: Minister to reply.

Mrs Christian: Mr President, I note the hon. member's comments about receiving his information and I accept what he has said. If he did not receive it until the following day, then clearly he could not have been aware of its content when he tabled his question.

With regard to needing a briefing on all items which come before the Court that is a matter, I guess, for judgement. I should have thought that the information in the paper set out quite clearly in a manner which was perfectly straightforward and understandable what the item on the order paper contained and therefore the department did not consider a briefing meeting on this particular issue particularly valuable. I think that they generally deal with matters which are extremely complex. I think that we have come up with a solution which is quite clear-cut, quite straightforward and to that degree we did not consider that such a briefing was necessary. However, I note the opinion of the hon. member and where changes to schemes may be mooted in future I will bear in mind the hon. member's feeling that we should have a briefing on the issue.

The President: Hon. member Mr Delaney.

Mr Delaney: Will the minister agree, bearing in mind that social security legislation, certainly to me who has only had about 25 years here, is the most complicated legislation I or any other member of this Court will deal with in reference purposes to find out what is really happening and if it is difficult for us I would suggest it is very difficult for the ordinary man in the street?

The President: Minister.

Mrs Christian: Yes, on second thoughts, Mr President, it might have been wise to have a briefing because there has been so much erroneous information coming from the hon. member. (**Mr Karran:** Hear, hear.) (**Mrs Crowe:** Yes.) Notwithstanding he has been a member of the department in the past and has had all these years to familiarise himself with social security matters I will in future reconsider the matter to make sure that, notwithstanding that element of experience, he has some information which might enable him to understand what we are putting before him.

Mr Delaney: I would like to thank the minister very much for her comments.

The President: Hon. member for Onchan, Mr Cannell.

Mr Cannell: Would the hon. minister not agree with me that despite the alleged complexities of social security legislation, according to my diary the 10th was a Friday, the questions had to be down by Monday and that was more than ample opportunity for the hon. member for Council to have considered his position?

The President: And I think that clears the calendar dates.

HIV — Number of Cases — Question by Mr Duggan

The President: Item 9, hon. members, is in the name of the hon. member for Douglas East, Mrs Cannell, and she has requested that this be held over till the following month. We turn then to item 10 on the question paper and I call on the hon. member for Douglas South, Mr Duggan.

Mr Duggan: Thank you, Mr President. I beg leave to ask the Minister for Health and Social Security:

In each of the years from 1997 to 2000, how many persons resident on the Island are known to have been diagnosed as HIV positive?

The President: I call on the Minister for Health and Social Security, Mrs Christian.

Mrs Christian: Thank you, Mr President. In reply I think it might be helpful to inform the hon. member that the situation has not changed since my department responded to similar questions from the hon. member in the past on more than one occasion in that HIV is not a notifiable disease and, that being so, it is impossible to answer the question with any degree of confidence that the information provided reflects the true position.

I would reiterate the point that the virus is such that sufferers themselves may not necessarily know they have contracted it. In addition it is likely that some residents will have been tested for HIV in the United Kingdom in order to avoid any possibility of identification on the Island. It is considered best practice by health professionals not to release statistics for the number of persons diagnosed with HIV infections in populations where numbers are so low that they may aid the identification of those persons who may be infected.

Mr Duggan: A supplementary, Mr President.

The President: Hon. member Mr Duggan.

Mr Duggan: Could I ask the minister what is her present policy in her department regarding educating people like schoolchildren and going round the schools et cetera regarding warning people about the risk of aids, especially relating to drugs, sharing needles et cetera?

The President: Minister.

Mrs Christian: Mr President, there are a number of strands to the health promotion approach on this particular issue. The hon. member will know that we do have a needle exchange scheme and that there is advice available to drug users in respect of the dangers involved.

So far as sexually transmitted disease is concerned there is certainly advice available through the clinics and through other agencies who deal with people who may have problems in that regard and there is advice through the schools programme. However, I think that we would be quite prepared to work again

with the Department of Education and we did find some resistance in that particular department in the past in relation to tackling the issue of propagation of proper education information in relation to issues related to HIV.

We are somewhat depleted in our health promotion division at the moment. However, we are currently recruiting in that area and I would hope that we would have an additional person in place we will be able to strengthen our general health promotion work in the future.

Douglas Drainage Area — Study — Question by Mr Delaney

The President: Question 11, I call on the hon. member for Council, Mr Delaney.

Mr Delaney: Thank you, Mr President. I beg leave to ask the Minister for Local Government and the Environment:

Will you make a statement with respect to the recent application by Douglas Corporation for powers to borrow £245,000 for the purpose of undertaking a Douglas drainage area study?

The President: I call on the Minister for Local Government and the Environment, Mr Gilbey, to reply.

Mr Gilbey: Mr President, on 14th June 2000 Douglas Borough Council approved the submission of a petition to the Department of Local Government and the Environment in accordance with section 51 of the Local Government Act 1985 for authority to borrow a sum not exceeding £245,000 for the Douglas drainage area study. The petition was received by the department on 19th July 2000.

Local authorities' funding of works to sewage systems are ultimately reimbursed by government through the Department of Transport which meets 100 per cent deficiency, i.e. meets the whole of the cost. As a consequence when petitions for borrowing for the purpose of sewage schemes are received by the Department of Local Government, that department seeks the advice and recommendations of the Department of Transport as the drainage authority to ensure that schemes have the support of the Department of Transport as the ultimate funder which is going to provide the money.

On 11th August 2000 the Department of Local Government received a copy of correspondence dated 21st June 2000 between the Department of Transport and the capital projects unit of the Treasury. That correspondence stated that the Department of Transport had determined that the progression of the study should be reviewed further and that the matter would be considered further by the drainage client.

On 11th September 2000 the Department of Local Government received further correspondence from the assistant Douglas borough engineer requesting advice as to the current status of the petition, as the Douglas Corporation understood that the Department of Transport had declined to support the submission.

As a consequence of this latter letter the Department of Local Government officers contacted officers at the Department of Transport and were referred to the Department of Transport's letter of 21st June 2000 to which I referred a moment ago. Consequently, as the Department of Transport had declined to support the petition and a considerable period of time had elapsed since the application was received in July, the Department of Local Government had no alternative but to conclude that the petition should be refused on the grounds of insufficient support from the Department of Transport, the ultimate funder for sewage works in Douglas.

The Department of Local Government advised Douglas Corporation of this decision on 29th September 2000 and is aware that since that date Douglas Corporation officers have written to the

Department of Transport seeking an early meeting at officer level and requesting that the Department of Transport reconsider its position in not supporting Douglas Corporation's submission in relation to this matter.

It would appear that this is a matter which needs to be resolved between the drainage client at the Department of Transport and Douglas Corporation. If a way forward in respect of the study can be agreed between those parties the Department of Local Government would be prepared to consider a further petition from Douglas Corporation. However, on 1st April 2001 only some four months hence, the Department of Transport will, by enablement of the Sewerage Act under an appointed day order, take over responsibility for the sewage infrastructure throughout the Island.

The President: Hon. member for Council, Mr Delaney.

Mr Delaney: I would like to thank the minister for his comprehensive and accurate reply. Can I ask the minister, bearing in mind the damage that has been caused to the programme in relation to people purchasing first-time buyers' houses et cetera by the implication that no such action on the sewerage will stop the development of those properties, will the minister confirm no such situation is there and is likely to happen and furthermore that this matter between the Douglas Corporation and his department and the Transport Department will be cleared up quickly to take the worries and concerns of those prospective buyers away?

The President: Hon. member Mr Gilbey.

Mr Gilbey: I do not think that there are any implications at all for first-time buyers. I know that the hon. member of Council is referring to the Springfield/Harcroft scheme, but I have been advised that in fact this survey is in no way necessary to enable that scheme to be progressed with and I think it is unfortunate that these rumours have arisen at all and to have perhaps been brought out on purpose to try and force the Department of Transport to do what and agree to what it considers to be inappropriate.

The President: Hon. member for Council, Mr Delaney.

Mr Delaney: I thank once again the minister for clarifying the situation that there are rumours being broadly put about and his colleague, the Minister for Agriculture and Fisheries, attended with me a fortnight ago a Douglas Corporation meeting and it was quite clear from some of the councillors that they were of the opinion that this was the situation.

The President: We turn to item 12 on the question paper.

Mr Braidwood: A question please, Mr President.

The President: Hon. member Mr Braidwood.

Mr Braidwood: Thank you, Mr President. Is the minister aware that the borough engineer has also written to the Department of Local Government and the Environment requesting a meeting? And could he also confirm that Douglas Corporation objected to the Harcroft development because of the lack of capacity in the transmission main in the Castletown Road and would he not agree with me that it would be better to carry out a survey so that the amount of storm water entering the sewage drainage system can be verified and it would then enable further development in Douglas to continue?

Mr Gilbey: Well, I am afraid I do not agree with any of those points from my friend from Douglas East because I cannot see a meeting with the Department of Local Government has any relevance whatsoever. The fact is that drainage is rightly the responsibility of the Department of Transport and within

a mere four months they will have complete control of it and therefore it is clearly they who should agree to any survey.

Regarding a survey being necessary for Springfield/Harcroft, I am not aware at this moment that Douglas Corporation said that there was not enough drainage for Springfield/Harcroft, but even if they did, it is clear that the inspector who considered the planning application did not consider that that was a sufficient reason not to go ahead with the development and therefore I believe, in the interests of those first-time buyers that the hon. member of Council has mentioned, we should keep going ahead with this as fast as possible and not let rumours or arguments or anything else stop us.

Regarding drainage matters, these are clearly a matter for my friend and colleague the Minister for Transport to work out with Douglas Corporation until such time as he has complete control in April. I would say roll on that day to stop these time-wasting arguments.

Several Members: Hear, hear.

House Purchase Assistance Scheme — Grant Increase — Question by Mr Henderson

The President: Item 12, I call on the hon. member for Douglas North, Mr Henderson.

Mr Henderson: Thank you, Mr President. I beg leave to ask the Minister for Local Government and the Environment:

Will your department consider an increase in the level of grant for the house purchase assistance scheme presently set at £85,000 to cover the increasing price for residential property, particularly property which is not classed as first-time buyer units?

The President: Again it is the Minister for Local Government and the Environment, Mr Gilbey.

Mr Gilbey: Mr President, I am afraid that first of all the contents of the hon. member's question are inaccurate. His question implies that the maximum grant available under the house purchase assistance scheme is £85,000 -

Mr Henderson: Fifteen.

Mr Gilbey: - but this is not the case. The correct figure in respect of first-time buyers is actually a maximum grant of £16,500. It would appear that he has become, perhaps quite naturally, confused by a separate criterion operated by the Department of Local Government which provides that eligibility for grant assistance is dependent on the asking price for a property not exceeding £85,000.

Mr Henderson: That is correct.

Mr Gilbey: The Department of Local Government continues to review the efficiency of the house purchase assistance scheme, the latest amendment to which was approved as recently as July by this hon. Court.

In conjunction with this scheme the department is bringing forward schemes to provide first-time buyer's properties at an affordable price within the scope of the house purchase assistance scheme i.e. that the property should not cost more than £85,000. At the present time the department does not feel that an increase in the level of grant under the scheme will provide any further benefits and it is concentrating its resources on the delivery of appropriate property at affordable prices which can be acquired by first-time buyers under the terms of the scheme. Indeed there is a view and a very realistic view that any

increase in the grant would only serve to fuel house prices with the result that respective purchasers would be no worse off but that the government would be in having to provide further finance.

Hon. members may be interested that since July 1999 there have now been 125 applications under the scheme and of these no less than 86 have been approved and 11 are awaiting completion.

The President: Hon. member, Douglas North.

Mr Henderson: Thank you, Mr President. Could the hon. minister agree there is no confusion about the present housing crisis? Could he also further agree that my question is worded sufficiently accurately for him to accurately reflect my concerns? And the third part of my supplementary is would he not agree that raising the ceiling of the £85,000 mark would bring more properties into the net so that more people would be able to buy them and then thereby ease the stress on the present housing list?

Mr Cretney: And they have built more houses.

The President: I think, minister, you replied to all three of those but nevertheless if you wish, you can, sir.

Mr Gilbey: Well, Mr President, first of all we all know there is a serious position regarding housing which this Court, the Council of Ministers and the Department of Local Government are determined to resolve but I do not like this word 'crisis' but it is a serious position which is being addressed.

Regarding the accuracy of his question, I thought I was very polite -

Mr Cretney: Very polite.

Mr Gilbey: - in explaining it and I am surprised he was not equally polite in his second question.

Regarding increasing the price, I frankly do not think and neither do my colleagues in the department that that would help at the present time, but as I said, we are constantly reviewing the situation.

The President: Hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, would the minister not agree that the situation is about supply and demand? And would he not also agree that his department seems to be impotent in being able to provide what is required for the Manx people in the Isle of Man and will he not put the dead hand of executive on other members in this hon. Court's proposals in order that no-one succeeds as far as this crisis which does exist and has existed for a long time?

The President: Minister.

Mr Gilbey: Quite frankly I do not really follow that question but of course every situation in economics is connected with supply and demand, there is not an economist who could deny that, but I do not know what the hon. member is meaning. All I can say is that the department is doing its utmost to carry out the plans that it put before Tynwald and which will be renewed before Tynwald in the Spring and we are determined to do all in our power to produce the number of houses set out in those proposals with the help of the private sector.

The President: Now, let us not get into a housing debate. Hon. member for Onchan, Mr Cannell.

Mr Cannell: Thank you, Mr President, a supplementary if I may. Could I implore the hon. Minister for Local Government and the Environment to consider the matter of the grants in principle, whilst not driving

him up to £85,000 which would be very nice, but would he consider that in fact many people are being disadvantaged by the grant figure being set on the gross earnings available rather than net?

Mr Gilbey: Well, certainly my colleague who is in charge of the housing division will have heard that and will look at it. We certainly could not make any promises at this stage but we will consider the interesting point that has been made, Mr President.

The President: The hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, does the minister not agree that if he cannot understand the realities of the housing crisis at the present time maybe the time is that he should go and his departmental colleague should go who is responsible for housing and let us get somebody in there that can actually do something as far as the housing crisis is concerned?

Would he also give an assurance to this Court, the minister, that we will not see gimmickry that seems to be happening at the moment -

A Member: From the present speaker.

A Member: Indeed.

Mr Karran: - as far as the planning procedures are being messed about with at the present time as far as deals being done in order to try and make sure that you pip off different minister's constituencies allowing the situation where everybody outside suffers because everybody in here has got a vested interest to try not to do anything to resolve the housing crisis?

The President: I do not know, minister, whether you can get that to your answer or not, but there we are.

Mr Gilbey: I think, Mr President, you have touched on a very good point. I can well understand the housing situation and understand it perfectly. What I am afraid I cannot always understand is the extraordinary way in which the hon. member for Middle -

Members: Onchan.

Mr Gilbey: - Onchan asks his supplementary questions.

Regarding planning, he has touched on a real point which is that wherever you suggest development of houses should go there will be some people who do not want it there, but I think that the Department of Local Government has shown considerable determination in pursuing planning applications and developments, even although, as they always knew would be the case, in some areas those may not be popular with a minority of people, but it should be remembered that we are following the policies of this hon. Court which make it perfectly clear that we are tasked with providing more houses and you cannot do that without developing them in places and I am afraid that in a lot of the places you develop them people nearby would wish you were not doing that.

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

Mr Henderson: Thank you, Mr President. I thank the hon. minister for his continued commitment and I am sure the public will be pleased to hear all of that but would he confirm for me that what I am seeking here, if he could confirm, would free up some additional properties and be one small element to help an immediate problem while we wait for the first-time buyers' houses he speaks of to come on stream?

The President: The minister to reply.

Mr Gilbey: No, I am afraid I would not. I have made it perfectly clear that we are constantly reviewing this scheme and our considered view is that this is not the time to alter it.

Public Housing Allocation — Question by Mr Cannell

The President: We turn to item 13 on the order paper and I call on the hon. member for Onchan, Mr Cannell.

Mr Cannell: Thank you, Mr President. I beg leave to ask the Minister for Local Government and the Environment:

What statutory control has your department over the manner in which local authorities allocate their public housing?

The President: Mr Gilbey, hon. Minister for Local Government and the Environment, to reply.

Mr Gilbey: Mr President, the Department of Local Government and the Environment has no statutory control over the manner in which local authorities allocate their public housing. It may be helpful to say by way of further explanation, however, that local authorities, or I should say, to be more accurate, functioning housing authorities, are legal entities in their own right. As such it is incumbent on them to exercise their functions in a proper manner. This must include the manner in which they accept people onto their waiting-lists and allocate housing units.

Hon. members may recall that in its Housing Policy Review Report 1999 the Department of Local Government identified certain criteria which they felt should be adopted by public sector housing authorities for determining who should qualify for subsidised housing accommodation. This criteria is on the agenda for further discussion at the forthcoming meeting of the Housing Advisory Committee scheduled for 8th December.

It is the Department of Local Government's view that the criteria should be agreed and applied consistently by the various housing authorities across the Island. One of the purposes of the meeting to which I have just referred would be to enforce that agreement and get everyone to agree to it and stick to it. (**Mr Delaney:** Hear, hear.)

Now, the department would much prefer to work with other public authorities and it is most reluctant to seek additional powers to give directions to them. Such a course of direction should only be the very last resort and, after all, many members in this hon. Court believe in giving more power to local authorities and not taking it away from them and if we say we are going to absolutely lay down everything and force them to do things in this respect we are actually reducing powers that they have now, but we certainly agree that there should be a uniform approach but we would like this done by voluntary persuasion and discussion rather than the force of law.

The President: The hon. member for Council, Mr Delaney.

Mr Delaney: Thank you, Mr President. Would the minister, who served with me some 14 years ago and this very matter was raised and agreed by government and its department then, take back to his department my congratulations that it has only taken us 14 years to get down to actually doing something about it?

Mr Gilbey: Well, I thank him for his congratulations but would remind him that neither he nor I were in the department during most of the intervening 14 years.

Mrs Crowe: Yes.

The President: The hon. member for Douglas West, Mr Downie.

Mr Downie: Thank you, Mr President. Given that there would appear to exist a different interpretation of those eligible for inclusion on local authority housing lists would the minister not agree that as this Court and his department are ultimately responsible for government's housing policy and indeed housing deficiencies there should be standard criteria both for including people's names eligible for both local authority housing and for sheltered accommodation?

Mrs Hannan: Hear, hear.

The President: The minister to reply.

Mr Gilbey: I would entirely agree with that, absolutely entirely, but as I have said, I would rather, and I would have presumed that most members of this hon. Court would rather, try and achieve that by voluntary persuasion rather than force. If you ask for my personal view, and this is a personal view not one of the Council of Ministers or the department, I would have one housing authority to deal with all public sector houses in the Isle of Man, then we would not have any of these problems.

The President: Hon. member for Onchan, Mr Cannell.

Mr Cannell: Yes, thank you, Mr President, a supplementary, if I may, of the hon. minister. I thank him for his assurances on this but would urge him to consider that the situation which he has outlined as possibly being reached has in fact already arrived. This is a last resort now because we are all aware as hon. members, I am sure, we are constantly confronted by people contacting us to say that they suspect, and with every justifiable reason, that the housing lists are being run in an insufficiently monitored manner and that we need a central register with common, consistent plans for the allocation of houses as well as the very great recognition of the real need of those who are going to get them by their financial circumstances.

The President: Now, I think that is in agreement with your line, minister.

Mr Gilbey: I think, though, it does give me the opportunity to say, Mr President, that the department would be very glad to hear of any cases that hon. members have when they feel that there has been unreasonable allocation, if you would either write to me or my colleague Mr Quine with the fullest possible details.

The other thing is if you talk of a central register you are really coming down to the situation of one housing authority because the allocation of houses is surely the most important thing, not really the repairs and maintenance or building. The real thing that the local authorities want is the right that they allocate, so if you are actually saying that there should be a central register, and there is no point in having a central register unless it is run centrally in some way as far as I see it, if you saying that, you are really arguing for one housing authority, and as I have said, although that is not the policy of the department, the Council of Ministers or this Court at the time, I personally believe it is the right solution.

The President: The hon. member for Council, Mr Waft.

Mr Waft: Would the minister agree with me that the Housing Advisory Committee has been in operation for many years and this subject has come up many, many times and it is about time that the people in the Isle of Man suffered long enough and that there should be some overall regulations with the criteria for housing throughout the Island, that they be informed that this is the case, and would he not

agree with me that to take away byelaw officer responsibility from Ramsey is really not the way to go to divert some of the situations which the minister has set out?

Mr Gilbey: Well, I am sure that at the meeting coming up on the 8th my colleague who will be attending it, Mr Quine, will bear in mind the strength of feeling of this hon. Court about having a unified system for allocations and he will use that as the strongest possible argument to tell those present that unless they agree voluntarily, unfortunately it seems to be the will of this hon. Court that there should be compulsion and I see a lot of nodding of assent to that, so I am sure the hon. colleague will make that clear.

Regarding the Ramsey environmental health officer, which is rather a different matter, but with your indulgence I should make it clear it was not the department who took that post away from Ramsey, it was Ramsey who said they could do it no more, they had not got anyone and begged the department to take over the responsibility.

Mr Houghton: Hear, hear.

The President: The hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, would the minister not agree that it is wrong for members in this hon. Court to try and put the blame of the housing crisis, both in the public and private sector, onto the laps of the local authorities?

Would he also not agree with me that we have a Housing Advisory Committee and there are some who are now agreeing with me that they have actually worked hand in hand with his department to gerrymander the waiting-lists so that we have a situation where the waiting-lists have been changed in order to lessen the demand and that the fact is that you only have to look at my own constituency where we threw off loads of people who effectively could not afford housing, who were thrown into the people who abuse their position as far as landlords are concerned, and that the fact is that his department, if anything, has more blame over this situation because it has actually led the local authorities to try and hide the housing crisis that has been coming on for the last seven years?

The President: The minister to reply.

Mr Gilbey: I think we just had a sad instance of the wild statements by the hon. member. He says that I have been putting the blame of the housing shortage on local authorities. I have been doing no such thing. I have been explaining how there is a problem about different levels of housing allocation for public sector houses which has nothing to do with the overall housing situation.

He then says a really quite disgraceful thing that would actually be libellous if it was not said in the privilege of this Court.

Mr Karran: Well, go outside and I will say it outside then because it is the truth and you know it.

The President: Hon. member.

Mr Gilbey: I do not know any such thing. I think again this is typical of the hon. member. If he has evidence of this kind he should submit it in writing to the department, or if he does not trust the department, the Chief Secretary's Office, but to allege gerrymandering by the department or local authorities is a quite disgraceful statement and I challenge the hon. member in front of the whole Court to produce evidence of it in writing.

The President: Hon. member for Council, Mr Delaney.

Mr Delaney: I hope what I am not going to say is libellous. Minister, could you confirm, though, that even recently I and certainly members of the Keys, who were criticised for getting involved in local authority housing problems, when we do bring our suspicions to your department, are informed, as I was only a fortnight ago, that it was a matter for the local authority, as they are masters in their own house and not for your department?

The President: I think that was the original answer. Minister to reply.

Mr Gilbey: Yes, to the hon. member, I can well remember the case that he has raised and we did point out in a lengthy letter to him that this was actually the responsibility of the local authority, but we also said in the particular case which he raised, which was to do with people being transferred to other houses temporarily, that the same policy as had been carried out by the local authority about which he was complaining was the policy of the Department of Local Government.

Mr Delaney: But not other departments.

Mr Gilbey: But I would say we will always be pleased to hear the views of members from a constituency point of view. For instance, although he is in the department, Mr Houghton has raised various points which have certainly been looked into, and I should also point out that we are very glad to have initiatives from other members. For instance, we have followed up the initiative of the hon. member for North Douglas, Mr Henderson, in looking at the whole question of empty properties and that is now being proceeded with as fast as we can. So it is quite wrong to suggest that we do not want input from other hon. members, but we want sensible input and not to be slagged off the whole time.

The President: The hon. member for Onchan, Mr Karran, with a question relevant to the question paper.

Mr Karran: Eaghtyrane, would the minister undertake for this hon. Court, as the statutory authority, to ask what were the criteria to go on a housing list in local authority houses in each housing authority, 10 years ago, five years ago and today? And he will see that the criteria have changed out of all recognition in order to try and lessen the numbers on the housing list, and that is what the reality is at the present time and I object to people trying to make out that I do not know what I am talking about. I am sick to death of having to sort out housing problems which his department should be doing -

The President: Hon. member.

Mr Karran: - and not the hon. member for Onchan as far as that is concerned.

The President: Hon. member, please resume your seat.

Mr Cretney: Hear, hear.

The President: Minister, you can reply if you wish, sir.

Mr Gilbey: I do not think I will answer that tirade.

Mr Cretney: Oh!

Mr Karran: No, because it is right.

The President: The hon. member for Castletown, Mr Brown.

Mr Brown: Mr President, would the hon. minister not agree that the only way to resolve this very important issue is to amend the Housing Act and give the Department of Local Government and the

Environment the powers to make statutory regulations approved by this Court, laying down the standards and criteria for consideration by housing authorities?

Members: Hear, hear.

The President: The minister to reply.

Mr Gilbey: I think that is a very good idea and we are looking at it but again I am inclined to think if you are going that far, my personal view, as I said before, is why not do away with all this aggro and have one housing authority?

Mr Quine: Hear, hear.

Coarse Fishing — Question by Mr Houghton

The President: Item 14, I call on the hon. member for Douglas North, Mr Houghton.

Mr Houghton: Yes, thank you, Mr President. I beg leave to ask the Minister for Agriculture, Fisheries and Forestry:

- (1) *What studies have been undertaken or commissioned by your department into the viability of coarse fishing on the Island;*
- (2) *what is the present policy of your department on such fishing;*
- (3) *what are the terms of reference of the working party on aspects of coarse fishing on the Island; and*
- (4) *to what extent is, or has been, the fresh water fisheries inspectorate in your department supportive of these departmental activities?*

The President: I call on the Minister for Agriculture, Fisheries and Forestry, Mr Downie.

Mr Downie: Mr President, in considering the viability of coarse fishing on the Island the department has to take into account a number of factors, these being the level of interest expressed, the possible effect on the indigenous salmon and trout population, the effect on the disease-free status of the Island, the ecological implications for the Island's indigenous flora and fauna, the cost implications for the department and the impact on other priority areas currently being addressed by the department.

The hon. member will be aware that in November 1999 the department placed a public notice in the newspapers giving members of the public an opportunity to comment on the issue of coarse fishing on the Island by way of a questionnaire. Although 49 questionnaires were sent out, only 28 were returned. Of these a number were not in favour of coarse fishing.

Following receipt and analysis of the questionnaires meetings were held between the department and coarse fishing representatives who conceded that the level of interest expressed was somewhat disappointing.

Currently, coarse fish may be found in small, isolated, land-locked areas, mostly on private land around the Island. The availability of suitable waters is limited, as most of the Island's waters are clear, fast flowing and not of a nature to support these species which require largely still water. Presently then the coarse fishing that takes place is confined to these areas. Consequently such coarse fish are not seen as having a direct adverse impact on the health of the Island's indigenous salmonoid population whilst they are kept out of our reservoirs and watercourses.

Some of the coarse fish carry endemic diseases which are rife in parts of the United Kingdom and in Europe. The Island presently enjoys a high disease-free status. If imported fish were introduced into the Island there would be a significantly increased risk of disease and considerable resource implications in order to try to maintain the disease-free status.

It should be noted that there are several successful commercial fish farming businesses on the Island whose future depends to a significant degree on maintaining and protecting its high fish health status. Therefore very careful consideration has to be given before such health status is compromised in any way.

The possibility of introducing coarse fish into potentially suitable land-locked waters has been considered. However, such introduction cannot be contemplated until a full survey has been undertaken to assess the wildlife value of such waters and the surrounding banks. It should be noted that in some waters species of significant importance which need protection and management have already been identified.

Currently the wildlife and conservation section of the department is fully occupied with other priority matters, so such an evaluation cannot take place in the short to medium term.

The policy of my department is that until the issue has been thoroughly investigated it would appear there is no compelling reason at present to rush into this matter in the light of the considerations already mentioned. However, the department will keep the matter under review in case of significantly increased interest, a full evaluation of the health status and wildlife impact being undertaken and subject to the manpower and financial resources being made available. Thank you, Mr President.

The President: Hon. member, Douglas North, Mr Houghton.

Mr Houghton: Yes, thank you, Mr President. Bearing in mind there is absolutely no wish whatsoever to damage the risk-free status of freshwater fishing on the Isle of Man, may I ask the hon. minister for the department if he is willing to support a working party consisting of departmental members and coarse fisherman to look into all aspects of coarse fishing on the Island and report their findings to his department in due course, and if he is, sir, would he kindly instruct his departmental officers accordingly, please?

The President: The minister to reply.

Mr Downie: We are willing to continue dialogue with those who are interested in coarse fishing, but the hon. member needs to realise that a lot of the waters in which these fish currently live are on private property.

We are approaching now the onset of winter. It is very, very difficult to properly assess the number of fish available because a lot of coarse fish at this time of the year go down to the bottom of these ponds and dubs and they do not swim freely. So it is very, very difficult to electro-fish or net them and whilst carrying out this sort of a survey one could argue that we are doing actually more damage to the ecology and the environment than if we left them alone until the better weather came.

So in giving the hon. member an indication the department is quite willing to carry on a dialogue, this issue will not be one that can be dealt with overnight -

Mr Houghton: We appreciate that.

Mr Downie: - and I am perfectly willing to instruct the fisheries division and the member responsible for fisheries to carry on the dialogue with the interested parties involved in the progression of coarse fishing.

Mr Houghton: Hear, hear.

The President: Hon. member for Council, Mr Delaney.

Mr Delaney: Thank you, Mr President. As a member of the tourist department I and my minister certainly would welcome any situation where an investigation was carried out into this, bearing in mind, would the minister agree with me, the benefit that such organised coarse fishing could have to the tourist infrastructure of the Island which has been attempted for year after year after year, and would he further explain to members that coarse fishing of the still waters is usually in artificial or man-made lakes and it would be no great difficulty to create such a lake in an appropriate area.

The President: The minister to reply.

Mr Downie: I thank the hon. member's support in this matter. However, I did indicate in my reply that my department has neither the manpower nor the financial resources really to put coarse fishing on a very firm footing on the Island.

I would also like to remind hon. members that angling is the largest participation sport in the United Kingdom, and could I suggest that the hon. member, in pursuance of the furtherance of course fishing, perhaps uses some of his own department's expertise through the auspices of the Sports Council and perhaps we could have someone visit the Island and look at some of the Island's existing waters, to perhaps survey them and to make various recommendations.

Mr Delaney: Will do.

Mr Downie: I would, however, point out to the hon. member that all of the discussions I have had indicate that 99 per cent of the water in the Island is unsuitable for coarse fishing and the coarse fishing would be very limited to land-locked pools and small dubs which exist. But if the tourist department wanted to create a special fishery and excavate several acres of land and fill it with water, no doubt that issue could be considered and discussed with the Department of Agriculture and Fisheries.

The President: Hon. member for Ayre, Mr Quine.

Mr Quine: Yes, is the minister aware that one of the reasons for this poor return in respect of the survey that was carried out is because the counter staff at his department were restricting people at the counter to one form, in other words if you wanted to participate in the survey you had to attend in person, yourself, to get a form, and if he is looking to further surveys of this nature would he take that into account and arrange for a better means of distributing these forms?

The President: Minister to reply.

Mr Downie: I thank the hon. member for his comment. I am not aware that there were any restrictions on the distribution of forms, but could I say that as a vice-president of two local fishing clubs and a person who has been very involved in angling for a number of years I personally did not receive any applications for forms or any dialogue from people other than the group of people that the hon. member for North Douglas, Mr Houghton, was involved with who are keen to promote coarse fishing. Indeed most of the purists in the Isle of Man share the same view of the department, that we should proceed with the utmost caution because, as I explained earlier, there are a lot of endemic diseases in coarse fishing in the

United Kingdom. The Isle of Man is absolutely unique in the British Isles, we have this disease-free status, and in fairness one fish farm in the Island is about to invest millions of pounds and they are able to do that on the back of the fact that they have this unique status and any importation of coarse fish from an unknown source could actually bring about a detrimental decline in the Island's status and one which this government could be liable for in the courts.

The President: Hon. member for Douglas North, Mr Houghton.

Mr Houghton: Yes, thank you, Mr President. Just to address the hon. minister's previous comments about the importation of coarse fish, it would be the intention, I am quite sure, from the outset that local stock would be developed locally as such rather than importation, that would be what would be on the agenda.

But may I just ask the hon. minister if he would reaffirm, when he says he is willing to continue dialogue, can he confirm to us today that this is in the form of a structured form of meetings, proper dialogue with an agenda and structured meetings as aspects and proposals are made for further consideration by the department in due course? Could he confirm that, sir?

The President: Minister to reply.

Mr Downie: To deal with the last point first then, I have delegated responsibility for fishing matters to the hon. member for Ramsey, Mr Singer. Now, I understand from Mr Singer that he is perfectly willing to sit down and establish some sort of a liaison committee and to try and progress this matter-

Mr Houghton: It is the first he has heard of it!

Mr Downie: - but I think the hon. member, in asking this question, has to fully understand that it is not a straightforward, black-and-white issue and particularly at this time of the year when the salmon and the sea trout are spawning and we have all sorts of other activities going on in the hatchery the department staff are stretched to the absolute limit.

Now, another issue I want to raise is that on all the environmental issues which are linked to this and the suitability of the waters our conservation officers and others are working long and hard to try and bring about a system of agri-environmental payments which are absolutely vital to the agricultural community. So the department is fully committed.

Now, could I suggest that the hon. questioner perhaps pursues this issue through the Department of Tourism and Leisure and perhaps we can get some Sports Council funding or somebody to come in and assess the situation and back up the very tight resources that I have within my own department.

Now, the hon. member asked about breeding fish on or improving the indigenous coarse fish population that exists in the Island. My understanding of the situation is that some of the perch that we have are a good number of years old and because of the very small size of the environment they are living in they have actually become stunted, and really the whole situation regarding the breeding of coarse fish locally is one that we would have a problem with because we really do not have waters of a large enough size to be able to have the fish go and breed properly. We also have a lack of weed in the waters and a lack of natural vegetation, so it is not just a simple issue.

But on a more positive note there are dubs being created in the Island. There is a large lake being created down in the north of the Island and perhaps here is an opportunity for the department with Tourism

and other interested parties to sit down and see if we can come up with a formula which would enable some sort of coarse fishing to be established.

**Sports and Recreation Facilities — Watterson Lane, Douglas —
Question by Mr Houghton**

The President: Item 15, I call on the hon. member for Douglas North, Mr Houghton.

Mr Houghton: I beg leave to ask the Minister for Education:

What action has your department taken to develop sports and recreation facilities for schoolchildren at Watterson Lane, Douglas?

The President: I call on the Minister for Education, Mr Rodan.

Mr Rodan: Mr President, I thank the hon. member for Douglas North for his question. As I stated when answering a similar question from the hon. member on February 29th this year, my department has been engaged in a feasibility study to ascertain the possible layout of pitches as well as issues relating to access and changing facilities.

As part of this exercise consultations have recently taken place with the head teachers of the two secondary schools in Douglas in order to identify the level of need for additional playing-fields for those schools.

In the next few months the costs of developing playing-fields at Watterson Lane will be assessed and the overall merit of such a scheme will be considered, in conjunction with all other capital schemes in the Department of Education's five-year programme, as part of the policy review process in 2001.

The President: Hon. member, Douglas North.

Mr Houghton: Yes, thank you, Mr President. I am very grateful for the hon. minister's reply today, sir. Thank you.

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

Mr Shimmin: Thank you, Mr President. Grateful for the amount of investment that the hon. minister and his predecessor put into education. However, would he acknowledge that with the expansion of the facilities in a number of schools throughout the Island the main weakness now is within the Douglas area for sporting facilities, and although we cannot have everything at once, would the minister take on board that there is now a priority area within those two major secondary schools in Douglas which have an absence of sporting grass facilities but also all-weather surfaces, and this is seriously affecting the sporting opportunities of the people in the Douglas area, sir?

The President: Minister to reply.

Mr Rodan: Yes, thank you, Mr President. Whilst St Ninian's High School would have some need for pitches in Watterson Lane, and especially so this year with the Noble's pitches having sustained some damage, there would still be a problem for the school in terms of time expended in travelling to those pitches and this problem would be even more acute in the case of Ballakermeen. However, in fairness, both head teachers do acknowledge the benefits which the hon. member for Douglas West has referred to, the benefits which such pitches might bring to other users in the community and the fact that their availability would spread existing users over a greater number of facilities and thereby improve access for

all involved and address what could become an overall shortage in the Douglas area, as referred to by the hon. member.

The President: Hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, would the minister not agree that one of the ways of resolving this issue is that the proposed development of another secondary school could be done in a two-phase development, where the sporting facilities could be put on and developed at an earlier stage than the secondary school that is in the capital programme and will he look into this as far as this is concerned?

The President: Minister to reply.

Mr Rodan: Yes, Mr President, I am very happy to respond to this point. Since February when the matter was first raised with me, of course, there has been an announcement of a proposed additional secondary school at Bemahague and this will indeed have its own playing-fields and indeed, yes, it may well be possible to develop those fields at an early stage of the scheme for the building of this school.

I have had, as the hon. member for Onchan is aware, some initial discussion with him about this possibility and in principle we see no particular difficulty. It will be a matter of practicalities in bringing it about. But I can assure the hon. member and the other members for Onchan and indeed this hon. Court that the department will seek to ensure that, if possible and practical, the development of pitches at Bemahague will be brought forward rather earlier than the scheme for the school where it sits in the capital programme.

The President: Hon. member for Douglas West.

Mr Shimmin: Thank you, Mr President. Staying on the issue of sports and recreation facilities but moving slightly away from Watterson Lane, would the minister explain whether his department, in consultation with the head teachers, particularly of Ballakermeen, have looked at all-weather facilities? This is an area where in land-locked schools, which seriously affect the primary schools and secondary schools, not just in Douglas, but certainly the secondary schools in Douglas are least advantageous in that area, all-weather facilities and possible better utilisation of the St Mary's pitches would actually mean that it was identifiable, it was approachable and it did not lose too much time in the travelling in these venues. Can the minister confirm whether he has discussed an all-weather facility at Ballakermeen?

The President: Minister to reply.

Mr Rodan: Yes, Mr President, I can confirm that in fact it may, in the case of Ballakermeen, be a more sensible option to be looking at the playing-fields that are currently on site, on that land-locked site as the member refers to, and it may well be that converting that in terms of drainage to an all-weather facility would be the better option in the case of Ballakermeen School.

I can further confirm that some consideration has been given to the situation of the facilities at St Mary's School but I am not in a position to really advise what progress has been made on that but it has been discussed in principle.

Police Forum — Remit — Question by Mrs Hannan

The President: Item 16, the hon. member for Peel, Mrs Hannan.

Mrs Hannan: Eaghtyrane, I beg leave to ask the Minister for Home Affairs.

What is the remit of the Police Forum?

The President: I call on the Minister for Home Affairs, Mr Bell.

Mr Bell: Mr President, under the terms of section 18 of the Police Act 1993, as amended by section 5 of the Police (Amendment) Act 2000, the Department of Home Affairs is empowered to establish a body entitled the Police Consultative Forum. The remit of the Police Consultative Forum is also provided for in the Police Act and is to obtain the views of the people of the Island about the policing of the Island and the prevention of crime.

In addition to this the constitution of the Police Consultative Forum states that its aims are as follows: '(a) promoting the meeting of the forum within the three policing areas of the Island, encouraging involvement from both the public and relevant local bodies; (b) promoting effective and open communications between the Department of Home Affairs, the police and the communities they serve; (c) fostering good relations between the police and the public; (d) raising local issues and priorities for discussion and action; (e) working with the police and other government bodies in seeking solutions to problems raised by the public at those public meetings; (f) providing a forum for the exchange of ideas on the ways in which the public can help the police and providing a forum for the exchange of information on crime prevention matters', and finally, 'providing a supportive forum which, whilst taking account of all of the above, is cognisant of the needs of the victims of crime.'

In this connection the forum has now held three series of meetings around the Island and will be publishing its first annual report shortly.

I am extremely pleased with the way the process is developing and I am particularly grateful to members of the forum who have volunteered to give up their own time to provide this essential consultative process.

The President: Hon. member for Peel, Mrs Hannan.

Mrs Hannan: Thank you, Eaghtyrane. Could I ask the minister if he has had any feedback on the public involvement in these meetings and is he satisfied that these meetings are advertised and that the public are encouraged to attend these meetings?

The President: Minister to reply.

Mr Bell: Yes, Mr President, I am kept up to date with the success, the varying levels of success, that these public meetings have held. It is true to say there has been a variety of support across the Island. There have been attendances in the twenties and thirties but equally we have had attendances over a hundred at some of them. A lot of it, of course, depends on whether there are any pressing local issues at any particular time and I have to say things like the weather and alternative attractions, such as football on television, can often affect the turnout on any particular evening. But by and large we are happy with the turnout.

The questions she poses about the way it is advertised is something which is under review all the time and in fact is under review at the moment and we will be doing everything we possibly can to attract as many people with a genuine concern about policing in their particular area to those forums to, first of all, give them the opportunity to raise their issues with the local inspector, who is usually on hand at those meetings, but also if there are any wider issues, that issue then can be fed back into the Department of Home Affairs and we do follow it up.

The President: Hon. member for Peel.

Mrs Hannan: With regard to the organisation of the meeting, could I ask the minister if he is satisfied with the position that the police are placed under with regard to questions being posed to them with regard to something which is not covered within the law?

The President: Minister to reply.

Mr Bell: The inspectors who attend the meetings are there primarily to answer questions on local policing issues. They obviously are the best people to advise the public on progress on any particular issues. But obviously there are points which are raised from time to time which ordinarily would be outside the remit and possibly the experience of the officers concerned and they obviously are put in a difficult position from time to time. I am not aware of any particular problems having been raised on that basis, though, and I think most of the response we have had from the public has been one of understanding that the police officer cannot possibly know every answer.

Licensing Act 1995 — Implementation of Provisions — Question by Mrs Hannan

The President: We turn to item 17 then. again I call on the hon. member for Peel, Mrs Hannan.

Mrs Hannan: Eaghtrane, I beg leave to ask the Minister for Home Affairs.

- (1) *What provisions of the Licensing Act 1995 have not yet been brought into operation;*
- (2) *what is the reason for the delay in bringing the remaining provisions into operation; and*
- (3) *when does your Department expect to make an appointed day order in respect of them?*

The President: Again the Minister for Home Affairs, Mr Bell, to reply.

Mr Bell: Mr President, the only provisions of the Licensing Act 1995 that have not been brought into operation are sections 22(2) and (3), which deal with the employment of minors in off-licence premises.

The intention of this part of the Act was to prevent young persons being left in charge of small off-licence premises and becoming subject to peer pressure to serve liquor to persons under the age of 18. However, the actual effect of this measure, if brought into force, would have been to prevent anyone under the age of 21 being employed in off-licence premises, which was not the intention of the measure.

Having realised that this would be the consequence of these subsections the department determined not to bring them into effect and is now reconsidering this issue as part of the consultations relating to the proposed new Licensing (Amendment) Bill.

The President: Hon. member for Peel.

Mrs Hannan: Could I ask the minister, if government is really serious about an alcohol policy should not this section of the Licensing Act be actively pursued and given an appointed day order? Was that not the wish of both Houses, seeing that this legislation was passed only a short time ago?

The President: Minister to reply.

Mr Bell: Mr President, I think the hon. member will find that my department is very vigilant in its addressing of the problem of under-age drinking. This particular issue, though, has raised practical problems in the staffing of a number of establishments, not just small specialised off-licence premises, but also the supermarkets. We are addressing this problem at the moment. We are in consultation. The hon. member, I think, ought to have a copy, or if not she will have shortly, of the Licensing (Amendment) Bill.

That will enable all members to raise these issues with us so that when we do finally put the Bill before the House of Keys these issues hopefully will be properly addressed.

The President: Member for Peel.

Mrs Hannan: Yes, Eaghtyrane. Would the minister accept and agree with me that it was the wish of the House of Keys that a person under 21 should not be employed in off-licences at a time when the premises were open for the sale or supply of liquor and if that did happen the licensee would be guilty of an offence and the fine would be a fine not exceeding £1,000?

The President: Minister to reply.

Mr Bell: I accept the point she has made.

Isle of Man Prison — Overcrowding — Question by Mr Karran

The President: We turn then to item 18 on the order paper. I call on the hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, I beg to ask the Minister for Home Affairs.

- (1) *What is the maximum number of prisoners which can be accommodated in the Isle of Man Prison;*
- (2) *During this year-*
 - (a) *what was the average daily occupancy of the prison;*
 - (b) *how many of the prisoners detained in the prison were transferred to UK penal institutions as a consequence of overcrowding in the prison; and*
 - (c) *what was the net cost of these transfers;*
- (3) *During this year-*
 - (a) *how many prisoners have been granted early executive release as a consequence of overcrowding in the prison;*
 - (b) *what was the minimum, maximum and average number of release days in the grants of early executive release;*
- (4) *During this year-*
 - (a) *in how many instances has there been delay in bringing cases to court as a consequence of overcrowding in the prison;*
 - (b) *in what categories of case has this occurred; and*
 - (c) *what has been the average delay in each category; and*
- (5) *have you discussed these matters with those who have responsibilities for the administration of justice?*

The President: Again it is for the Minister for Home Affairs, Mr Bell, to reply.

Mr Bell: Mr President, it is simplifying the issue to ask what is the maximum number of prisoners which can be accommodated in the prison? We have international and legal obligations to keep certain categories of prisoners separate from others and therefore I give you the maximum number of prisoners

as follows: female, 7; juvenile, 5; male young offenders, that is, 17 to 20-year-olds, 15; and male adults, 64. I must stress, however, that these figures do not mean that we have a maximum of 91 places which are interchangeable. Each of the categories has to be considered as a separate maximum.

We are also failing absolutely the requirement to keep prisoners on remand separately from convicted prisoners, as the facilities to do so are simply not available in the current premises, nor is there any space to create those facilities.

During this year, by which I mean the period from the 1st January to 31st October, the average daily prison population in each group was as follows: female, 4; juvenile, 0.1; male young offender, 12.6; and male adult, 64.3. These figures, however, are the actual numbers within the prison. If there had been no executive release or transfer provisions agreed the average daily adult male population would have been 75. That is 11 in excess of the available places.

It will also be obvious to members from these figures that we are exceeding the maximum available spaces in the male adult category. This has been achieved by compromising our obligations and, on occasions when there is no immediate alternative available, mixing male adult offenders with male young offenders.

During this period seven prisoners have been transferred to United Kingdom institutions and the cost of maintenance to the 31st October is £170,380.

I note that the hon. member has asked for the net cost, by which I assume he means the additional cost over above what we would have paid had the prisoners remained in the Isle of Man. The simple fact of the matter is that these prisoners could not have been kept in our prison, there was no room, and therefore the net cost was the actual cost. However, for the sake of clarity I will explain that the cost of keeping a prisoner in the UK varies, depending on which prison he is sent to. Whichever prison he is sent to in the United Kingdom is outwith the control of my department and is dependent on assessment of prisoner needs, risk and the availability of spaces. The cost can vary between £30,295 per year and £47,085 per year. The average cost of keeping a prisoner in Victoria Road prison is £27,000 a year.

During this year 47 prisoners have been granted early executive release. The minimum number of days early is one, the maximum number of days early is 66 and the average number of days early is 21.5.

I know of no instance where the overcrowding of the prison has resulted in any delay in bringing cases to court, but if the hon. member has any evidence to support such an allegation I would be pleased to receive it in order that such a problem can be addressed.

I have not sought at any point to discuss the matter of overcrowding and the operational difficulties with such overcrowding with those who have responsibilities for the administration of justice. It would be manifestly improper if I were to seek to influence the independence of the courts on this Island because of the difficulties of my department. What I have done through the auspices of this hon. Court is to seek to offer to the administrators of justice alternatives to imprisonment by introduction of new legislation. That, however, has been done entirely with the intention of keeping abreast of best practice and current thinking in the area of criminal justice rather than because of the operational difficulties which are being caused by the woefully inadequate facilities currently available in Victoria Road.

The President: Hon. member, Mr Karran.

Mr Karran: Eaghtyrane, would the minister kindly give those written details to myself and more likely other members that would be interested? So the minister would agree then that the likes of the statements

that have been made in the media maybe are incorrect, in the fact that they were talking about that they believed that there was something in the region of £300,000 having to be paid to keep prisoners in UK prisons, that is wrong, and that the issue of the implication that was given in the local media, that somehow we are having to shorten sentences as far as the courts are concerned because of the present prison crisis, is not correct then?

The President: Minister to reply.

Mr Bell: I would be glad to circulate the details of my answer, Mr President. The inference that the hon. member makes is that the press have been deliberately misleading the public or that I have been deliberately misleading the press over the details of what goes on at the prison. I can give a categorical assurance that is not the case. I made it quite clear to the hon. member that the cost of maintenance this year, so far, is £170,380, but we have negotiated with the UK authorities to take up to a maximum of 20 prisoners if for a full year we have budgeted a figure in excess of £600,000 to cover a full year's expenditure. So it is considerably in excess of the £300,000 that the hon. member refers to, and as I said in my answer, we have in no way sought to interfere with the powers of the court to sentence prisoners. I went on record in the press some time ago, urging the court not to be influenced by the fact we are facing severe problems in the prison. We will address them, we will find solutions to them. It is important that justice is seen to be carried out fairly regardless of the managerial problems we are suffering and I believe the courts have carried out their responsibility fairly and justly and have not in any way been influenced by this crisis which we are facing.

Poverty and Social Exclusion in Britain Report — Question by Mr Waft

The President: Question 19, I call on the hon. member for Council, Mr Waft.

Mr Waft: I beg leave to ask Hon C M Christian:

- (1) *Has the Social Issues Committee of the Council of Ministers considered the Poverty and Social Exclusion in Britain Report; and*
- (2) *does the committee contemplate commissioning a similar independent report on social issues in the Island?*

The President: On this occasion, hon. members, I call upon the Chief Minister to reply.

Mr Gelling: Yes, first of all may I thank you, Mr President, for the change of who will answer the question for the hon. questioner.

The Social Issues Committee of the Council of Ministers has not considered the Poverty and Social Exclusion in Britain Report. The Social Issues Committee only considers specific issues referred to it by the Council of Ministers, hence the reason that I am answering the question for the hon. questioner, and therefore the issue of social exclusion has not been referred to that sub-committee.

However, what I can say to the hon. questioner and hon. members is that social inclusion and exclusion was on the agenda of the inaugural meeting last Thursday of one of the working groups established under the auspices of the British-Irish Council. We anticipate participating in that work but it is too early to say whether that will involve commissioning any report at this stage.

The President: Hon. member Mr Waft.

Mr Waft: Thank you, Mr President. I thank the Chief Minister for his reply. The results of a major national survey of poverty and social exclusion, supported by the Joseph Rowntree Foundation, carried

out by the Office of National Statistics and analysed by researchers from four different universities, should be of concern to our own legislature, especially with the reciprocal arrangements and social arrangements we have within the United Kingdom, and I would request, Chief Minister, that you refer it to our own Social Issues Committee, as well as waiting for the British-Irish Council to make their decisions, who would be concerned, I would think, basically with their own areas of concern.

The President: Chief Minister.

Mr Gelling: Yes, Mr President, I have the survey of Britain and I can quite understand where the questioner is coming from and what I can tell you is that I omitted in the original question that one of our staff members out of the office actually attended that meeting last Thursday, so he will be coming forward with a report from the Council and it could very well be the case that it will be then submitted to the Social Issues Committee, but it is, as I say, just a little early to give a promise at this time.

The President: Hon. member for Onchan, Mr Karran.

Mr Karran: Vainstyr Loayreyder, would the Chief Minister not agree that if there is little chance of one of his government ministers being able to identify a housing crisis, would he agree that the time has come maybe to have an independent report as far as poverty is concerned and social exclusion in the Island because obviously his Council of Ministers are not in touch with reality as far that is concerned?

The President: Chief Minister.

Mr Gelling: An independent report could very well be something that we will consider, sir.

The President: Now, hon. members, I understand that the replies to the questions 22 to 30 which were down for written answer have been circulated and are on your desks and that therefore concludes the question paper for today.

**Persons with Learning Difficulties — Disability Working Allowance — Application — Question
by Mr Henderson for Written Answer**

Question 20

The hon. member for Douglas North, Mr Henderson, to ask the Minister for Health and Social Security:

Can you confirm that a person with learning difficulties resident in a Department of Health and Social Security home, who is not entitled to a disability working allowance, would have an application for a discretionary payment to meet the purchase of personal items favourably considered by your department?

Answer

Under social security legislation, a resident of one of the department's community homes for people with a mental disability will normally receive the following benefits:

	£
severe disablement allowance	13.50
income support	8.50
disability living allowance -	

mobility component	14.20
	—————
total per week	£36.20
	—————

Total income will be higher where there is other income, such as part-time earnings.

Discretionary payments are not a feature of a modern social security system. People have legal rights and in particular the right to receive the same payments as others in the same situation. Unlike a discretionary payment, a legal entitlement to benefit also carries with it a legal right of appeal to an independent tribunal if a claimant to benefit thinks he has been awarded less than his entitlement. Such right of appeal is a requirement of article 6 of the Convention on Human Rights, a convention which the hon. member has referred to on previous occasions.

The department regards as a high priority the wellbeing of community homes residents in its care and any difficulties adversely affecting their quality of life, whether of a financial nature or otherwise, would be resolved on an individual basis or referred up as a matter of general policy, as appropriate, by a residential social worker.

**Persons with Learning Difficulties — Disability Working Allowance —
Transitional Arrangements — Question by Mr Henderson for Written Answer**

Question 21

The hon. member for Douglas North, Mr Henderson, to ask the Minister for Health and Social Security:

Have the transitional arrangements in respect of the entitlement to disability working allowance of those with learning difficulties resident in Department of Health and Social Security homes resulted in such persons being financially better off than they would have been had the changes in this entitlement proposed by your department in April 2000 been implemented?

Answer

The Social Security Legislation (Application) (No. 9) Order withdrew entitlement to disability working allowance from residents of the department's homes for people with a learning disability. As originally proposed by the department, the change would have been effective from 1st June 2000. However, the order was not approved by Tynwald until 20th June 2000. Therefore awards of disability working allowance to the persons affected continued for longer than was originally proposed. During the transitional arrangements the position was financially neutral.

**Threshold Estate, Jurby — External Redecoration —
Question by the Speaker for Written Answer**

Question 22

The hon. member for Michael, Mr Speaker, to ask the Minister for Local Government and the Environment:

When are the properties on the Threshold estate, Jurby scheduled to have external redecoration?

Answer

All properties on the Threshold housing estate were refurbished between 1990 and 1993 when all exteriors were painted. Whilst it is recognised that the properties would benefit from external decoration, the department has not yet been able to include these works in its maintenance programme. That being the case, permission has been given to some tenants to carry out this work themselves, with the materials being supplied from out of the department's maintenance budget.

The department believes it would make sense to carry out the decoration to the Threshold and Bretney estate at the same time when a more competitive price can be obtained for all 112 properties. However, as indicated in the answer to question 23, the external redecoration of the Bretney estate will not take place until scheduled internal refurbishment has been completed.

I would hope hon. members would support the department's approach which should ensure better value for money for government.

**Bretney Estate — Refurbishment and Redecoration —
Question by the Speaker for Written Answer**

Question 23

The hon. member for Michael, Mr Speaker, to ask the Minister for Local Government and the Environment:

When are the properties on the Bretney estate, Jurby, scheduled to (a) have internal refurbishment; and (b) external redecoration?

Answer

The whole of the Bretney estate was the subject of refurbishment works in 1983 when solid fuel central heating was installed to the houses. Windows were also replaced at that time with single glazed aluminium units to all houses and, as a result of a fire, numbers 15 and 16 were rebuilt.

In Bretney Close all windows and doors were replaced with UPVC double-glazed units as recently as 1997. Gas central heating was also installed to numbers 9 and 10 during that year.

Work is currently in progress in bungalows 47 to 54 to install new double glazed UPVC windows and doors.

As a result of a survey carried out by the department, a number of chimneys were identified as requiring rebuilding. This work, along with work to the roofs of numbers 11 to 14, is due to start within the next financial year.

The following year the department plans to commence the installation of central heating to the bungalows. The upgrading of the windows installed in 1983 with double-glazed units will follow.

A number of kitchens have been refurbished over the last two years. The balance will be completed within the next financial year.

External decoration to the entire estate will not take place until all window and door replacement, along with the roof and chimney works, has all been completed.

**Bretney Road, Jurby — Serviced Housing Plots —
Question by the Speaker for Written Answer**

Question 24

The hon. member for Michael, Mr Speaker, to ask the Minister for Local Government and the Environment:

- (1) *What progress has been made to date in the provision of serviced housing plots at the Bretney Road, Jurby;*
- (2) *when will the plots be available and at what price; and*
- (3) *has the department received enquiries from potential purchasers and if so, are potential purchasers able to reserve plots?*

Answer

The planning application in principle for the above scheme was submitted in May 2000 and I understand that approval has now been granted, although my department has not received written notification. Officers of the department will now be discussing the further progress of the proposals with our consultants.

The process, to which the hon. member Mr Speaker refers in his question, has taken longer than previously anticipated. The earliest date we could envisage the serviced plots becoming available would be late summer 2001. It is not possible at present to indicate a likely sale cost, as it cannot be calculated until the cost to the department in developing the site works and servicing of the individual plots is known.

The department's procedure for all the first-time buyer schemes is to advertise for an indication of general interest as a first step. However, the department will only advertise for interest in a specific site, which is the second step, when work commences on that site. I can confirm that on the first-time buyer register of *general* interest there are some 46 expressions of interest in such housing in the north of the Island.

The allocation of specific plots to potential purchasers will not take place until the second step to which I have referred has been completed. The manner in which specific plots are allocated will depend upon the demand at that time.

Jurby Industrial Estate and Airfield — Question by the Speaker for Written Answer

Question 25

The hon. member for Michael, Mr Speaker, to ask the Minister for Local Government and the Environment:

- (1) *When does your department expect to complete the assessment of options in respect of the future needs and uses of the Jurby industrial estate and airfield;*
- (2) *when does your department expect to formulate a comprehensive strategy for revitalising and promoting the estate and airfield; and*
- (3) *what is the reason for the delay in completing the assessment and formulating the strategy, when the closing date for making submissions to your department was Friday 25th August 2000?*

Answer

- (1) The estates and housing division has already

completed its initial assessment of the options in respect of the future of the government-owned land at Jurby.

(2) The division hopes to report back to the department with recommendations within the near future.

(3) The delay in completing the assessment and formulating a strategy has been caused by the present heavy workload on the division and the shortage of resources. Additional permanent staff are to join the division within the near future and this will alleviate the situation.

Coastal Erosion — Tynwald Resolution — Question by the Speaker for Written Answer

Question 26

The hon. member for Michael, Mr Speaker, to ask the Minister for Local Government and the Environment:

- (1) *Do you and the members of your department fully support the Tynwald resolution in respect of coastal erosion and accept responsibility for undertaking appropriate and effective measures to safeguard the Island's coastal lands;*
- (2) *when do you expect to establish a coastal management working group and what will be its terms of reference; and*
- (3) *will you advise the coastal management working group that the coast between Glen Wyllin access and Balleira Road access, Kirk Michael, is an area where coastal management and safeguarding require immediate attention?*

Answer

The resolution appearing at item 48 on the order paper for the October sitting of this hon. Court on the subject of coastal erosion was passed. Hon. members will be aware of the contributions which members of the department made to that debate. However, whatever individual views various hon. members may hold on this, or any other, issue, once Tynwald has passed a resolution, it is incumbent on the relevant department to work towards implementation.

That resolution stated: 'That Tynwald approves the Department of Transport's Report into Coastal Erosion on the Northern Coasts of the Isle of Man and its recommendations contained therein.'

The report referred to in that resolution identified a significant new area of work for which no statutory responsibility or resources currently exist within government. I believe this hon. Court, in passing the resolution, sanctioned the preparation of appropriate primary legislation and also acknowledged that the Department of Local Government and the Environment must be provided with sufficient additional resources if it is to be able to deal effectively with these complex matters. The size and complexity of the task for which this hon. Court decided to make my department responsible should not be underestimated. It follows that it would be premature at this time to suggest any timescale for introducing the proposed Coastal Lands and Rivers Bill recommended in the report. However, the department will be examining the report over the next month or so in order to decide how best to take matters forward. One of the first steps may be to establish an interdepartmental working party, but the department will be discussing this and other matters shortly, as I have just indicated.

I am acutely aware of the concerns Mr Speaker has been voicing over the erosion taking place within his constituency, but I am sure no-one would expect me, within a month of Tynwald's decision, to be

able to say what should or could be done or when any appropriate measures might be implemented. Apart from anything else, the department cannot act until it has the resources, including capital funding, in place and without statutory authority.

**Empty Properties — Home Improvement House Purchase Assistance Schemes —
Question by Mr Henderson for Written Answer**

Question 27

The hon. member for Douglas North, Mr Henderson, to ask the Minister for Local Government and the Environment:

Will you examine -

- (1) the extent to which existing home improvement house purchase assistance schemes might apply to property identified by the empty properties officer as empty property; and*
- (2) the feasibility of introducing a scheme to provide financial support to the owners of such property to enable them to comply with fire regulations?*

Answer

The Department of Local Government and the Environment has recently established a working group, under the chairmanship of the hon. member for Douglas North, Mr Houghton, to investigate the extent of empty properties currently on the Island which could be brought into housing stock.

The department recently appointed a clerk to the working group but at the present time does not have approval to employ an empty properties officer.

With respect to the hon. member's specific question, I would advise as follows. Upon the completion of the review by the working group the department will examine the extent to which the existing grant schemes for refurbishment and purchase of properties might apply to properties identified during the study. It will also consider the range of work for which financial assistance is made available. The department will also be considering what actions will be necessary to promote the reintroduction of empty properties into housing stock.

It is the department's intention to submit the report of its empty properties working group to Tynwald, hopefully in May 2001. A shorter timescale would not be feasible, as it is expected that about three months will be required to complete the review.

**Sitting Tenants — Sale of Local Authority Houses —
Question by Mr Duggan for Written Answer**

Question 28

The hon. member for Douglas South, Mr Duggan, to ask the Minister for Local Government and the Environment:

Has your department given any further consideration to a policy of selling local authority houses to sitting tenants?

Answer

I have to advise that at the present time my department is prioritising all its resources towards the delivery of more new housing units into the housing market. Consequently there is no prospect in the

foreseeable future that public sector housing units will be offered for sale to sitting tenants, and I personally am opposed to the introduction of such a policy.

The department has not undertaken any detailed review into the principle of the sale of public sector housing units to existing tenants. I believe it is important that the department must seek to ensure the existing public sector housing stock is allocated and utilised by those persons who are deemed to be in most need in respect of the want of social housing. I would suggest that, prior to embarking on the route of the sale of existing public sector housing to current occupiers, the department would have to determine whether or not it could reasonably expect those occupiers to acquire property for sale in the private sector before affording them the opportunity to acquire public sector housing units on whatever terms.

In the interim I am pleased to be able to report that a number of major housing initiatives are being progressed by the department. One of these is the development of new first-time buyer units on the land at Springfield/Harcroft, Douglas, which will be sold to first-time buyers at an affordable price. Work has now started on this scheme and other similar developments will be following very soon.

Public Service Vehicles — Contract Carriage Work — Question by Mr Henderson for Written Answer

Question 29

The hon. member for Douglas North, Mr Henderson, to ask the Minister for Transport:

What has been the outcome of meetings of the Road Traffic Commission and the operators of public service vehicles with respect to the alleged use of such vehicles for contract carriage work?

Answer

The alleged use of public service vehicles to carry out contract carriage work has not been of concern to the Road Traffic Commissioners or the operators of PSVs. Indeed, PSV law recognises the need for such an operation and enables operators to provide a service of contract carriage.

As stated in my written answer of 7th November 2000, meetings have been held between the Road Traffic Commissioners and the operators to consider and investigate the alleged *misuse* of public service vehicles. The object of these meetings was to ensure that the operators were aware of the provisions of PSV regulations, in particular with regard to the use of PSVs for contract carriage work. All allegations of *misuse* of such vehicles have been investigated by the Road Traffic Commissioners, who are satisfied from the evidence provided, that no illegal use of public service vehicles has been identified.

Driving Test — Theory Test — Question by Mr Houghton for Written Answer

Question 30

The hon. member for Douglas North, Mr Houghton, to ask the Minister for Transport:

- (1) *In respect of the period 1st July to 31st October in each of the years 1997, 1998, 1999 and 2000, how many persons have passed a driving test for motor vehicles after their -*
 - (a) *first attempt,*
 - (b) *second attempt,*
 - (c) *third or further attempt;*
- (2) *how many persons passed the theory test by 31st October 2000; and*

(3) *how many of them passed the theory test at their first attempt?*

Answer

(1) In respect of the period 1st July to 31st October in each of the years 1997, 1998, 1999 and 2000 the chart indicates the number of persons passing a driving test for motor vehicles at their first, second, third or subsequent attempts. The chart shows the number of passes and the number of tests taken during the period.

	1997		1998		1999		2000	
	Tests Taken	Tests Passed	Tests Taken	Tests Passed	Tests Taken	Tests Passed	Tests Taken	Tests Passed
1st attempt	469	110	531	129	485	117	426	66
2nd attempt	311	131	403	142	290	87	331	87
3rd or subsequent attempt	293	149	344	219	326	145	412	154
Totals	1073	390	1278	490	1101	349	1169	307

(2) The Isle of Man College have informed us that since the first written theory test commenced on 29th July 2000 and between then and 31st October 2000, 97 persons have passed the theory test, 78 of these persons passed the theory test at their first attempt.

Rail Infrastructure Renewal Programme — Expenditure Approved

The President: We turn now to item 3 on the order paper and I call on the member for Tourism and Leisure.

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

That Tynwald approves of the Department of Tourism and Leisure incurring expenditure not exceeding £2,120,000 during the year ended 31st March 2001, being the net amount required to meet the costs of undertaking the rail infrastructure renewal programme.

During January and February 1999 Jarvis Rail carried out a railways condition survey under contract to Isle of Man Transport, Department of Tourism and Leisure. This survey included all the railways' physical assets, excluding the buildings, and was very much a snapshot in time of those assets under the steam and electric services. The main objective of the survey was to plan a strategy and programme of maintenance and renewals necessary to ensure the continued safe operation of the infrastructure.

As a result of this exercise a 13-year plan was prepared and the resourcing of such included within Isle of Man Government's five-year capital programme. The motion before this hon. Court today represents a request for funding of £2.12 million, that is, the first full year of that programme. This follows on from works carried out last year totalling £600,000, funded from my department's revenue budget.

The programmed works are designed to address the most critical areas on the Manx electric and steam railways with a scope of such, including the total renewal of approximately 10 kilometres of track including new rails, sleepers and ballast together with the renewal of traction poles on the Manx Electric Railway. Modifications to substations and minor electrical works are also provided for within the contract together with track layout modifications at Derby Castle depot to maximise its safe operation potential.

The advancement of the IRIS scheme and, more specifically, the opportunity to use the section of line between Santon and Ballasalla within that scheme has led to my department reviewing the proposed works which originally included a total relay of sections of track in that area.

The current proposal involves undertaking essential maintenance work only on the Santon to Port Erin stretch of line, thereby ensuring an ongoing safe operation whilst avoiding any possible duplication should the Department of Transport decide that the IRIS transmission main work should be routed along that section.

As hon. members are aware, Isle of Man Transport operates historic steam and electric railway services on approximately 60 track miles of permanent way. Both are unique examples of Victorian and Edwardian technology and both form an integral part of our transport and tourism infrastructure. Whilst every effort has been made to maintain these services over the years, investment has been limited, hence it is now vitally important that this programme of works continue on a properly focused and prioritised basis.

I beg to move the resolution standing in my name.

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

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

Mr Duggan: I fully support the resolution, Mr President, but could I ask the minister, have they thought of reopening the Peel line and the cost associated there?

The President: Hon. member Mr Henderson.

Mr Henderson: Thank you, Mr President. Two million pounds is a very large and very welcome investment into the rail infrastructure of this Island. Safety issues have been continuously highlighted from time to time to the minister and I am very pleased that, and I am not naive enough that they have not taken cognisance of the health and safety report, but these concerns have been taken on board from various other parties and also the voice and concerns of staff on the railways have been listened to.

I too believe our Victorian railways are unique and special and certainly we get world recognition for their status and any investment into that is very, very welcome and certainly they are a big draw for our visitors and tourism industry and also have the knock-on effect for the film industry.

I would ask the minister, though, with making this substantial and hinting at further investments in the future, also welcome, that perhaps works trains ideas could be looked at in the future, whereby if the lines are substantially improved, works trains could be run at peak times, non-Victorian railway rolling-stock, but something that may be able to cater for the works traffic in general.

Having said all that and welcoming the move, I must flag up a couple of issues that are of concern to me and I hope the minister will take them on board.

There were some rail track adjustments being made at one stage, approximately five years ago, to rails coming down the Walpole Road area on Ramsey on the electric railway. One line was completed but the rails and all that went with them for the second line up to the level crossing, as far as I am aware, still lie in the hedge yet, unfortunately, which is valuable resources left. I am also aware of the current restoration project that the Transport is undertaking at the minute with regard to two diesel cars.

The reason I flag these up is that this cannot be allowed to happen with this important project. It is too important and I think a bit of rick needs to be put in place, and will he be involving staff expertise on

this major scheme or allow some sort of staff input because there are some real enthusiasts working within the Department of Transport who have a lot of specialist knowledge and skill to offer?

Also I just wonder if a clerks of works will be appointed, or an independent clerk of works, to supervise and monitor the scheme in special reference to keep it all within budget, problems being highlighted earlier and sorted out quickly rather than what we have seen with the two illustrations I have just previously highlighted.

Having said that, also I would ask the minister if any consultation will be allowed for the staff who have expressed concerns in the past so that the information that they have amalgamated may be given to the design team, or whoever it is that takes on this scheme, so that any relevant matters can be taken on board, if not already ironed out; at least they can be covered.

But having made those few concerns, I want to finish on a positive note in that I wholeheartedly support this scheme to enhance our unique Victorian railway systems.

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

Mr Singer: Thank you, Mr President. Can I also wholeheartedly welcome the decision to put this investment into the line. I know the minister is well aware of the concern that I have and also Mr Henderson. We were invited to go along and have a look at the report of this from Jarvis and it did cause considerable concern to us and the minister was aware of this and I am extremely pleased that he has taken on board the report and I would ask him, in giving support, can he tell me, because there was such a large amount of work indicated was needed in that report, how he has determined what was the priority and who has decided what was the priority? Certainly there were two reports. I think the other report also needs to be taken into account, as just stated by the hon. member for North Douglas.

I might be able to help the minister, because he might not be aware, on the item of Walpole Road. It is a matter that I raised only a matter of two or three weeks ago with the new director, Mr Howard, and all that material, he has promised me, if it has not already been moved, it is being moved and stored, so it has only taken seven years, so we are quite pleased about that.

I think it would be very easy, wouldn't it, to say 'Two million pounds and the rest - well, let it go, let this rail infrastructure go because it's not in everyday use for people on the Island, it's not for commuters, it's not for a high volume of users.' But it is historical, it is heritage and, as has been said, we have to recognise our history and keep it alive, to retain it and, as the minister said, to value our Edwardian and Victorian technology. It is not a case of casting it aside because of cost and I hope that members will take this into account, that very statement, later on in the proceedings of this Tynwald.

I did, three years ago when I was in the Department of Transport, put forward to the Chief Minister, actually, a report, if he remembers, on the possibility of a light rail system and that went to the former director of public transport, who rejected it. Well, he rejected a lot of things, but he certainly rejected it. But I do believe there is a possibility, when we are looking at integrated transport and the fact that we have 55,000 vehicles on this Island for 75,000 people, that we should be looking not only just at cost but as a matter of convenience to possibly putting in some kind of light rail system and I would hope that that would be looked at again by the minister because I think now is the time to do that, otherwise there will be no room for anybody to come in to Douglas with a vehicle.

So with those few remarks I am very pleased to see this item on the agenda and it certainly has my full support.

The President: Hon. member for Rushen, Mrs Crowe.

Mrs Crowe: Thank you, Mr President. I rise also to support this motion, but could I ask the minister if this renewal programme will mean that diesel cars or similar could be utilised for commuter traffic early morning and evening on the line from Port Erin to Douglas which will relieve the increasing pressure of the number of vehicles that are travelling in daily and if he has not looked into this option, will he do so? Thank you.

The President: Hon. member for Peel, Mrs Hannan.

Mrs Hannan: Yes, Eaghtyrane. I support this and I think any area of the Island needs continual maintenance and I think we have to be aware of that. There is no point in doing something and then expecting just to leave it and let it take care of itself, so this is, in actual fact, work that is needed, it is work that is desperate to be done to continue the use of the railways, both steam and MER, and I welcome that.

But I would like to support the comments of the member for Douglas South, the other member for Douglas South, in opening up the other railway line, the railway line to Peel. I do think that it could be used for everyday transport with modern trams and it could also be used for movement of an industrial nature to try and keep some of the wear and tear off the roads, and if we are going to put money like this into these areas, then I think we should be using them to take some of the weight and allow the roads a longer life.

So I think, yes, it is an integrated transport policy that I am looking for but I think it also needs the goodwill of the Department of Tourism and Leisure to allow this to happen in the future and I hope the minister will pass our comments to his department on this issue because I do think it is important that Peel is again connected to the capital by rail.

The President: Hon. member for Onchan, Mr Karran.

Mr Karran: Vainstyr Loayreyder, the issue of whether we can have more speeding trains - I am sure that the Chief Minister will have that resolved.

The issue that I just wanted to raise was that obviously we missed the opportunity as far as the Peel line is concerned with the heritage centre and I think it is wrong to put down that somehow we are going to do that now.

But what I would like to ask the Chief Minister is an issue that I raised many years ago before Farmhill was fully developed which was the possibility of may be looking at some sort of figure of eight system that could connect up north Douglas and Onchan to south Douglas as far as having some sort of 20-minute ring route that could be developed.

Now, I know that that is more likely pie in the sky at the present time, but I would rather, if there is any move to look at any feasibility studies or anything like that, some sort of figure eight tram system within the Douglas/Onchan area where we could have a loop line in the north Onchan area and a loop line in the south of Douglas, like they have done in the likes of Manchester and places like that that I have seen. So I would hope that if there is any money to be going on any feasibility studies, maybe some sort of tramway system which could be an effective one where you stand outside and you know that every 15 or 20 minutes you would be picked up. I think that would be far better than any proposals to look at any reintroduction of a Peel system.

I would also just like to ask minister, when looking at the rail infrastructure renewal programme, whether we could have the trams running later on in the evening if that was possible.

The President: Minister to reply.

Mr Cretney: Thank you, Mr President. If I could address a number of the points that have been raised by the hon. members, my colleague from South Douglas, the hon. member for Peel, Mrs Hannan, and Mr Karran latterly have spoken at somewhat variance in relation to the Peel line, and obviously I think it is a matter of regret for those of us who now value so much the railways that that line does not exist any more and I think from an historic perspective it is perhaps easier in retrospect to be clever about those kinds of things and the decisions that were made at that time. However, I think we have to be realistic in as much as estimates to reinstate the Peel line would be somewhere in the region of £10 million and we are talking here of work to improve and to build upon the safety of the existing lines in the region of £12 million, so I think that is going to take a number of years for us to achieve and I think that has to be our priority in terms of the existing lines and making sure that they are up and ready for future demand.

I think there also might be a practical difficulty in terms of reinstating the Peel line in terms of services under the track. However, that is a matter of detail which would be at some time in the future, some way down the road.

I would like to thank, though, the generally supportive views of each of those members.

The hon. member for North Douglas, Mr Henderson, spoke of the comments on safety by both the staff and other interested parties, and can I say here and now we welcome the input of staff in particular. The staff on the railways are your prime asset, they are your number one people on the ground and they know what they are talking about, and, yes, there is no question whatsoever of continuing to acknowledge the views and the input which they would wish to have and that applies equally to all interested parties. As members will be aware, from time to time those interested parties may be at somewhat variance from us or from each other. However, my ultimate would be if all those who were interested in the railways in the Isle of Man could all work together for the good of the railways. That would be my ideal world and I could go to heaven happy then. *(Laughter)*

Mr Quine: Who said you are going there?

Mr Cretney: But not yet. *(Interjections)*

The hon. member also, and I think Mr Karran and indeed the hon. member for Rushen, Mrs Crowe, spoke of the existing railway infrastructure or new railway infrastructure, in the case of Mr Karran, in relation to commuter traffic and in relation to meeting the needs of those persons who work and presently have difficulty in getting to work for whatever reason, and indeed, I am sorry, the hon. member for Ramsey, who did, as he indicated here, a couple of years ago at least make comment about the possible introduction of a light railway system. Our concerns were and I think remain that light railway systems elsewhere are built to meet the demands of large, large numbers of people compared with those which would exist in the Isle of Man and are very expensive to put into place and so up until now anyway the emphasis has been in terms of trying to improve the services offered by the bus element of the transport division. However, I do believe that when we have been able to improve the rail infrastructure with a bit of imagination and with open minds we will be able to look at possibilities and I think that is something which, as we go forward, is the right thing to do, so I have no problem in principle with what has been said.

The hon. member for Ramsey also asked, who established the priorities. Well, the priorities were clearly established by the independent body who prepared this report. It would be quite wrong for these to be political priorities. These were assessed on the risk and the problem and where things needed to be addressed in terms of making sure that the railway infrastructure is appropriate to meet the demands of

future customers and so that is where the priorities have been clearly established, and in terms of supervision, which the hon. member for North Douglas raised, yes, clearly, it is important that there will be independent supervision as the scheme progresses, so that any difficulties which may come along can be early identified and yes, that is something which we acknowledge is important.

I think I have addressed the points which hon. members have addressed. I thank each of those who have taken the time to contribute and I think generally everybody is supportive of the railways and we all want to take them forward in the best way for the future of the Isle of Man because they are a priceless asset and one thing which we can sell in terms of the Isle of Man and its tourism infrastructure in particular, and if we are able to use imagination and provide opportunities for our own people, we will continue to do that as well. I beg to move Mr President.

The President: Hon. members, the motion before the Court is that item 3 as printed on the agenda is for approval. Will those in favour please say aye; against, no. The ayes have it. The ayes have it.

Now, hon. members, I am reluctant to start any major item at this time by the Court clock and I suggest that in fact it may be advisable for us to adjourn now until 2.30 when we will start promptly. Thank you, hon. members.

The Court adjourned at 12.58 p.m.

Welcome to HE The Lieutenant-Governor, Air Marshal Ian MacFadyen

The President: Hon. members, this afternoon, before we recommence with our order paper, we have the pleasure of inviting the Clerk of Tynwald to escort His Excellency the Lieutenant-Governor and Mrs MacFadyen to the chamber.

The Clerk escorted the Lieutenant-Governor and Mrs MacFadyen to their seats. Members stood in their places.

The President: Your Excellency, I have the privilege this afternoon to welcome you to the Court of Tynwald on behalf of the members and the people of the Island.

It is nearly a month since you were sworn in as the Queen's representative in the Isle of Man. You arrive, sir, in a period of stormy weather, and I can assure you that it would be our wish, as you set out to discharge your responsibilities, that calmer times lie ahead. The Manx nation has long held a devotion to the Crown, and it is to the Crown the people of this Island show undivided loyalty.

Over the last few decades the parliamentary responsibilities of your office have been much reduced. At the same time the democratically elected representatives of this Court have accepted the challenge of properly governing the Island. The skill and competence of the government of the Island has seen considerable development in opportunities for our Island residents and an increase in the standard of living of our residents that had hitherto been unheard of. This success has, of course, meant that occasionally jealous eyes are focused on our activities, and it is, I would suggest, in the defence of our striving for quality in all aspects of our economy that your office can best be utilised.

Globalisation is common in most aspects of business today, and while there are undoubtedly benefits for a small nation like ours, it can mean that the consumer is far removed from their local market place, which in turn leads to a lack of knowledge. Similarly, the cultural differences that have marked our history become blurred and lead to a reduction in national pride. Striving for quality in local commerce and heritage can only serve the Island well.

This Court, your Excellency, welcomes you to the Island with a warmth that we would individually welcome a close relation into our own home. It is the desire of Tynwald to have a meaningful family relationship with Westminster and, indeed, the devolved parliaments of our Celtic cousins. I am sure that having had a brief chance to look around this 'gem of God's earth' you will understand that we are indeed a proud nation which has a quality of life and a beautiful environment second to none.

I am aware that your long and distinguished career has meant much travel and I am sure that the opportunities and experience gained will be invaluable as we, like the United Kingdom itself, come to terms with the demands of the future in a rapidly changing technological world.

Our welcome today equally extends to Mrs Macfadyen. I know that as a mother she will undoubtedly have an interest in our Island via family connections. But our sincere wish, sir, is that together you will find your time here to be both happy and rewarding. Starting out on a new job can sometimes be daunting, it can also bring a sense of adventure, and being someone whose feet have remained firmly on the soil, I can only admire the dedication you must have had to fly free from the shackles of earth when first piloting an aircraft solo.

This Tynwald Court, having celebrated its own millennium in 1979, enters a new century and millennium in good health and confidence. Our hope is that as Her Majesty's personal representative in the Isle of Man we, together, can look to the future with unity and a spirit of adventure to the challenges that lie ahead. You are most welcome to the Court this afternoon, sir.

The Lieutenant-Governor (HE Air Marshal Ian MacFadyen): Mr President, hon. members, may I first thank you for the particular warmth of your welcome, which my wife and I, I might say, greatly appreciate. I have found that we have been made to feel very much at home and amongst friends since we arrived here one month ago now.

Although we have not had much time to explore this 'jewel in the Irish Sea', to use another phrase, we are both agreed that it has much to offer to those fortunate enough to spend their lives here and, of course, to visitors of all kinds. Its richness in history and culture is second to none. I thank you also, Mr President, for the opportunity to speak to this ancient Court of Tynwald. I have, I confess, spoken in a number of distinguished settings but this is a first for me, and I regard it as an honour to be able to address you and to observe your proceedings for the first time this afternoon.

As Her Majesty's representative on the Island I thank you all for your words of devotion and undivided loyalty to the Crown, which I shall be pleased to pass on. I well recognise that the role of the Lieutenant-Governor has much altered over recent years, reflecting the growing feeling of confidence and expertise within the Island and, not least, of this Court in its governance of the people of Mann. It is now ten years since the Lieutenant-Governor ceased to preside in person over Tynwald at its monthly sittings, and I note with considerable satisfaction that the Isle of Man has experienced unprecedented growth in those years since, with corresponding benefits to all. Whether the two events are connected in any way (*Laughter*) I would not necessarily know, but I am delighted you have had such a decade of prosperity.

I am in no doubt that I start my time here in the Island on a high note, because you can very rightly be proud of such progress, especially in the financial sector. That very growth in itself is clearly helping to promote greater trade internationally for the benefit of mankind as a whole. But, as this Court will be well aware, the very success that we currently enjoy can bring problems in its wake, for example the developing shortages of labour both skilled and unskilled and a need to keep a balance in recruitment demands between the new areas of growth and the general marketplace. Dialogue, I have found, is a key

to removing barriers such as to trade and information in the marketplace. I therefore note too, with satisfaction, the earnest desire you expressed, Mr President, to work in harmony with others, which again reflects a growing international confidence.

You spoke, Mr President, of my office and where my office can perhaps be best utilised. I should like to say today that I stand ready to help in any way that I can and offer Government House and my services in the pursuit of promoting the Isle of Man internationally, both in business and in the general pursuit of excellence. I also hope that I may be of some value in helping to ensure continued good relations between the governments of the Isle of Man and the United Kingdom. Such good relations will be important if the Island is to continue to have a higher international profile.

At my recent swearing in I mentioned my wish to help and and support the youth of Mann and how important they are to its future well-being and prosperity. I believe I can be of some use in this field through some of the many organisations of which I have been honoured to be asked to be a patron.

So in sum, and fully recognising the changes in my office, I would like to be seen as a Lieutenant-Governor who is supportive of the Island's efforts across a wide spectrum. I hope hon. members will take my words to heart and in the spirit in which they are intended.

So my wife and I are really delighted to be here on this lovely Island as a new century and millennium begins. I welcome the offer to join you in facing the challenges and adventures that you have mentioned and which may lie ahead, and I very much hope that I can live up to the expectation of my office. Thank you very much for the opportunity to speak to you all today.

(Applause)

The President: Thank you, your Excellency, and we now will return to our order paper and hope the afternoon continues to be of interest to you, sir.

Natural Gas — Importation — Report Received — Engagement of Consultants — Expenditure Approved

The President: We turn, then, item 4 on the order paper and I call on the Minister for Trade and Industry.

Mr North: Mr President, I beg to move:

That Tynwald -

- (i) receives the Report of the Department of Trade and Industry on the initial feasibility study on the importation of natural gas to the Island;*
- (ii) notes that the Department of Trade and Industry, through the Manx Electricity Authority, is in negotiation with potential suppliers of natural gas from the east Irish Sea, and endorses the authority's proposal to bring natural gas to the Island to fuel a gas-fired power station and facilitate a supply for domestic gas consumers; and*
- (iii) authorises the Department of Trade and Industry to incur expenditure not exceeding £500,000 to enable the Department to engage environmental, technical and specialist advice in relation to the planning of a means of access and a possible spur to facilitate the transportation of natural gas to the Island from the proposed second Scotland-Ireland gas pipeline.*

Mr President, it is now two years since I presented a report and motion to this hon. Court which resulted in backing for the MEA's planned sub-sea electricity cable link to the Island from England, an agreement that the Department of Trade and Industry should carry out further investigations into the importation of natural gas for the authority's planned strategy involving the construction of a gas powered generating station at Pulrose. I trust that members will allow me to use this opportunity to offer our thanks and congratulations to all those who since then have converted the first part of that strategy into a reality with the cable now in place and operating satisfactorily on time, on budget - a great credit to the MEA and all the board and its staff. (**A Member:** Hear, hear.)

The report which has been presented to hon. members today concentrates on the importation of gas by pipeline and, although I do not intend to go through the report in detail, I think it is worth pointing out that, whereas in 1998 it seemed that the most attractive solution would be to tap into the existing interconnector between Scotland and Ireland on the Scottish mainland and build a pipeline from there to the Island, we now have two new options, each of which potentially offers a more economical solution.

The option which could bring gas to the Island at the lower cost involves the laying of a pipeline from one of the gas fields in the east Irish Sea off the east coast of the Island. Two suitable fields have been identified and they are owned by Burlington Resources and Centrica respectively. The gas from these fields is suitable for power generation but would require processing before it could be used for a public supply.

Another factor which could make this option less attractive for use in the public supply would be the probable need for storage capacity to ensure continuity of supply during planned maintenance periods or if there should be unforeseen technical hitches at the field. These potential problems, which arise due to the reliance on a single source of gas, are likely to be surmountable in the case of the MEA, who would not be completely dependent on the gas as a source of fuel. The economics of this option, which would be funded by the MEA itself, would deliver gas more cheaply and thus offer the prospect of reduced electricity charges. Power would also be generated for export from the Island through the sub-sea cable when trading conditions were favourable.

The motion which is before the Court today seeks members' endorsement of the authority's proposals, which are, of course, subject to the successful outcome of detailed negotiations between the board and one of the two companies which I have mentioned. The timescale for these proposals is driven by an increased projected demand for power, and also, somewhat crucially, by the timescales which the companies who are developing the gas fields need to work to, as the most economic solutions take advantage of the availability in the Irish Sea of expensive pipe-laying equipment.

I trust that there will be questions on such topics as the environmental aspects of gas turbines and the need to address the high cost of gas to the consumer. Environmental questions will quite rightly have to be answered as part of the planning process, although my belief is that gas turbines will produce very significant improvements in terms of all types of emissions.

The cost of gas to the consumer is clearly important, but this cannot be the overriding factor when the major potential advantage to industrial, commercial and domestic electricity consumers, which lower electricity costs will bring, are taken into account. The MEA will cease to import heavy fuel oil once the gas-fired power station has been built, improving power generation environmentally, and will run the remaining diesel generating sets on light fuel oil. These changes have been fully discussed with the oil companies. The importation of gas will not only increase fuel diversity but also ensure that the Island can

be involved in the exciting development of the hydrogen economy, in which the world energy requirements will be met not by oil but by clean, non-polluting, fuel cell and other technologies. The motion seeks endorsement of the MEA's plans to progress their negotiations on this option to what will hopefully be a successful conclusion.

The other option which has been identified arose when Bord Gas Eireann announced a study into a possible second gas interconnector between Scotland and Ireland. BGE has put a lot of work into the planning of such a pipeline and we have incurred some costs in carrying out surveys on a possible route for a link from their preferred route to the Island, taking advantage of the presence, in the area, of survey vessels contracted by BGE.

Members will be aware that, when the first pipeline was laid, government negotiated capacity within it for the Island and the right to access it at any time up to the year 2015. Our difficulty arose when we came to negotiate to tap into the pipeline, when we found that the cost quoted through Bord Gas Eireann's nominated contractor was so high as to make the project unviable, thus forcing us to look at a tap on land in Scotland.

Bearing this experience in mind, we have made it clear to Bord Gas Eireann that, should their second pipeline go ahead - and I would stress that a decision by the Irish Government on this will not be made until the end of December at the earliest - we will require not only a transfer of the capacity reserved in the existing pipeline but also provision of a physical means of access to that capacity within our territorial waters at a location to be agreed. Should this project proceed, a decision would need to be made on whether to lay a link to the Island at the time the pipeline was laid or to leave this to a later date. Either way, the availability of a means of access to the gas would offer security and an alternative source of supply should it ever be required.

What the BGE pipeline would not offer would be cheap gas to either the MEA or to the consumer. Gas from this source would be brought from commercial gas suppliers through the United Kingdom national transmission system. It would be subject to transmission charges by the main pipeline owners and would also incur costs based on the capital investment needed to provide the link to the Island and distribution networks on it. It should be recognised that there are also cost implications for the gas company in this option. As in option two these are among the reasons why the report says that no figures can be given for the likely price of gas to the consumer at this stage.

Whereas I can understand that some members might have hoped for more clarity on this aspect of the proposals, my own view is that we should be ensuring that we maximise all opportunities available to us to bring natural gas to the Island at an economic cost. It is also important that we do not close down our options or introduce unnecessary delays which could have the same effect.

My motion seeks approval to the department incurring expenditure of up to £500,000, for which provision was made in the budget earlier this year, in order for us to be able to engage specialist advice to move the planning and the design of this option forward over the next few months, assuming that this is approved. Should the second pipeline scheme be given the go-ahead by the Irish Government I would envisage coming back to Tynwald again early in the new year with a recommendation on what action we should take. Mr President, I beg to move the motion standing in my name.

The President: Hon. member for Rushen, Mrs Crowe.

Mrs Crowe: Thank you, Mr President. I beg to second and reserve my remarks.

The President: Hon. member for Council, Mr Delaney.

Mr Delaney: Thank you, Mr President. I believe definitely the people who live in South Douglas, certainly in West Douglas, which I have the privilege to reside in, and the rest of Douglas and the Isle of Man would welcome the fact that the days of the black cloud falling, particularly on a Saturday morning, over South and West Douglas will be coming to a close, and we will all stand up and cheer, Mr President.

Mr Henderson: We will.

Mr Delaney: But there are a couple of things in this that I would like some clarity on, if I may. I welcome the remarks by the minister and I understand why at this time we cannot give any prices - it is a moving target to some extent - but I am interested in where it says in the resolution in (ii), 'to fuel a gas-fired power station' - that is exactly what we understand - 'and facilitate a supply for domestic gas consumers; and. . .' This actually, in fact, should be facilitate a gas bring supplied because it is a total monopoly the gas being supplied through the pipelines at the moment. Those pipelines, I understand, are owned by the gas companies, which is one, virtually.

Where we come down to supplying natural gas obviously their pipeline will carry it, so there will still be no, at this moment, proposal, as I see it, to have an option, as they have in Britain, of having these necessary supplies supplied by the generators of different types of power and give consumers options. I hope that the minister will keep that in mind when we get down to the nitty-gritty because I hear the echoes coming from the minister that, although he cannot give us - and we know why - prices of gas which may be consumed by our people in the future, I hear the echoes coming down where we will still be working with a monopoly and the people who will be paying for this are the consumers of gas. Somebody has got to pay for it; well, the first half a million is by the taxpayer and the money already spent, and then I get the indication certainly - and I think other members might have done - that the figures could fall on the consumers through the suppliers each couple of months, and I want some understanding at this stage, even though it will be a long time before this happens, that we will be looking at the possibilities, with the facilities held by the suppliers of electrical power in the Isle of Man, of giving an option to them to be a possible supplier through the pipeline as other companies in Britain, to the consumers in the Isle of Man so they may have an option and an alternative to actually make another little bit of profit, limited as it might be, from the consumers in the Isle of Man, because at the moment - and I get it from the minister - that may not be the case, and that would be wrong.

Our people have a right. They are already tied to so many monopolies and they pay the prices, and as the seconder of this resolution was coming from the consumer affairs I would hope I would have an agreement from that lady, the hon. member for Rushen, that that should be the case if possible.

Mrs Crowe: If possible.

Mr Delaney: Because we need that in this Island which is tied to these monopolies to try, where possible, to get options for them.

I congratulate the minister; I certainly congratulate those people involved in this, because it must be one heck of a job for such a small community to embark on such a venture, but I look forward to its completion. I think everyone in the Island would do so. There will be questions to be asked at a later date: what will happen to staff at the power station, what will be the necessities of the staff, who will be needed, will there be a reduction in the staff, et cetera? But they are questions, really, for the future. But I welcome this. I look forward to being here to vote for its completion. Mr President, well done!

The President: I call on the hon. member for Rushen, Mr Rimington.

Mr Rimington: Thank you, Mr President. I do support the motion. I support the motion fully. I have long had an interest in this area and have long felt that we should have natural gas on the Island, and I do not, by introduction of my amendment, in any way wish to halt that action. The advantages of natural gas, which I have set out in the circular I sent to members over the weekend, are widespread: not only do we get much cleaner electricity generation, reduced particulates or very few particulates indeed, no nitrous oxides, reduced sulphur, reduced CO₂ emissions, but we have much wider benefits if that gas is utilised throughout the Island's economy, those wider benefits being a cheaper and cleaner supply of energy for domestic heating. It would give us an opportunity to enact the legislation which we already have in place in terms of clean air so that we may remove the bulk of coal fires which are, in public health terms, a great danger; they should really have been removed some significant time ago. It does give you an opportunity, if we can get it right, to give people a cheaper source of fuel and more reliable, in the long term, more stable price in terms of sources of fuel as we would be getting it hopefully from the well-head and not be too bound by the vagaries of the marketplace. And further than, the usage in the domestic and commercial spheres for space heating, there is a potential to use it for transport and again reduce an area of emissions and particulates which are damaging to public health, and that, as compressed natural gas, it has been suggested to me that initially if we were to look at this, then we could use it on public transport, we could encourage other heavy goods vehicles which are constantly out and about to use it, and any other high mileage vehicles. Conversion costs for a car on the Isle of Man, where there is limited mileage, might be prohibitive but, as technology changes and improves, then cars could come within that sphere as well. And also, quite rightly mentioned, it gives us fuel diversity.

Though I am greatly in support of the idea of bringing natural gas on and I do not wish to stand in the way of the MEA in progressing their proposals, however there are what I think are a few weaknesses in the proposals, and this is why I have brought the amendment to this House, and the weaknesses are in the decision-making process related to this Court. Also there is a concern that the gas supply that does come in through the MEA may not bring benefit to the wider Manx public through allowing a domestic facility.

Now, I have altered the amendment circulated to you over the weekend to try and take on board some of the concerns by the department, although I appear to have failed in that my amendment is specifically worded - and I obviously would accept other people's judgement on this matter - that it does not in any way impede the progress of the activity that is taking place. Clause 4 tacitly accepts that the proposal is going forward and is asking for information in relation to the Island when that proposal is actually put in place. Likewise with clause 5: it is written in such a way that I hope it will be taken as not being an impediment to the process which is already taking place.

I think the major problem here is the amount of information that has come before this hon. Court and, in doing so, that information not then being disseminated to the wider public. If we do bring on natural gas to the Island, and specifically for electricity generation, then that is going to have roll-on effects. I believe it is right that we understand what those roll-on effects are and we bring those out in the open and discuss them now and accept, probably, those it affects but at least they are out in the open. The first roll-on effect is the extent of electricity supply and capacity on the Isle of Man. If we have a 75 megawatt gas power station, which I look forward to seeing, then we will have a nominal capacity of over 200 megawatts of power on the Island, and that is not including our little hydro, it is not including the incinerator or any future renewables but including Ramsey, Pulrose, Peel, the gas and also the cable which, as we know, can work both ways.

Now, I have tried to show in the diagram that is sent out to members with the power band profile on that the majority of the time our actual electricity usage is well below 50 megawatts, and so for the majority of the time we will be sitting on approximately 100 megawatts of unused either power or capacity, and that 100 megawatts represents quite a huge capital investment by the people of this Island. Therefore, with the gas on board, there is an implication, which has already been mentioned by the hon. mover of the motion, that we will have to export, which is fine; I am not against that idea. Obviously the market place is ripe for that.

But primarily, as I understand it, that export will be through the utilisation of the gas turbines because they are close-cycle, highly efficient and will create an opportunity to send that power down through the cable. At the moment I believe the MEA is able to utilise the existing pool and make use of our diesel engines and gain their remuneration for exporting power the way the current pool is structured. But that pool is changing. In spring next year they are going onto a different basis and the same opportunities to use the diesel power stations will probably diminish, if not disappear; I just certainly think they will diminish. These are the issues which I think ought to be explained clearly to members and to the public, in that we are sitting on what will be then the new Pulrose and the Peel power station representing large amounts of capital money, the Peel power station being the most recent large amount of capital money being invested in diesels, and to make sense of that we have to, if possible, use those for export.

That may or may not be a good thing, but what I would like to know and I think this hon. Court should know and I think the general public should know is, we should determine what is going to happen in the future. I realise there are variables about the future state of the markets in the UK and how they may be able to operate but we must be able to understand how much those diesels are going to be used, or would we convert them to gas or whatever? I mean, would it be appropriate just to say, taking an extreme example a few years ago, the prime time on the pool as it existed then for electricity export would have been at 11.30 on a Tuesday night or 11.30 in the evening; now would we, again in this hypothetical example, be firing up all our diesels in the middle of the night just to take advantage of that situation? I realise that is an extreme example but I do think we ought to have the basic structure of how our quite large capacity is going to be operated over the forthcoming years. And obviously we will have to export because we have invested in the cable, we will not be using the cable primarily for import because you have your gas on board, and that will be, if you like, our base load and our mainstay but we will be sending electricity down the other way. So I do believe there are some facts and figures there and some policy which ought to come out into the public domain.

Secondly, the implications for the oil distribution and importation industry. We know, obviously, if we use gas to a great extent for our electricity usage and also start penetrating and widening its usage in the domestic sphere, then that is going to significantly reduce the volumes within the existing supplies, so much so I would foresee - and I am not the first person to foresee it - that it is quite likely that we are going to reduce from two suppliers to one, and even that one supplier will have increased overheads and there is the likelihood that there will be a knock-on effect on prices for the range of petroleum products that would be available on the Isle of Man, and that is a disadvantage. I think it is a disadvantage which is outweighed by the advantages, but I do believe that that information ought to be spelled out and people to understand that before we go ahead or as we go ahead.

Lastly, in terms of clause 4, it is strange to me that the energy policy of the Isle of Man tends to be determined by what the MEA's latest plans are and, with all due respect to the present management and previous management, that is not the right way to go about it. The energy policy of the Isle of Man such as

it is should be determined by this hon. Court and not be a reaction to the latest plans for electricity supply or generation.

In the decision-making process that takes place in relation to such a large project as this, which is of great importance to the Island, I think it is a shame that we come once again to Tynwald and it is a rush, and we have to do something now because either we are going to miss an opportunity here or indeed, as is implied in the report, the lights are going to go out in 2002; it does imply on page 1 that that is the case. Having been through this scenario before, when I was not a member of this Court, with the Peel power station and with the cable it was always, 'Got to act now because, if you don't, something drastic is going to happen to the lights and no way are we able to cope.' And I do not think that it is right that we should be placed under decisions which we should look at carefully with this sort of rush and impetus put behind it. I do not think it is right that, if we are going to take this major step, which I believe we should, we do not have a more comprehensive analysis of the options in front of us and there are very few financial details for the hon. members to make an informed decision. We are really relying on words rather than facts which are contained in the report. Therefore, as we are not informed, neither really are the public informed.

One other little area which I take note of in the report from the Department of Trade and Industry: on page 3 in the third paragraph down where we jump - it says, 'As enquiries progress, two further options were identified which could bring gas to the Island more economically.' Now, I do think that is a shame that we conduct our business in such a way, because really those two further options which were identified suddenly popped up. They have not suddenly popped up; they had been out there for a number of years and that is, in fact, a gloss on the previous administration in the MEA which did not want to have anything to do with those two further options which have miraculously suddenly popped up, and it may not be well known in the general public but to my mind it is certainly true that the previous chief executive in fact refused to discuss or negotiate with the operators of the east Irish Sea fields, and in fact he went for the most expensive option, which is the pipeline from Scotland to the Isle of Man to bolster his own case for the cable for his own reasons. And those options to get gas from the east Irish Sea have always been there. It is only now that we have got a more enlightened administration in the MEA that those options are being progressed and, where there are mistakes in the past, I think it is a shame that we just jump over them and try and forget about them. Really the MEA is under the wing of the DTI, but sometimes I think in the past it has been the other way around. **(Mr Delaney: Hear, hear.)**

It is true that the Department of Trade and Industry have done a lot of analysis on the gas issue and that they have had an independent study by Harrington and Associates which is referred to, and that concentrated on the costs, obviously, of the Scotland/Isle of Man pipeline which is no longer being considered, and quite rightly so, and therefore a large part of their work is negated in terms of today's evaluation, but there is obviously a significant amount of their work which is of relevance today. However, we do not have a replacement study; we do not have a synopsis of the key financial details for this hon. Court or the public to consider, and I do not believe that this is the correct way to conduct public finances, especially in an area which is important to us all through the price of electricity, gas and petroleum products.

Turning to the last clause in the amendment I think we have to recognise - and hon. members referred to this - that the importation of gas is a complicated business, and I am rather concerned with the simplicity of the DTI report and the direction that it appears to be taking. First of all, we are allowing the MEA to progress independently of any heads of agreement or understandings on its usage for domestic

and commercial purposes. Secondly we are looking at the second pipeline from the possible BGE Scotland pipe as it passes close to our shores. Now, from my small understanding of economics the volume usage in the Isle of Man cannot sustain two infrastructures. It can only really sustain one pipeline, so it is important that that pipeline that we do have gives us all that we need in terms of electricity generation and the ability for a domestic supply. I am concerned possibly with the way that the issue is being progressed at the moment and that that may not happen, and I sincerely believe that we have to look at the overall energy situation on the Isle of Man and that when we are importing gas it is not just the decreased price of electricity that we are looking for; it is for the wider benefits to all our energy consumers (**Mr North:** Hear, hear.) and we need to take that very much so on board. It seems to me in the report there are implications in there that our monopoly supplier of gas does not want to know -

Mr Delaney: That is right.

Mr Rimington: - and is not interested - that seems to be the implication - and that it is probably a lot of hassle for them for possibly no more financial return as they are probably making a reasonable profit, let us say, on their existing activities. Would they make a better profit if they changed to natural gas? Changing to natural gas, as the hon. mover has mentioned, is not a straightforward business, because if you bring it in you then have to decide, are we going to reduce this gas down and put it through the LPG network and keep the existing appliances and probably have to clean it up depending on where you get it from, or are we going to have to increase its calorific value and go to a UK specification and convert all our appliances with an additional cost to go on a standard natural gas specification? There are lots of complicated issues there, but there are no finances or intimation of what is happening in that field in this report, and that is what concerns me. I am just worried that the public interest here is going to be not totally ignored but not fully taken on board.

So the pipeline, in conclusion - I say yes, it is fine, fine for the MEA, fine for cheaper electricity but, please, let us make sure that what takes place is fine for the domestic consumer, fine for commercial users as well, because we have only really got one chance at it because, as the hon. mover has mentioned, the gas that would come in from the BGE Scotland pipeline would not be necessarily very cheap and it certainly would be very expensive to the Manx consumer if the electricity generator was already getting its gas somewhere else; there would be very little volume usage to justify and pay for the cost of bringing that in, so where would the economics of that stack up to make that investment? That has not really been cleared out. We do need to make sure that whatever gas comes in is to the wider benefit and therefore, Mr President, I will conclude and I beg to move the amendment standing in my name:

Delete "and" where it last occurs in paragraph (ii), and add at the end -

"(iv) requests the Department of Trade and Industry to examine -

- (a) the future generation policy of the Manx Electricity Authority once the proposed gas power station is operational;*
 - (b) the economic implications of a major change in energy supply especially with regard to the existing oil importation and distribution industry;*
 - (c) the implications of gas importation on the overall energy balance of the Island;*
- and report; and*

(v) *in its negotiation with potential suppliers of natural gas, requests the Department of Trade and Industry to consider the means which will ensure that any supply of natural gas to the Island will provide the widest benefit to its energy consumers; and report.*"

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

Mr Duggan: Thank you, Mr President. I welcome the resolution and I also thank the executives of the MEA for their introduction to all members, local authorities et cetera. It was very interesting. As the member for Council has said, environmentally it is going to be good for the Douglas valley - you know, for the gas turbines and also the cable coming in - and also I believe the executives told me when I met them that besides the environmental gains, we would also save about £6 million a year, so I think it is good all round, this scheme. I really welcome it, especially at a time when we have got the possibility of an incinerator getting built nearby which I feel will pollute the area; at least there are some environmental improvements for my constituency. *(Interjections and laughter)* Maybe now the Local Government and the Environment would consider bringing in a clean air Act, because I think it has been the case for many years they have been scared to bring one in because of the power station polluting the constituency of South Douglas, so maybe now they will do something about it, because these improvements are going to be good for my constituents, especially when you think of the people in Douglas South and also West Douglas who suffer from asthma; there are a lot of asthma cases up there, so environmentally and cost-wise I think it is great.

The President: Now then, hon. members, I have got three having indicated that they wish to speak, but I must point out that as yet the amendment moved by Mr Rimington has not been seconded.

The President: Mr Karran?

Mr Karran: Eaghtyrane, I am seconding the amendment. I am pleased today to see any movement on this front from many years ago. The reason I am happy to second this amendment is because the organisation that the hon. member is involved with was the same organisation that was supporting these sort of proposals 12 years ago or somewhere in that region.

I am equally concerned - and I do not want to slight in any way the MEA, the present MEA, because I believe they do a good job - about the fact that this very issue of bringing natural gas to this Island has been full of vested interests and self-interests, and that has been the delay as far as getting gas to the Island with previous MEAs' other business interests and the old guard that had their finance in the old gas company, which did well out of generations of people on the Island but they knew the right people were not watching; it was who you knew.

So today I am glad and I would say that we should support the hon. member for Rushen, because when I think of the fact that we raised the issue in this Court about the need for a T-junction in the gas main and all the other things and we were given all sorts of assurances and then, wicky-wacky-woo, the thing is down there and 'Oh dear, there's no T-junction been put in.' So I just feel that I would support the proposal of the hon. member for Rushen, because we have seen in the past where there has not been the checks and balances, and this is why we have not been able to provide the facility of natural gas to the people in this country, and the Peel power station should have been on natural gas. The reason it was not done on natural gas was that it would have broken the door down as far as getting it to the consumers of the Isle of Man, but there was far too much vested interest.

What I am sure of - and I would not want to slander instead of libel, as the hon. member was saying this morning - is that I feel that it would do no harm to support the hon. member for Rushen. We have seen

what has happened in the past. There are so many agendas that have happened in the past and our consumers in the Isle of Man have become a poor second instead of being the winner.

I would just like to say that I appreciate the work that the Department of trade and Industry have done on this point. I think it is something to be congratulated on as far as that is concerned, but I do feel that the amendment is worthy of support. I am proud to be in here today to see, hopefully, that the facility of energy costs, which is another major factor to try and diversify the economy away from finance to get some industry - all we need now is to sort out off-Island transport, and we might be able to have the diversification of the economy that we want.

So I will support the amendment and I do hope that other members look at the amendment closely, because the hon. member and this organisation have a good track record they have not been shouting about for the last couple of months, but they have been going on for the last 15 or 20 years to my knowledge.

The President: Hon. member, Douglas East, Mr Braidwood.

Mr Braidwood: Thank you, Mr President. Having supported the motion in 1998 I will be supporting the motion in the name of the DTI this afternoon. (**Mr Houghton:** Hear, hear.) First of all I would like to thank the DTI for the briefing paper, the feasibility study of the importation of natural gas, and also I would like to congratulate the MEA on the installation of the 40 megawatt AC cable (**Members:** Hear, hear.), which of course was announced and with a reduction in September of 10 per cent in the price of electricity. (**Mr Delaney:** Hear, hear.)

Now, I have looked through the briefing papers, and the difference was the option from this gas direct from the field; that is either with the Burlington field or with the supplies of Centrica. Now it was when I looked at it and where Manx Gas have expressed a view that the economics of this option would not result in cheaper gas for consumers, although this would be the option for the MEA, because of course it would reduce prices further for electricity consumers, and I suppose that the gas company are looking that if prices of electricity are reduced to such an amount and the electricity company bring in comfy heat prices, this will then make people look at gas and say, 'Well, shall we convert to electricity?' which would then put further price pressure on the gas company.

I would also like to congratulate the MEA on looking at wind farms and wind power. I know they have had different areas they have looked at and also this to allow for the Kyoto principle of renewable energy facilities, which of course will put additional electricity into the grid, the difference being, of course, we are looking now to 75 megawatts of gas combined cycle gas power station, producing 75 megawatts; that, I believe, is two gas generating turbines plus a steam turbine of probably 20 megawatts.

I know the hon. member for Rushen, Mr Rimington, has said there is over-capacity. We have mentioned where the cable is now being used to export electricity at an economic advantage to the MEA, and I know the pool price is changing in April, but the thing is, if we use gas and we are bringing gas and gas generation, as the minister said, we hope to remove heavy duty oil and hopefully then import gas oil, which again is cleaner for the environment, because there is one point which has been mentioned by other speakers: the difference it will make down in Pulrose (**Mr Duggan:** Hear, hear.) in an environmental aspect to reduce those clouds when Pulrose B is started up, and even the other one, the new power station - again we will be reducing from two chimneys to one.

Now, I will look forward as well to the Office of Fair Trading when their gas pricing report is published, because I think again this will put pressure on the Manx gas company. If they think that, 'Oh,

we're going to have to invest in infrastructure,' what have the MEA been doing? They have been spending an absolute fortune and they are reducing the price of electricity. They have put money into the cable, they are putting money for gas generating turbines. You can see the amount of money and they are hoping to reduce the price and all the gas company say is, 'Well, this is going to cost money, we won't be able to reduce our prices to the gas consumer.' But the perception in the Isle of Man to the domestic consumers is to see the price reduced. (**Mr Cannell:** Hear, hear.) They look at the price in the UK of natural gas and compare the prices in the Isle of Man with LPG.

Mr Brown: Especially if you are outside Douglas.

Mrs Hannan: Yes.

Mr Braidwood: Yes, I must admit, in the Douglas/Onchan area we are on main gas and on the outlying areas it is having to use tanks or cylinders or whatever. There has not been the infrastructure; they have creamed it off and the hon. member of Council stole my thunder.

Mr Delaney: Sorry about that!

Mr Cretney: Not for the first time!

Mr Brown: It's the pills he's on! (*Laughter*)

Mr Delaney: I am not standing in East Douglas.

Mr Braidwood: In the UK they had a monopoly with British Gas; what has happened? Transco now has to carry gas of their competitors. Utilities - the electricity companies are now supplying gas to the consumers using Transco, their pipelines. Could it be that in a few years' time if natural gas is on the Island, the MEA enter the gas market? We might have to change legislation so that they can use the pipelines of the Douglas Gas Company, but what I want to see is a reduction in the price of gas to the consumers. If they can reduce the price of electricity to the consumers, I am sure we can reduce the price of gas.

Mr President, I will be supporting the motion because I honestly believe that once the gas power stations are operational, the DTI will look at the other aspects of the oil being brought into the Island -

Mr North: They already are.

Mr Braidwood: - the prices of what we pay for our petrol. I am sure they have that on the top of their agenda. Thank you, Mr President.

The President: Hon. member for Peel, Mrs Hannan.

Mrs Hannan: Thank you, Eaghtyrane. I support to some extent the motion before us. I also support the amendment. However, I am concerned that we are just talking about generating more energy without looking at reducing the need for energy, and I think what we have got to do - we should be saying, 'Yes, we are part of this world,' and just producing more and more electricity to satisfy our needs, and especially as prices are going down - they might not be the same as the UK, but with prices going down, the more affluent can be encouraged to use more and they do use more and more. But if we are creating more greenhouse gases in doing that, we are not playing part of this overall Kyoto agreement and looking at greenhouse gases and the like. And what we have talked about today is we are able to produce more for the cost of less, we are going to bring gas in, we are going to be so much more efficient, and that is fine, but if the world is threatened because of the little bit that each of us do, we have only got to think about what happens in other places, about Europe and America. America are saying, 'Oh, yes, but we

are used to it and we are more efficient and therefore we should be allowed to continue more and more.' Why is it not part of this to say we are going to insulate houses better, insulate all buildings better, (**Mr North:** Hear, hear.) have much better construction of buildings so we do not need electrically controlled air conditioning and all this, which can happen, and yet we are not saying any of this today; the department, along with the MEA is saying, 'Oh, we are going to bring in a gas pipeline.' Fine, that is wonderful, but what else are we doing to support the world within this?

I really think that we should be looking along this. This is a government and collective area here, where we should be looking at burning less gas, burning less diesel, making everything more cost-efficient, in actual fact looking at the whole remit of it, and when we are saying that we introduced a power station here and a power station there and everything is so efficient and the like, and we are able to bring a cable in and export electricity, we can only go back a very short period of time, when a power station was built completely in the wrong place. (**Members:** Hear, hear.) and Peel has got to cope with that (*Interjections and laughter*) It is only very, very recently and this same MEA - it might be different management but it is the same MEA - that actually did that were criticised then and I think it could be criticised now for its continuation. There are problems with that power station that have still not been solved: vibration and noise which causes problems over and above the pollution in that area.

I welcome a cleaner environment, I welcome looking at the importation of gas, but I do think that the overall aspect of generating energy and continued pollution and increased use of energy should also be considered, and I really think that, overall, government should look at insulation of properties so that we are using less energy, not saying, 'Oh isn't it wonderful because we have got prices down?' Thank you, Eaghtrane.

The President: Hon. member for Onchan, Mr Corkill - no, Mr Cannell, first, (*Laughter*)

Mr Quine: You have made an impression, Geoff!

Mr Cannell: Thank you very much, Mr President. Perhaps there is too much gas, so I will not bother with too much more (**Members:** Hear, hear.) in David North's generation game, my old colleague! But I do endorse the point made by the hon. member for East Douglas, because it is not that long ago we stood in this hon. Court and heard about the considerations of installing the cable, and I remember the point that was picked up on that occasion was then, 'Yes, we are putting a cable in; yes, we are going to do all these marvellous things', but electricity is not going to be any cheaper. Well, it was amazing, because why spend all the money? Why go to all the trouble? This seems to be something of a repeat of it, because we have heard again today it is not going to mean cheap gas and, if you take away the environmental benefits, it seems to be a load of hassle for nothing. Unless there is going to be a direct benefit, what is the point in embarking on a big exercise such as is being proposed?

Now, the hon. member for Rushen, Mr Rimington, has made many environmental points and has laid down his amendment to that degree, but you have to rationalise it, you have to bring it to what actually benefits the Isle of Man, and the only thing a consumer is looking for is to become less beleaguered, as it were, with the high average costs of day-to-day living, the cost of living, and undoubtedly fuel is one of those costs; indeed, it is a major player in the surveys which are done each month, and unless we get the opportunity to at last break a monopoly which we have in the supply of gas, then I am afraid we are not going the right way about things, because what the consumers are crying out for in this Island is to have these basic commodities reduced in their price.

Now, I am very pleased to say that despite it being only a comparatively short time, there was a sea change in the Manx Electricity Authority and they suddenly decided that they were, after all, able to bring us a reduction in electricity costs. I am not sure it has fed its way through to my house as yet; perhaps we are leaving too many lights on -

Mr North: The next bill.

Mr Cannell: - but at the end of the day, a reduction is promised. It is not point in dragging over all the stories about how our famous T-junction in the previous pipe was never installed or, if it was installed, it was inoperable; what we are doing here is looking forward, and I am certainly not against the resolution; I am thinking about the amendment. But at the end of the day, unless there is at least the vision to drive forward and get something for the general public, why should the public pump in money which is only just starting here with part 3 of this resolution at £.5 million? This is not chicken feed, it is still a lot of money. Okay, you can get it for answering seven questions on the television at night, and if you go a bit further you can double that if you know who married Henry II or somebody else, but I was out last night and I missed it, (*Mr Henderson interjecting*) but seriously, when you come to the environmental issues, you have a cable, and we hear of all the wonders of environment. Have the environmentalists thought where the electricity coming through the cable is coming from? It is not coming from trees, it is coming from a nuclear power station in Heysham, and they do not like nuclear power, but we are quite happy to have it, it is not doing us any harm and we are going to get it cheaper, we hope. It might even be coming from France to get to Heysham - could well be doing so, so let us not go wild on environmental issues because if there is anything that they are against -

Mrs Hannan: Why not?

Mr Cannell: Well, we try not to be wild about anything. We try to be moderate. (*Laughter*) At the end of the day those of use who are old enough to have remembered living in a house where in fact the supply of the light was by gas -

Mr Henderson: The good old days!

Mr Cannell: - coal gas from Leigh Terrace from the gasometer at the bottom of Douglas Head Road -

Mr North: Methane from the sewers!

Mr Cannell: - the pressure of which used to vary considerably and there was no electricity on the upper floors, anything has got to be welcomed.

Now, you say about West Douglas and you say about South Douglas and the areas; that is a definitely identifiable benefit for having it, and the hon. member for South Douglas thought that we were talking about putting a power station in the wrong place at Pulrose. It is in considerably better shape now than it was quite some time ago, but it is still a menace to that area (**Members:** Hear, hear.) so let us hear it for the environmental on that side of it, But let us not kid ourselves that the whole thing is going to clean the Island, and for the preposterous notion that coal fires should be completely abandoned overnight is just unentertainable.

Mr Quine: Hear, hear.

Mrs Crowe: They should.

Mr Cannell: There are many, many people still using coal fires, including myself and I know, when you see them coming up, you see the outshot of them, but what have we done about that? Have we improved the situation to try to tempt people away from it? No, we have not. We have not made the price out for the alternative sources of fuel attractive. Only now are we hearing of the first 10 per cent reduction. Well, let us hope there are plenty more to come and let us hope there are plenty on the back of this one as well, because in fact, if there is not, people are going to be saying, 'Well, why should we throw the taxpayer's money away on making all these installations?' And I look forward to my long-time friend and hon. colleague here for Middle telling us why he is going to be able to eventually reach that, because I have never been able to understand this nonsense where you actually get your gas from an electricity company. It just does not add up, to me; it seems strange. I thought they were in competition and now you hear about railway companies running telephones and heaven knows what else. Times have changed but, at the end of the day, when we move away finally from the gas light era, let us make sure that this is done right. If it takes more money, I am sure you will have no hesitation, minister, in coming forward and asking us for it, because - and this is no tripe - I really believe that we are on the right track at last, but there has been a change in attitude, where in fact it was virtually bordering on the arrogance to come along and ask this hon. Court and its members, on behalf of the public, to vote a vast sum of money and at the same time saying, 'Of course, it won't make any difference. It's just increased profits for our organisation.' And that was just, I am afraid, a cable too far. So let us make sure this time that when this is finally done, when everything is connected up, however it is going to be done - the technicalities escape me - but let us hope we get gas bills that are not sending people hurrying down to the social security to try and make ends meet.

Members: Hear, hear.

The President: Hon. member, Mr Corkill.

Mr Corkill: Mr President, I will not be long. I gave my interest to speak because I thought, after what was a very positive introduction to this debate by the Minister for DTI, that in fact we got off to a rather negative situation, and I do believe that the request for a great deal more detail that the hon. mover Mr Rimington is asking for with his amendment may well be in danger of delaying. Now, I know the hon. member has no wish to do that, but I would be very interested, when the Minister for DTI rounds the debate up, that in fact his amendment would not do that.

For years and years and years we have debated, in a number of situations, the energy strategy for this Island, so to say that we are in a rush - I do not believe that that is true, I really do not, because I think over the years it has occupied people's minds quite regularly. There are certain basic things in my mind: security of supply - now, thankfully the cable has arrived, just as oil has gone over \$30 a barrel. Thank goodness that is being done. Diversity of those fuel sources - well, we have got the cable, we have got diesel and here is an opportunity for gas. The environmental improvements which we have heard so much of - that will in fact reduce the heavy oil, and I was interested in the comments the hon. member for Peel made with regard to the Peel power station, because aren't those the very reasons why we should be looking at natural gas, because that type of generating capacity, the gas turbine, in fact will not give the same sort of problems that heavy diesel engines do?

The lowering of costs - well, I do not think very much has been said in the debate about the impact on commerce within the Island. There is no doubt that there is a desire in this hon. Court to have a diverse economy. We talk about it all the time. It will not happen with high energy costs; that is for certain, and certainly since the changes were put in place and electricity costs are seen to be on the downward trend

rather than always on the upward trend, I have had a number of very positive comments back from industry in a number of areas which I think will benefit that desire of diversity of the economy. So all in all I do not believe we should be waiting, because the situation is that in fact time is moving on and these opportunities do come and go.

The main reason I got up to speak - I was a bit concerned that there was perhaps some innuendo and there was comment about vested interest, about the history of power generation on the Island. I think I would like to defend those who made decisions in the past because they were made in different times under different circumstances, and to say that it was to protect the monopoly of domestic gas prices, I think, is totally wrong. That is not the case, and in fact I do hope that this energy strategy, which this is very much part of, is not held back because of the domestic gas situation, which really should be dealt with in a separate compartment with regard to how we go about regulating or having competition or in fact taking over.

Now, the suggestion was made by the hon. member Mr Braidwood that the MEA could perhaps run the gas company. My basic schoolboy chemistry says that bare wires and gas do not mix too well, and I would be rather concerned that there would be an explosion.

Certainly I thought we got off to a negative start with the debate but, as I said, I will not be long because I think other speakers have had a more positive insight into what we are trying to achieve.

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

Mr Shimmin: Thank you, Mr President. I too will be brief. We have a good report. I think everybody generally is in agreement with the improvements that will come forward through the MEA proposals for the power station; importation of gas is popular with most members.

We have clear motion before us today and to that we have an amendment in the name of Mr Rimington. I believe the amendment is well intentioned, could be seen as being supportive, but at the moment I do not believe is necessary or supportable. What we have is a motion which takes us down a road. The DTI and the MEA this afternoon have already come in for considerable praise, and hon. members have already had a fair inkling as to the amount of communication the MEA will make to all hon. members in the past number of months and in the months ahead. To go down a road of more reports whilst we are still evaluating the Irish gas pipe lines area strikes me as being one we can come back at any time with the motion or the amendment in the name of Mr Rimington and put down a similar type of motion that 'Tynwald is of the opinion. . .' and the rest of it. We have here a positive story, something which generally the majority of the House are supportive of.

There are many issues which on any energy debate we will start getting involved in. Hon. member for Peel, Mrs Hannan - yes, I think most of us would agree that there is and should be a conscience about the use of energy with everybody on the Island. We could spend hours and days deliberating many issues. Today we have a motion before us which is a good motion. That should be supported and send the message out. The hon. member for Onchan, Mr Cannell, referred to the cable saying the MEA said it did not mean that electricity was going to be any cheaper. I remember them saying they were not in the position to guarantee it would be cheaper but they felt that it would be, and it has proven that that will be the case. I think that we have an issue where, if they made promises now, or the department made promises now, which would come back to haunt them at a later date, that would equally be open to criticism. We have here a situation where things are moving forward, the department and the MEA working well together. I believe that nearly all the issues in the amendment will take place as an automatic

liaison between the department and the MEA, regardless of any motion before this Court, because the majority of it is good sense and good practice. Therefore I would urge the Court: support the motion, give it the green light. Tell the people of the Isle of Man that environmental improvements are on the way and that the opportunity for many of the failings in the past are capable of being rectified within a relatively short timescale. I commend the Court to support totally item 4 on the agenda, sir.

The President: Hon. member for Ayre.

Mr Quine: Thank you, Mr President. I am pleased to support the motion. I am delighted to see it and I am sure it represents what has appeared to me to have been a breath of fresh air within the MEA in more recent years - (**Mr Houghton:** Hear, hear.) - and I am delighted to see that. What I would like to do is to just really pick up where item 3 of the motion ends and, for at least a couple of minutes, just focus attention on one or two aspects that flow from that. Hon. members will see that item 3, of course, on the main part of the motion - we are speaking about the planning of means of access and possible spur to facilitate the transportation of gas to the Island from the proposed Scotland/Ireland gas line and so on, so we are talking about getting it to the Island. What I would like to ask the minister to consider is just to go beyond that and consider the aspect of distribution throughout the Island so as we can maximise the benefits from what this motion has to offer and what this project has to offer. I would like, perhaps, to invite him to do that by having regard to - well, in a way, I think, to items 5 and 6 that follow on from this particular motion. We are talking about IRIS; we are talking about laying pipes and many miles of sewerage pipes, and I would think that this is an opportunity for some consideration to see whether it is not practical in relation to the needs that we have for getting the gas around the Island, because, after all, what we have at the moment essentially based on Douglas or certainly the larger centres of population, to see whether we cannot latch on to what is happening and going to happen vis-[^]-vis IRIS to get a broader distribution of pipe gas around the Island, this natural gas around the Island, so the Island as a whole, or a larger part of the Island, can benefit from it, so I would ask the minister to think in those terms and, hopefully, we will maximise the benefit that the community can obtain from what is proposed and what I am sure would be a tremendous step forward. So that is the essence of the point that I would like to add on there.

As far as the motion is concerned, I mean, looking at the motion, I think the hon. mover has made it clear that he certainly does not envisage this holding anything up. He is talking about an exercise to run in parallel with what is in the substantive motion, and I do not see why the exercise that he is suggesting, the additional information that he is suggesting, which, as indeed is spelt out in the amendment - 'once the proposed gas power station is operational'. It is not suggesting that things be put on hold; it is suggesting that, in parallel, we should be working up other information. I cannot honestly see anything against that, but I am open to listen to what the minister has to say when he is summing up.

So I am very supportive of this motion but I would just ask the minister not to cut off his line of thought in terms of getting the supply to the Island, but let us at this point in time, bearing in mind we are working until the end of 2002 - we do not have a long time frame - concentrate on what we are going to do about Island distribution and also this question of who is going to distribute it. Are we going to have another monopoly? If we are going to have monopolies, let us have them controlled, but better still, let us not have monopolies. Thank you very much, sir.

The President: I call on the minister to reply.

Mr North: Thank you, Mr President, and first of all could I thank all those who have spoken including the mover of the amendment, because there have been some very good points made here this afternoon,

and I was quite looking forward to the debate. We have had some of the old chestnuts pulled out of the fire from various members and I will hopefully cover those.

As far as the DTI is concerned, if I could just say at this stage that the DTI is working extremely well as a team with the chairman, the board of the MEA, and I think this whole Court should be proud of the people who are on that board and the chief executive now who is not on the board, because I am delighted with the lateral thinking and the forward thinking, the positive thinking that is going on at the MEA, and it is going to, in my opinion. . . and I know they are working on this, and I know the aim is, as we have said in Keys before, to bring the price of electricity down to 25 per cent lower in real terms within three years. I believe the MEA will achieve that long before that. That is a major achievement and the next step, which is their aim, is to bring the cost of electricity down on the Isle of Man to the same level if not lower than the adjacent Island, and if they achieve that I hope every member in this Court will congratulate them. The work that they are doing is tremendous. They are thinking clearly, they are looking with vision and a lot of hon. members have already recognised that, and I really would like to thank all those.

Mr Delaney had some very good points and I thank him for congratulating the staff up there, which is part of the team. We have got some wonderful engineers at the MEA that we should be proud of.

Facilitating a gas supply - yes, that is a very pertinent question and, yes, there is a question as to whether it will be a monopoly or whatever. The point I would say at this stage is that the intention is to put a T-piece on that pipeline -

Mr Downie: Not another one!

Mr North: Not another one, yes. Well, thank goodness we did not go for the previous one, as the hon. member Mr Karran, mentioned for Onchan; if we had, we would have wasted, in my opinion, £5 million. We would have thrown away £5 million, because I certainly have got no intentions of paying for a T-piece on the new board gas air and pipe line that is coming through our territorial waters - no intentions whatsoever.

Mr Karran: You didn't have the first time round either.

Mr North: As far as the gas is concerned, there will be a T-piece on the pipeline and that gas will have to be processed, as I said before; it can be used for domestic supply. I also believe, and I think the policy that will be obviously worked on and brought to this Court is, that the Isle of Man Government should control that source of gas. (**Several Members:** Hear, hear.) Now, the details have to be worked out, but in my opinion, and hopefully with support of this hon. Court, that will be the policy that we will be promoting.

Mr Rimington came next, and he supports the gas and he questioned the usage and said, 'Over-capacity and capital investment.' Well, what he really forgot to mention to you, or perhaps - I know he has had it explained to him - but he has ignored in his figures the firm capacity. In other words, firm capacity in any country throughout the world - they take out what would happen with the loss of the biggest unit. So, as far as the Isle of Man is concerned, the cable has to be taken out first when you are looking at firm capacity. The cable has to be taken out, and with that you can work out that we are not talking about over-capacity, the difference between the 40 megawatt gas turbine, as was originally, and the combined cycle 75 - it has actually been worked out that it is more efficient and more financially lower to put in 75 megawatts, but it is three units, it is basically two gas turbines, and those two gas turbines fire a 25-megawatt steam turbine. Now, that has been looked at and the costs of that have been worked out, and it is cheaper.

I know, when we had the e-commerce debate, that some members were a little bit surprised at the hon. member for Rushen's comments on e-commerce, but let me just, for the record, make sure that everybody understands that at the moment the growth in the use of electricity for the internet is tremendous. It was running at, in the United States, 1 per cent just over two years ago; it is now 6 per cent and is forecast by the end of next year or the year after to be at 10 per cent, and it is growing dramatically here and is going to grow. There is one office building on this Island that has got massive provision for electricity within that building - massive when I talk about what is normally there. I would also say, without divulging anything confidential, that we know of a requirement within the manufacturing industry on the Island for another 10 megawatts of electricity. We have been asked, the MEA, to provide another 10 megawatts of electricity. We have had enquiries from London looking for 20 megawatts of electricity from consultants. They did not say what it was for, but one can imagine, because it is e-commerce and we have to make sure that we do have . . . And we are not rushing, hon. members.

Mr President, this is an attempt by the MEA to show which is the way forward and, as far as we are concerned - and I hope I have made it quite clear in my introduction - there is a window of opportunity. You have to order, for instance, the ship that will lay the gas pipeline, and that is long-term placement to obtain that ship. We must not, in my opinion, lose the opportunity, and if I could just cover the hon. member's amendment at this stage, yes, the piece that the hon. member for Ayre read out says - the hon. member obviously wants the gas turbine, but he has taken out 'authorises the Department of Industry to incur expenditure not exceeding £500,000 to enable the department to engage environmental, technical and specialist advice.' If you take that out the whole thing comes to a grinding halt -

Members: No, no, it does not.

A Member: Back to primary school!

Mr Cretney: What, not another primary school?

Mr Downie: Yes!

Mr Braidwood: It goes from after 3 to 4.

Mr Downie: Read it again.

Mr North: I will have to read it again, obviously, Mr President. Let me just carry on with the amendment. As far as I am concerned, yes, I can assure the hon. member that we will be looking at everything he has mentioned, including, we have already had Total Oil in to see us in the department on two occasions, and we will be looking at the effect on the economy. That will have to be done. I totally accept that. (*Interjections*) My apologies, I obviously did not have my glasses on. I was looking at the original amendment; I am being confused. My apologies.

Mr Cretney: Ah, this is the second amendment.

Mr North: So we can still spend the £500,000.

But I think, if we just come back to the basics of this motion, I would like to see hon. members reject that amendment because in my opinion I would like to see us give a vote of thanks, of confidence, to the MEA for what they are doing, and if you do not accept what they are doing and you want further investigation, which is going to have to be done anyway, I would like to see us giving them a categorical assurance that we support what they are doing and get on with it.

We, the MEA, are tasked with carrying out the policy of Tynwald. That is what was decided in 1998, and allowing the MEA to proceed on its own. We need to have a look at the overall image, yes, and, just going on to the others, just to cover, the reduction in energy, from the hon. member for Peel - yes, I totally agree with that. I think Mrs Hannan is absolutely right: the MEA have started to address that and certainly Manx Energy was formed with that in mind. It has not got off the ground as rapidly as I would have hoped because there has not been the support, partly from within government, for that, but they are turning it into Consumer Manx Energy within their shops and it is something that they are keen on, because, as the hon. member for Peel quite rightly says, we need to try and cut down on the excessive use of electricity.

Mr Quine - just to cover the point he made about distribution throughout the Isle of Man, yes, I again agree with him, because there are going to be all sorts of opportunities and I hope that the Water Authority will be looking at whether they can lay gas pipelines when they lay a new main. When the IRIS main is going down, there is no reason in some areas we should not have gas pipelines within that same trench -

A Member: Yes.

Mr North: - no reason at all, and I hope that we will be looking at that, but that does not stop what we are talking about today. This is the MEA getting on with it, and I just hope that you will support what they have proposed and what the motion proposes today, and I am afraid I would ask you to reject the amendment because it is not necessary. Thank you, Mr President.

The President: Hon. members, the motion before the Court is that printed at item 4 on the order paper. To that you have the amendment proposed by Mr Rimington and circulated to you on your white paper. Will those in favour of the amendment please say aye; against, no. The noes have it.

A division was called for and voting resulted as follows:

In the Keys -

For: Messrs Quine, Rimington, Brown, Houghton, Henderson, Cretney, Duggan, Downie, Mrs Hannan, Messrs Singer and Karran - 11

Against: Messrs Gilbey, Rodan, North, Sir Miles Walker, Mrs Crowe, Messrs Braidwood, Shimmin, Bell, Corkill, Cannell, Gelling and the Speaker - 12

The Speaker: Mr President, the amendment fails to carry in the House of Keys, 11 votes for and 12 votes against.

In the Council -

For: Messrs Lowey and Delaney - 2

Against: The Lord Bishop, Messrs Waft, Kniveton, Radcliffe, Mrs Christian and Mr Crowe - 6

The President: Hon. members, with 2 for and 6 against in the Council, the amendment fails to carry.

I then put the motion as printed on the order paper. Will those in favour of item 4 on your order paper 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, Rodan, North, Sir Miles Walker, Mrs Crowe, Messrs Rimington, Brown, Houghton, Henderson, Cretney, Duggan, Braidwood, Shimmin, Downie, Mrs Hannan, Messrs Singer, Bell, Karran, Corkill, Cannell, Gelling and the Speaker - 23

Against: None

The Speaker: Mr President, the motion was unanimous in the House of Keys, 23 votes in favour and none against.

In the Council -

For: The Lord Bishop, Messrs Lowey, Waft, Kniveton, Radcliffe, Mrs Christian, Messrs Delaney and Crowe - 8

Against: None

The President: Hon. members, with unanimity in the Council equally, **(Members: Hear, hear.)** the motion carries.

Hon. members, it would appear that at this particular time it seems an appropriate time in which we should adjourn for tea, and I am pleased to say that His Excellency and Mrs MacFadyen have agreed that they will stay and accept the invitation to join us. So I am happy for that and hon. members, can I also say that an invitation is extended to you to join the Legislative Council members in the Legislative Council chamber where there will be an unveiling of the photograph of my immediate predecessor. Thank you, hon. members. I invite the Clerk to take Mr and Mrs MacFadyen.

The Court adjourned at 4.12 p.m.

IRIS — Old Castletown Road Sewage Transmission Main — Expenditure Approved

The President: Now, hon. members, we continue with our order paper. We have reached item 5 and I call on the Minister for Transport, the hon. member for Castletown, Mr Brown.

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

That Tynwald authorises the Department of Transport to undertake works for the construction of the sewage transmission main along Old Castletown Road from the Nunnery gates to White Hoe, and for improvements to that length of highway, for a sum not exceeding £2,701,000.

Once again I am pleased to be able to seek approval from this hon. Court for yet another part of the IRIS master plan. On this occasion the works concerned are the transmission main from the Nunnery gates to White Hoe, together with associated highway improvements over the length of carriageway involving the Douglas inner link road.

The objective of these IRIS works is to pave the way for the ultimate connection of the existing completed Douglas and Onchan IRIS elements to the Meary Veg sewage treatment plant. The joint IRIS highway works are being promoted as a combined capital scheme, thereby providing best value for money and minimising the extent of disruption to the public. The joint works are to be progressed on the basis of those works being undertaken utilising the department's engineering works in-house resource, complemented by sub-contract works from the private sector.

The whole works were the subject of an extensive tendering process, this formula having been used successfully on the recent works involving the northern taxi way at Ronaldsway Airport, Braddan School road and the South Quay highway improvements. In order to demonstrate value for money, quantity

surveyors were employed to provide pre-contract quantity surveying services and to price the bill of quantities in competition against the department's engineering works. A tender report detailing the cost comparison has been produced which demonstrates the rates and prices quoted by the department's engineering works and satisfied that they are competitive with the market prices and represent value for money. The design team comprises the department's design services division, Ove Arup and Partners engineers, and Cameron Hall, chartered quantity surveyors.

The route of the IRIS transmission main was chosen following extensive feasibility work. From these studies it was concluded that the road route over the section of the work is the best option. The works are to be carried out in such a manner as to maintain access into and out of Douglas by means of a section of single lane traffic operated by controlled management systems to minimise disruption to the travelling public. Essential road closures will be restricted to 48-hour weekend periods.

As a consequence of the highway improvement works it is necessary to remove a number of trees. However, in accordance with the policy adopted by my department at the Braddan School road scheme, a tree planting scheme prepared by the Department of Agriculture, Fisheries and Forestry will be undertaken involving the planting of a substantial number of trees well in excess of the number removed.

Mr President, subject to Tynwald approval the works are programmed to start in January 2001 and to be completed by December 2001. I beg to move the motion standing in my name.

The President: I call upon the hon. member for Council, Mr Kniveton.

Mr Kniveton: Yes, Mr President, thank you. I rise to second this motion, sir. I am, within the department, member with responsibility for sewage and I am chairman of the IRIS client team. I have observed the effects of the strategy so far, from development of the initial planning stage to the completion of the holding tanks beneath Douglas promenade, and then elsewhere throughout the Island, whether it be the tanks in Ramsey, Port Erin, Castletown and now, of course, we start on Peel and very shortly going to Port St Mary. From day one, sir, I was always a supporter of the strategy and I am so more than ever today.

Mr President, make no mistake, we have made a lot of progress. Of course we have also spent a lot of money. We could not have progressed, sir, without the support of Treasury and, of course, of this hon. Court. I believe that, to put it bluntly, we cannot or, should I say, we must not stop or hinder the continued progress of the IRIS strategy, which has been, of course, the will of this hon. Court and confirmed on several occasions. I do not think any hon. member outside the department can fully appreciate the amount of energy and professional skills that have gone into the strategy to date.

I was going to say 'all that we are asking for', but I appreciate that it is another considerable amount of money, but as I said, as this hon. Court has already committed itself on a number of occasions, progress must continue. I believe we are now making great strides. We are getting nearer to completion, although that completion date is still some way off. I can assure hon. members from the west and north and from Laxey that they are very much considered in our developments. Everybody in the Isle of Man, barring those equipped with septic tanks, will be linked up to the IRIS scheme and thankfully no more raw sewage will be put into the sea.

Finally, Mr President, obviously I support the minister and the department and I ask and hope that all hon. members will unanimously support this motion.

The President: The hon. member, Douglas North, Mr Henderson.

Mr Henderson: Thank you, Mr President. In addressing the motion before us, unfortunately it is also inextricably linked with another motion and issues further down the order paper, so unfortunately I am going to have to touch in a broad sense on some of the knock-on effects that I believe that the motion before us will have, but I will try and stick with the substantive motion, Mr President, if I can. (*Interjection*)

Now then, in rising to speak to the motion I have to first put on record that I am happy to support the scheme laid before this Court. I have not got a problem with that, and I am on record and I have always supported any moves by the government of the day that stops raw sewage, basically, being pumped into the sea. (**Mr North:** Hear, hear.) This is an excellent scheme, it is in use in other areas, works and, as I say, I have no problem supporting it. That is fine, Mr President.

Now, I went to the briefing at the Tynwald Millennium Room and was quite impressed with what I saw. I am impressed with some of the answers given to me by the hon. minister's consultant. Now, one important factor in this, of course, is, as the minister has already outlined, the knock-on effect this will have with regard to traffic congestion and traffic problems. That is certainly a concern of mine, because I realise that this will indeed do that and I recognise the problems for motorists trying to get to work on time and trying to get home as well. It is going to be difficult with these works. I am appreciative of that, and what I would like to explore is the ways in which we are going to resolve that issue, because, as I say, the effect of this motion is to cause knock-on effects and I think they need to be discussed a little bit, anyway, while we are on this particular item.

The minister has mentioned that the affected area can be open in a one-way system, probably with traffic lights, and closed off at weekends. Now, that is very good, because it means that the works or rush-hour traffic can get through, presumably on 1A, presumably from the south into Douglas, and in the evening the rush-hour traffic from Douglas can get back to the south. Now then, there has been a further option explored by the department which everyone is well aware of and which is to examine the option of using another route as well. I have expressed considerable concerns about the other option, because to my mind - and I am still convinced - the other option is not entirely safe. I realise this is being assessed at the minute and it is being examined, but in the light of what the minister has said and what I learned at the briefing, i.e. that that the scheme can be undertaken without any problem with one-way traffic and that some of the road can stay open and handle the rush-hour traffic, I would like the minister to respond and give us some clarification that the one-way opening of this scheme at the Nunnery road will handle all the rush-hour traffic, as indicated by the consultants; if that is so, then we do not need to explore the other option about which I have expressed concerns before now, which is the use of the Marine Drive to a lesser or greater extent. To me, the use of that particular option seems to be ruled out now, because the consultants categorically have stated to me, under my questioning at the briefing, that there is no problem with doing the one-way system at the Nunnery; it will work fine. The problem that was illustrated was there is a nine-month or a 12-month option, the longer being the version where a piece of the road is left open, but if 12 weeks is what it takes to do it that way rather than using what I consider to be an unsafe option, then I think that would be the common-sense way to tackle the knock-on effect of traffic congestion issues.

What I am concerned about, though, is the fact that although the consultants have come back with what I see as a common-sense approach to solve a major problem, work has been progressed on the Marine Drive to an extent which worries me, and if the minister could confirm what his intention is now, considering the consultants have given the green light, as it were, to use the one-way system on the Nunnery road and they can progress this scheme no problem, I want to know what is going on on the Marine Drive, especially when it ostensibly should be classified as a national park area amongst other

things and why much of the habitat up there has been cut back and thrown on to National Trust land. Now, if it is going to progress in that fashion I am extremely worried, and what I want to know is that we have got a quality initiative here that I feel confident to support rather than slap-dash sort of work and assessments that are going on in other areas, and I have been monitoring this closely and I am also aware that the other option on the coastal route has been marked out. That being so, why are we being told that the Nunnery section, when work commences, can be opened on a one-way basis?

So those are my concerns, Mr President, and I would like the minister to clarify on how his department sees the way forward for the traffic management of the situation when the scheme gets underway, and certainly, if he can confirm for me that what the consultants explained is correct in that the scheme can progress without any problems with a one-way system in operation running parallel with it on that section of road? Those are my concerns. If the minister can answer those positively, then I will feel quite confident that we can support this motion, because it is the way forward for this Island and it is good for conservation, which is close to my heart, as everyone knows. So I would be grateful for the ministers comments and observations on his winding up, Mr President. Thank you.

The President: The hon. member for Douglas South, Mr Duggan.

Mr Duggan: Thank you, Mr President. Could I just ask the minister, how many vehicles will be using this road each working day? It will be quiet at weekends, no doubt. Does the contract allow for overtime, especially seven days a week, hopefully, so the sooner they get this work done I feel the better, because it will create congestion in other avenues going into Douglas.

The President: The hon. member for Rushen, Sir Miles.

Sir Miles Walker: Yes, thank you, Mr President. I rise to support the resolution and to state very clearly that I support the policy of the department as far as sewage disposal is concerned and applaud the efforts of the department in phasing this massive project in the way they have done, and we can almost see the end in sight, although I know it is some way away yet, but I do think that these resolutions take us quite a long way towards the conclusion of the total development. But I would like, contrary to the member who has just resumed his seat, to encourage the minister to see if he can find an alternative route into Douglas for those people travelling in from the south. I agree with the hon. member, who has stated that it was a useful presentation by the officers of the department, and I was encouraged by their thoughts that the road could remain open, if not all the time certainly the majority of the time under the traffic light system, but traffic lights cause delay, and even without traffic lights the traffic can back up as far as the White Hoe and way back towards Port Soderick, even today.

I think it would be very useful if the Marine Drive could be open, albeit under a one-way system in and out at appropriate times of the day. I would encourage that and I think it would also be a useful test for the future, because I believe that some organised opening of the Marine Drive, albeit of a one-way nature, on a permanent basis is something that would be welcomed by a large majority of our population, and I have to say, minister, that I would be one of those.

The President: The hon. member for Douglas East, Mr Braidwood.

Mr Braidwood: Thank you, Mr President. I rise to support the motion. I am glad that the Department of Transport have brought it forward and it has been given concurrence in the capital programme to be brought forward, because I believe the people of the Isle of Man have seen the storage tanks in Douglas commenced in 1995 and all the different tanks around the Island, but what they want to see eventually and

as quickly as possible is the treatment plant so that the effluent will be treated after preliminary screening, primary and secondary treatment, and dispersed.

My concern, also when I went to the presentation - and I thank the minister for the presentation - was the road closure. I know now they are leaving part open, but I asked, if it was possible at all, from the Nunnery gates to the White Hoe, to run through the Nunnery grounds, which was in government ownership, by just over the wall, which would have caused less congestion. Their advice, given that by the time they had to keep trucks, if they wanted to go on eventually, if there was a problem, because of ground conditions, it was not worth it and that at the same time, while they were reconstructing the road, it was the realignment as well to come out some of the bends to give a better view. So I could go along with that, Mr President.

I also can see the Marine Drive being used. I remember years ago I used the Marine Drive on many occasions myself -

Members: Oh! (*Laughter*)

A Member: What for?

Mr Braidwood: - just to go for a drink at the Port Soderick Hotel - (*Laughter and interjections*) and the last time I was over was in a rally car and that was quite an experience, and I do believe that the Department of Transport will look at this very carefully and I am sure that, with the careful drivers in the Isle of Man, they will be able to negotiate Devil's Leap and Horseshoe Leap or whatever. So, Mr President, I have no problem at all in supporting the motion standing in the name of the Department of Transport.

The President: The hon. member for Onchan, Mr Karran.

Mr Karran: Vainstyr Loayreyder, I will not be supporting the motion before us today. I sympathise with the point as far as the Old Castletown Road is concerned, and that would be a reasonable reason for supporting the motion if only that it is being used as the Trojan horse on the fact that what we have here in front of us today is IRIS, which has been a moving feast which has moved, changed, adapted out of all recognition, and the only reason we are seeing this in front of us today is because the previous insanity of putting it down the railway track proved impossible. I feel today is a sad day for our children and our great-grandchildren, because they will be paying the horrendous costs of this ultimate of follies which the previous administration started and this administration has decided to carry on.

The only thing I would like to say as far as the proposal is - and I am sure it has been taken into account - the fact of some sort of void being put in any new road surface or in the pavement surface for new technology, and I am sure that the minister has already got that in hand, and that will make sure that we do not see this lovely new road having to be dug up shortly after it has been made.

I know that it will not be popular, but I will not be voting for this proposal. I think that we are getting this for the wrong reasons. What disappoints me is, like in the previous debate when we were talking about T-junctions and we heard people talk about £5 million, what they did not tell you, that was after certain people had forgotten to put the thing in in the first place and it was £75,000 that was originally offered as far as a T-junction was concerned, but then the difference is with some in this hon. Court we have certain standards because we do not want to win at any cost.

I say today that members in this hon. Court should be voting against this proposal and the next proposal. It will lead to one of the biggest disasters that we will ever see as far as the taxpayers of the Isle of Man are concerned, and it will be one legacy. If anything does happen to our economy we will not be

able to afford the pumps to use the system. This government seems to be divorced of any reality as far as this is concerned, like many other social and other issues. Eaghtyrane, I shall be voting against.

The President: Hon. member, Mr Cannell.

Mr Cannell: Thank you, Mr President. It is probably not a bad move, and I am sure the hon. mover of the resolution is chuckling away to himself that he is having £2,701,000 for a scheme and all we are talking about is how the traffic can get round while a few traffic lights are out! I must remember it if ever I am in a similar position. But nevertheless it is important because it is such a vital link, and this Island shortly is going to have to come to terms with coping with traffic coming into Douglas and leaving Douglas in a different fashion to what it is doing now. It is not going to be good enough any more to have two-way traffic. It is going to have to be one-way traffic in in the morning and the same the other way at night.

Now, this is an example of where this probably is the department's intention: to stop cars or any other vehicles during the rush hour from leaving the stone bridge, as I call it, and heading out through the Nunnery out to the White Hoe. Let us hope so anyway. But it does not and should not reflect any integrity on the department for what I have heard of doubts being cast on the fact that the department might allow vehicles to run along a road patently unsafe. I just cannot condone anyone even contemplating that a responsible government department would say, 'Oh, well, we'll chance it, lads. It is a bit dodgy on the inside. We'll put a rope up and it will be all right and we'll put a net at the bottom in case they don't make it.' (*Laughter and interjections*) The Marine Drive is about two miles long. I know that because I have been along it many times in various cars.

Mr Delaney: Two-and-a-half, it is.

Mr Cannell: Okay. It is difficult to reach from the Douglas end because the gas works hill is a tricky place despite the cobbles having gone some long time ago, but nevertheless it was a road that was built by a number of people at Manx Government's expense in the 1950s on a winter works scheme, and a tremendous amount of work went into that (**A Member:** Hear, hear.) because the government at that time were not building a Marine Drive, they were re-opening it. It had not been used since before the war, I think, from where the tramway used it -

Mr Henderson: That is right.

Mr Cannell: - but it was still a road, albeit it with very few cars. So it was rebuilt. I think, from memory, the cost was £50,000 for the scheme, and a wonderful job it was too. Later it was resurfaced, 'blaw-knocked' as we knew it then, and except for some very small problematic areas it remains a very fine, scenic - what it says - Marine Drive, and I was intrigued to see an old postcard printed in the paper the other day which referred to the part of the Isle of Man leading from Derby Castle to Groudle being referred to as the Marine Drive. So presumably it all coupled up there along the promenade.

Now, if we are going to do this we have the chance to kill two birds with one stone. I think the department is intending maybe just to use the Marine Drive not much different to the form it is in now, with one-way traffic in and out again at night one-way in the opposite direction, but that is no reason, why although I appreciate that the hon. minister has done a complete U-turn here, because I have been hammering at reopening the Marine Drive for years and only now when it is expedient for the department has it suddenly become not a bad idea, (*Interjections*) but at the end of the day there is absolutely no reason why the Marine Drive cannot be reopened in its proper form. It is a disgrace at the moment. It is a dog's toilet up there, and anybody who would consider going up there for a walk needs to make sure that they know that that is the situation, but the majority of the road is in satisfactory condition, it is well drained,

it is still providing an excellent view but, most of all, it doubles up as the possibility of giving a second link road into and out of Douglas. So why not go for it? We talk about the fact that there might be a hole on the inside of it and there might be a few rocks dropping down, and I am always amused by the sign that says there to motorists driving along that rocks might fall on their head. I do not actually know what they are supposed to do about it if they do, but the department have exercised their responsibility and said 'We told you so' when a one-ton boulder manages to dislodge. *(Laughter)*

Mr President, this problem with the Marine Drive is just chicken-feed, really. It could be made into a proper, functioning road for two-way traffic for a reasonable cost. **(A Member: Hear, hear.)** Places you go on holiday when you drive along these mountain passes suffer from this kind of thing all the time. They do not suddenly say about the main road through the Alps because the road dropped away a bit or a few rocks fell down, 'Okay, boys, we'll just shut that altogether now and waste all that money'; they fix the thing. They put netting up on the rocks now and that prevents any further rocks -

Mr Houghton: Suggest that to the DoT!

Mr Cannell: It is a relatively inexpensive thing to do. And if, indeed, the road has collapsed on the seaside, as it has - I accept that - and it is dodgy if you go up there now with only a very small fence to guard it, why not just blast the rocks out on the inside? That is exactly what happened when the Marine Drive was reopened, because they had to do that because the original way across Wallberry and the Horseleap Pass was a road on stilts, and in fact you can go up there and still see the portions of the concrete bases which were used for the first ones, which were wooden, and the second ones, which were steel. It would be a piece of cake; the Japs would do it in a weekend. *(Laughter and interjections)*

Mr Delaney: Don't mention the war!

Mr Cannell: Sorry, Mr President, but it is absolutely ludicrous to think that all that money and all that devotion and all that time was all spent on that road and, because there has been a little bit of a hole in it for a while, the thing has been shut for 20 years and we are talking now of writing the whole job off. Now, if it was a back lane or if it was in the hon. Mr Speaker's famous Little London with a road 5 ft wide and no water to be seen for miles, *(Laughter)* maybe, but this is a very valuable route which can serve two purposes: it can restore the pride of the nation in giving back the Marine Drive and giving a link to Port Soderick and it can also bring back a very valuable route for the traffic from the south here.

The President: Hon. member, I would appreciate it if you would come back to the motion, please.

Mr Cannell: I was just going to sum up there, Mr President. Two million pounds for the IRIS scheme. Okay, we know the IRIS scheme is going to cost a fortune. Is someone going to stand up other than my hon. colleague from Onchan here and say 'We shall not bother, having spent all that money'? **(Mr Delaney: Hear, hear.)** It is no use arguing now. The principle of IRIS was established years ago. You are not just going to walk away from it and, even if you did and even if you were bringing the IRIS scheme for its principal acceptance now, I am sure that it very shortly, if not now, is going to be illegal to discharge raw sewage into the sea **(Mr Gilbey: Hear, hear.)** and in any case, even if it was not, do we want to do it? And the answer is, very firmly, no.

The President: Hon. member for Garff, Mr Rodan.

Mr Rodan: Thank you, Mr President. I shall be supporting my ministerial colleague this afternoon **(Mr North: Hear, hear.)** but I think it would be remiss of me -

Mr Delaney: Hang on to your job!

Mr Rodan: - not to pass comment on behalf of my constituents in Laxey and Lonan and Maughold for the reason, really, that I am brought to my feet because of the remarks of the hon. seconder, Mr Kniveton, who commented that this resolution before us today somehow was going to be in the interests of Laxey. He said this would benefit Laxey.

Now, before I get onto asking the minister just how quickly, how soon, it will do that, if I could make, perhaps, a general point - and I do so because the minister is well aware that I have been a supporter of marine treatment and extended outfalls as a more appropriate means of sewage treatment for an Island in the middle of the Irish Sea with a high tidal range and weather conditions to replicate at sea the sort of treatment that we are proposing to do rather expensively in one location on land but, notwithstanding all that, I shall be supporting the motion - the first point I would like to make is that passing this resolution and the next one today, phase 1 of the transmission from Douglas to Santon and phase 1 of the associated works for the sewage treatment plant at Meary Veg, it is only from today that IRIS proper is actually starting, because what we have had up to now has been the essential renewal of the infrastructure for Douglas and Onchan. That is what has been happening up to now. This is a momentous day for the department (**Mr North:** Hear, hear.) because it is from today IRIS and the all-Island sewage treatment proposal actually gets under way with these particular works.

Now, my concern of course, and the minister knows this and his department know, is that in my constituency we have two short sea outfalls at Garwick and at Laxey. The one at Laxey is served by a holding tank that has not operated for many years as such and short outfalls that put in fact raw sewage onto the beach and this is a fact and we are not unique in this. However, from all the proposals that I have seen and discussions I have had it is a fact, and I would like the minister just to confirm, that the actual treatment proposals for my constituency will be on the last leg of the Island's scheme and could I ask the minister for an indication of how many years in fact I shall have to wait and my constituents will have to wait? Is it 10? Is it 15? When is it to be? Will it ever happen? The seconder, the hon. Mr Kniveton for the department, clearly said that this was going to be of benefit to Laxey and I would like to know, how quickly?

I believe that if the department wants to do something that will address our immediate problems, then it should be looking at a stand-alone treatment plant for that area, (**Mr Karran:** Hear, hear.) an extension of the outfall if necessary, but a stand-alone treatment plant, a principle which the department has of late taken on board in order to expedite development that would otherwise have to wait an unacceptably long time for connection to IRIS. These are residential developments in the south of the Island, for example, to my knowledge. I can remind the minister that residential development proposed for Lonan and Laxey will not take place because of the major constraint of the inadequate sewage infrastructure and drainage. This is a major constraint on government fulfilling any ambitions it may claim to have for housing in the area and I am sure the same is true of other parts of the Island. Will the minister give further consideration of his department to a stand-alone plant, without which it will be many years before the beaches of Garwick and Laxey are at the acceptable standard for which the IRIS all-Island treatment system is designed to cater.

I am not interested really in widening a debate on the merits of marine treatment and I know standards are changing all the time, but in this case, given that this is a part of the Island which is not going to benefit from IRIS or this work that we are approving this afternoon for many years, could he please undertake to look at that. Thank you, sir.

The President: Hon. member for Middle, Mr North.

Mr North: Mr President, two points I cannot let go by and one is I would first of all like to ask the minister to make sure in my constituency, which is Marine Drive, that the people at Oakhill and Port Soderick are catered for properly if and when this goes ahead because it has been up to now a very peaceful area. I have to say I am in favour of the Marine Drive opening and in fact, as the minister knows from previous life as five years as Minister for Transport, it certainly was in the budget every year, but unfortunately it was not one of the priorities. Now they can use another excuse to open half of it, which I think actually will be helpful, but I really stress: please, it is a very peaceful area there and the constituents in that area deserve every consideration because it is going to be a bane on their lives for quite some time, very much so in fact.

Now, the second point that I would like to bring up is because of the hon. member for Onchan, my friend Mr Karran. Well the number of times, hon. members, that you have heard in this hon. Court him referring to the cost, the millions that it is going to cost for pumping to Meary Veg. Now, from memory - and I repeated this when I was minister and I will repeat it again because he should not be allowed to get away with it - the costings were, for electricity for pumping from Douglas to Meary Veg, four years ago £360,000. Since then there has been an overnight reduction in tariff of 40 per cent and I would expect the department to utilise that tariff overnight for their pumping, and as far as the policy, I just cannot understand people still thinking that we could have possibly put through into the sea primary treatment only. The whole of the UK has now realised that, and I lived with this; my wife used to call this 'that other woman, IRIS'. For five years I lived with this

Mr Delaney: No comment.

Mr Cannell: I hope she smelt better! *(Mr Karran interjecting)* hope she had good perfume!

Mr North: Mr President, really I certainly sympathise with the hon. member for Garff because they are, metaphorically speaking, at the end of the line and they would be the last to be treated and I think they should be looked at sympathetically.

But I wish the department well with this one. I certainly hope it will be expedited as quickly and as efficiently as possible. I would have liked to see it go down the railway line. That is what was my favour, but the experts, the consultants, found that that was not possible. I think it would have had dual advantages, but, anyway, I wish them luck with this and I look forward to the treatment plant coming to this hon. Court to expedite that as soon as possible.

The President: Hon. member for Council, Mr Delaney.

Mr Delaney: I admit to being the thickest member of this hon. Court and I also admit to being the leader of the opposition on IRIS mark 1, and I believe we are now down to IRIS mark 3 or 4 - I am losing track, it is irrelevant - because we had already taken the decision to do IRIS in the latest form. We spent £14 million on Douglas promenade, we have spent endless millions going through. You cannot stop halfway along and say we are not going to put this transmission main in, so anyone who is going to vote against it will be wasting millions, and I have got more reason than anybody to vote against it if that would do any good, but it will not because we have taken that decision. I stood over in that corner where Sir Miles is stood there and argued myself black and blue when we went to put IRIS up in the River Neb. That is what we voted for originally, that is how we got here, because everything was going to go up the River Neb and come down the river, and I stood over there and fought to a standstill.

Mrs Crowe: No.

Mrs Hannan: No.

Mr Delaney: You were not hear, madam, when that debate took place -

Mrs Crowe: The Dhoo.

Mr Delaney: - and I can tell you it is in *Hansard* and the situation is now we are in a situation where we have gone forward, spent millions upon millions upon millions and now we are talking to the minister about maybe or should we or shouldn't we. We have to go ahead if we are to have any policy at all on the system of getting rid of the nasties of life. So therefore do not even talk about stopping it halfway.

But what we should do is be reasonable when we come to the past minister who this afternoon - this worries me - is talking about the railway line. The present minister, myself, my minister and anyone else concerned had all these experts - more experts - look at the possibility of this and it was a matter of a decision of the government, in which I include the rest of the ministers, decided not to do it, so do not raise that red herring running again because we went through it all. It was not a viable proposition.

Mr North: Correct.

Mr Delaney: So therefore let us not talk about it. We have to go down this road and this road is exactly what I am talking about.

The part in here dealing with the reorganisation of the road surface - when you are putting a transmission main of this capacity down a narrow road you are going to have to resurface it. You are not going to leave the trenches. You are going to have to resurface it. That is a fact and I hope members support this and the minister is getting on with this job which probably will not be done, and I had to laugh at the hon. minister member for Garff - 10 years. I wish you luck, I honestly wish you luck. I reckon if you live to be 110 you might see the completion of it, but it has got to be done at some time for the next generation and generations to come, so we should fully support this.

But I would like to ask the minister when we get into this and, remember, if you read it, it is from The Nunnery gates to the Whitehoe. The Chief Minister knows that area very well and I spoke to him many times when he was working out there. It is virtually a stone's throw and it is costing us £2 million for that piece. That is before we get to the fork in the road and start going towards the Meary Veg situation.

On top of that we are talking about whether or not we should open the coast road which I knew very well as a lad. I ran the three and a half miles to Port Soderick more times than I wish to remember. I wish I could do it today.

Mr Quine: With a policeman after him. *(Laughter)*

Mr Delaney: Well, I am only glad it was not you, sir, when you were Deputy Chief Constable. *(Laughter)*

Mr Brown: He'd have shot you! *(Laughter)*

Mr Delaney: Because if I had been caught I would have been hung, I am sure.

Mr Duggan: For the rabbits!

A Member: There is still time.

Mr Delaney: The situation is you have got a rock formation out there which is just prone to collapse and whatever you spend, as they found in the '50s on that dreadful winter works scheme that the hon.

member Mr Cannell mentioned, which had to be done to give men work in the worst conditions possible out there, and I can remember well bringing snacks, the packed lunches up to people I knew who were working up there, and that was part of the pocket money situation, the fact of it is that even if we spent huge amounts of money on there you would still have that shingle-type rock falling (**Mr Henderson:** Hear, hear.) and before we get to that stage I would like some assurance to the people in the future that they will not be back in this Court saying, 'Oh, we should reopen it,' in 50 years' time, 'We should reopen the Marine Drive,' because that is all that has happened and Mr Cannell is quite correct: we have been back several times to this Court, my predecessors and your predecessors, and talked about the money that they then spent on the Marine Drive.

I believe it should be used where possible. I believe it is the natural thing for nature, it lends itself to nature, it is an ideal place for nature, and if somebody can get a restriction on how people exercise their dogs up there we may be going somewhere.

But I think to vote against this today you might as well write off IRIS completely. I am sorry to tell the member for Onchan it would be easy in my nature, having opposed the original scheme, as you will well remember, sir, because you were here, but the situation is that Tynwald voted for it, they have got on with it, they have spent millions and millions of taxpayer's money. We have got to do this. We are in a Catch 22 situation virtually. Let us get on with the job, let us see it as quickly as possible to a completion, so that we can actually look back and say, 'we achieved something.' But forget about going up railway lines which is a virtual impossibility.

The President: Hon. member, Mr Shimmin.

Mr Shimmin: Thank you, Mr President, just a few observations, mainly stung to get to my feet from, like the previous speaker, the comments from the hon. member for Onchan, Mr Karran. Many of us suffered listening on the radio the other day and I think we have got many, many months of this to come. It is rhetoric for the sake of it. As the member responsible for Health, if he was to turn around and have all of those opponents of the Ballamona site on the radio again he criticised on Sunday, if he had all of those who are opposed to the Ballamona Hospital constantly whingeing on about it he would be the first to complain and say, 'Let's get on and do it.' (**Several Members:** Hear, hear.) The same applies as the previous speaker has just mentioned, the member for Council, stop trying to flog the dead horse. If you have lost it, get onto the next issue. You have got enough of them, Mr Karran, get onto another one.

You then have the other member for Onchan, Mr Cannell, referring to, as the member for South Douglas on the Marine Drive. We have had this ad nauseam in the last month from the minister to say if it is safe, it will be considered, if it is not, it will not. We have had for 20 years the debate on the Marine Drive. That means that there has probably been some 40 or 50 politicians going through the department who for a variety of reasons and pressure from hon. members will have looked at it to see if it is viable. Now, in my short time here the Department of Transport is not shy when it comes to spending taxpayer's money. They are not shy at trying to exaggerate - no, not exaggerate, I apologise - to make clear the problems of access into Douglas. If it was easy, if it could be done, they would be the first ones to be progressing it. Why haven't the politicians and the professionals accelerated the use of the Marine Drive? Because it is not as easy as we can stand here saying it is going to be. (**Mr Delaney:** Hear, hear.) You have got an awful lot of expertise and political will over the years trying to say the Marine Drive would be a useful addition to access into Douglas. They are looking at it now. The economy of the Island means that maybe what was not affordable previously now may be. Let the officers and the department get on and do their job.

I then listened to my hon. minister, member for Middle, turning around and requesting every consideration for his constituents in that area. Now, we can all do it, but if we all did that -

Mr Delaney: All six of them.

Mr Shimmin: - regarding every Department of Transport scheme which adversely affects our constituents, then the people in Douglas would be complaining every day of the week because whatever happens it is the areas of Douglas, residential areas, that constantly get the hammer of any of these changed road systems. So, yes if they get affected this time, tough: it is their turn. If the department can open up the Marine Drive, okay, that will be to the benefit of the majority of people and some will suffer; it always happens.

The main and only reason for standing in support of this motion is to add my name to those, to the department, when you are doing this work, please seriously consider one way in one way out. We have suffered the example of Quarter Bridge whereby there were so many wasted man-hours and frustrations because we did not turn the tap on one way in the morning and off in the evening. That is the only thing that can try and mitigate against the disruption this is going to cause. Obviously, like the previous speaker, it has got to go ahead. I welcome it, I support it. If it takes a bit longer but we can have traffic going in in the morning, out in the evening, that will be the best mitigation the department can do and I would urge them to consider that when they look at the mechanisms. Thank you.

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

Mr Singer: Thank you, Mr President. In this modern day and it is the year 2000 we cannot tolerate any longer the present situation of raw waste being deposited into the sea. It is previous inaction perhaps by previous governments that has made the public health rather a disgrace as far as the raw sewage that is going into the sea, but the DoT are doing something about it. It is a big job and it is a slow job but they are doing something about it and we should be pleased they are doing something about it, not just carping on this particular item and this is to the advantage of everyone eventually on this Island.

Now, I know somebody has to be on the last leg and I know that as far as Laxey is concerned, as far as Ramsey is concerned we are towards the end, but that is no reason to object to it. If you come along to Ramsey and you go for a walk on the Mooragh beach it is horrendous, the raw and offensive sewage there. You cannot take your dog for a walk. But what I do know is that if nothing is done, if this hon. Court votes against this, then nothing is going to be done at any time.

If you do not make this connection to Meary Veg, if that is not completed, if the treatment works are not completed, then there is no chance anywhere in the Island, and certainly not in the north, of getting clean beaches where perhaps in a few years' time the children might be able to go swimming in the sea and you are not worried when they come out that they are going to come out with some kind of disease. So it is important.

The member who has just left, the member for Douglas West, made it quite clear and he was quite right in every aspect of his speech and what he said. Of course we have got to do something. As I say, some of us will be at the end, and one thing I would ask the hon. minister is has he got any information he could give on the provisional timescale for other areas of the Island when they might anticipate IRIS coming into effect? And I do hope that his answer is more optimistic than that from the hon. member for Council, Mr Delaney, who thought the minister might be 110 by the time it happened.

The President: Hon. member for Peel, Mrs Hannan.

Mrs Hannan: Thank you, Eaghtyrane. I support this but I rise just to make a few points because I think members are really under the impression that some of the issues which they have raised have not been considered or are not being considered and I want to make it quite clear that there are a number of issues, that the Department of Transport is working with other people very closely, especially the police with regard to traffic movements and sorting out the traffic both obviously in and out, and it is not just in and out, it is also round Douglas as well and so we are working very closely with the police on that. That is one of the areas where I am quite concerned about the Chief Constable who said there was only one area where people were working closely together and I feel that we are working very closely with the police on traffic matters and especially on this particular issue where we have had a meeting with the Chief Constable to try to get this traffic movement and it is very clear that it will impinge on Douglas, it will mean clearways it will mean people not parking on yellow lines and pavements, especially during the rush hour.

Another issue I think is while we do get held up in various areas traffic movements, we do not have a serious traffic problem, so I think we all have to get these things into perspective.

Mr Cannell: You go to Governor's Bridge in the morning.

Mrs Hannan: It is all very well to say, 'I've got to get in my car and I've got to move and I've got to get there within 10 minutes' or whatever. But if you look at other areas in the British Isles where there are traffic problems we do not have a traffic problem. It does not mean that we are not dealing with and trying to keep traffic moving and it is for that reason that we looked at the Marine Drive and we are continuing to look at the Marine Drive, as the minister has quite clearly spelt out in questions both written and oral. Nets over rocks - obviously that would be something that would happen, but certainly we would not start blasting out rocks. That is a ridiculous suggestion for the simple reason that once you start blasting that sort of shale material it will just go and go and go and so that would be absolutely ridiculous.

Mr Cannell: How did they make it to start with then?

Mrs Hannan: It is a very sensitive area up there, it has been designated as an area of great natural value over very many years. That does not mean that it has not had a road through it during that time, but it is a sensitive area and I think the Department of Transport would only consider opening this as an extreme last resort.

But it is the policy to try and keep traffic moving. We would have closed The Nunnery to the Whitehoe and we would have got the work done in nine months, but it would have caused extra problems which would have had a knock-on effect in various areas and so the department has reconsidered and looked at it and has decided that with 12 months of weekend closing we could do it and I hope that is the case. It means working together with the road and with the sewer, so it is to a very delicate timetable.

There are just another number of other comments I would like to make about it because I am concerned that the member for Council stated that the River Neb was once going to be used. The River Neb was never going to be used and I was here during that time. This all stemmed from a committee which I sat on with Transport, with the Department of the Environment and I was on Agriculture on the fisheries side at that particular time and IRIS was going to be in the central valley, it was going to be the River Dhoo, but one flows one way and one flows t'other and it was never the Neb. The IRIS name has remained for the simple reason that it is going to be treatment on land.

Now, while we have said we want it in this area, we want it in that area, someone has got to be last in this and in areas of the British Isles where they have had outfalls and stand-alone treatment plants they have had to eventually because they are being forced - not like us: we can choose because we are not

part of the European Union - to do a rethink after spending millions, hundreds of millions of pounds, to have long outfalls and they are having now to rethink on land treatment and instead of putting all our effort into long outfalls we are putting it into IRIS, and it has always been spelt out that it will be done in phases as and when we can afford to do it.

There are a number of issues when we have been developing this area and one of the areas I must spell out very clearly is the trees. The minister has mentioned trees. We lose 61 trees, some mature. We are going to plant 600 trees, native trees, bushes and some large standard trees in this area, so for every tree that goes we will be planting 10 more. The department is committed to that and if any do not survive in the area they will be replanted and we have worked very closely with the Department of Agriculture Fisheries and Forestry on that one, so I want to make that very clear. It does make changes in the road but we have taken that issue very, very seriously and we are planting that up.

The other issue I would also like to make clear before I sit down - and this is finally, Eaghtyrane - is the member for Onchan suggested that railway lines should be used, moved onto the roads. I think this comes within feasibility studies of what we can actually do and that is why we are in the road on this section. We have used the railway line from Union Mills to the Quarter Bridge, so we are adaptable. But just like the member for Onchan who looks after the Water Authority for us, we are pumping sewage around and he is pumping water around and I do not see an awful lot of difference to get it to some of these places. (*Mr Karran interjecting*) They are up mountains, down mountains and all over the place, so in a similar way we are following on from what they have been doing. Thank you, Eaghtyrane. (**Members:** Hear, hear.)

The President: Hon. member for Council, Mr Lowey.

Mr Lowey: Yes, Mr President, I will be brief because I think *the resolution*, a lot of the debate has drifted really to Marine Drive and it is not on the order paper. However, keeping strictly to what is on the order paper, I want to tell the minister I will be supporting the resolution today for the reason it is part of what I would call establishing the ring road for Douglas. We all know we have done it, we have done part of the Cooil Road and we have done it in sections, maybe not always in sequence but as they have come up we have done it and it does seem sensible to me when we are doing the road, get the pipe in because that is the decision, simple and as basic as that.

But there is a complication here even for me and why I have been very seriously concerned is because you know my love affair with trees. I have to say, and I will confess it in open Court, that I have been handbagged into submission by the hon. member for Peel and if I have to be handbagged by anyone, then it is the hon. member for Peel for me. But I would make a plea even at this late stage. She says 61 mature trees will go, but I would ask her even now if there is any possibility of saving some of the more mature trees. That may be a little bit optimistic but even now I would leave her with these final words, 'Woodman' - well, she will forgive the gender anyway, I am sure she will -

Mrs Hannan: No, I won't!

Mr Lowey: - 'Woodman, woodman, spare that tree', because although she claims there will be 600 trees planted and I appreciate that, I do believe that is long term but interim there will be a gap.

But seriously, the roadway is required for road purposes and on that ground alone it must be supported and it is sensible having regard for the positive thing that we have done about treating our sewage. That is well on the road now, it is going to take place, it is going where it is going and therefore it is churlish. Get on with the job.

The one-way system-fine. I know that is traffic management, I leave that to the department, but, please, try and save a few more trees.

The President: Hon. member for Council, Mr Waft.

Mr Waft: Thank you, Mr Waft. I was just a little bit concerned about the director of highways. If he is going to take advice from all the members who have given him advice on highway engineering work, he is going to find himself going round in circles. So I think we have got to place a little bit more faith in the engineers that are concerned with highways.

I lived in Ellenbrook estate for many, many years, walked that road two or three times a day and I can tell you that when those trees come down, they come down with a bang. Especially in the middle of the night when it is raining, they take the wall down with them as well, and it takes a considerable period of time to get that cleared away and a new piece of wall put back.

If the department are going to continue with the good work that they have done in Leigh Terrace all the way up to the White Hoe I say, good speed to them, they have done an excellent job down there and I hope they will continue to do so. Thank you very much, Mr President.

The President: I invite the minister to reply.

Mr Brown: Thank you, Mr President, and I thank hon. members for what clearly is, by the vast majority, their support for what is really a major, major investment by the Isle of Man Government on behalf of its people to, in the longer term, improve public health on the Island and to improve our environment, and I think that we have all, over the last few years when we have discussed this issue, been of the view that in fact that is paramount in our thoughts, as well as renewing our sewer system for the Isle of Man, a Victorian system that has served us well, a system that was so well built nobody invested in it virtually from the day it was put in to now at the end of its life, and even today because of new technology my department, in conjunction with the drainage authorities, have undertaken throughout the whole Island a substantial investment in ensuring that that system can be relined and will last for many, many more decades to come, thereby saving us a considerable amount of sums and, very importantly, ensuring that we are not causing problems in terms of leaks and pollution where people live.

It is an important issue and it is quite interesting, I thought, that the main issue has centred around Marine Drive from a number of members as against the actual scheme itself, but I would like to answer the points that are being made by members and where possible I will answer where I can some of the other points that were raised, although, to be honest, I am not sure there is an honest answer I can give in terms of giving a definitive date.

I would thank those members who have provided support and if I can start at the back, the last member to speak, and go forward, just to make the point that as far as tree loss is concerned, and I think the hon. member knows my views on this, I am very pro the retention of trees where we can do that. There is a contradiction between trees and highway safety and that also has to be important because somebody along a road where a tree is very precariously balanced on what is really a very shallow soil area, such as on the Old Castletown Road, if that tree is blown over it can quite literally happen in seconds and a person driving does not have much chance.

What I can say to the hon. member is that, like the Braddan School road scheme, myself and my political colleagues put the officers of my department under considerable scrutiny and pressure to minimise the loss of trees, and I have to say that because of that and adjustments to the scheme, as we

did with Braddan School road, in fact the loss of trees is not as great as was originally envisaged and certainly one important area which we were concerned about is in fact now not going to be touched.

So a lot of work goes into that and we do put a lot of pressure on because myself and my colleagues reflect, I think, most of the views in the Court which is tree loss should be kept to a minimum, and as my hon. colleague for Peel, Mrs Hannan has said, the member of my department, for every tree that is lost we are planting 10 new ones, and I accept the hon. member says, Mr Lowey, that 'Well, that is the future', but I would also make the point that unless we plant now, then in 50 to 60 years' time there will be no future for trees, we will have only had the old ones which then will be dying off and nothing to replace them. So the whole balance of our ecology in trees is an important issue to us and certainly my department is committed to do that where appropriate, and as the scheme goes on, if there are trees that can be saved because when they get in to do the groundworks then, yes, that will happen, unfortunately there may be trees they have to remove they did not expect to remove, so again it is all a balance to do it right. In the longer term hopefully the Island will benefit.

As far as Mr Singer - and I thank Mrs Hannan for her support, she has explained some of the points that were raised - and if I can take Mr Rodan's point of view about timescales, the honest answer is that we have not got a definitive timescale of when we will be in the north or when we will be at Laxey. What I can say is to refer hon. members to the Policy Review 2000, Volume 1, and in there in the capital programme my department's capital programme of new schemes shows quite a number of projects to be progressed and, for example, the north and west design fees pre-contract come into play in the year 2003-2004, 2004-2005 and the northern route phase 1, which is £6 million, comes in, kicks in as further expenditure, which is after the year 2005-2006. Now, the reason that that is laid out like is of course the physical ability of the Island to actually undertake these major works and of course the public's ability to absorb all this disruption throughout the whole Island, and if we were to do it too quickly everywhere, then I think the public would lose patience with it.

So we are trying to balance, again, all these bits up, progressing at a pace we think is right, progressing at a pace that provides local employment and ensures that our local contractors and sub-contractors and the department's staff are employed on this major scheme, and I think rightly so, without bringing a major contractor from across. We have shown we can do it we have undertaken some major works since we started the IRIS Scheme and I believe that that is the right way to go.

So the honest answer is I have not got one. I cannot give you a definitive timescale, I cannot give the hon. member for Laxey a definitive timescale. I would not do it because if I did, then somebody in my position after the year 2001 would be stood here trying to justify a statement I made and the honest answer is we are not yet at the stage we can say, 'That's when we will get to your area.'

All I can say is, with regard to both of the members, it will really depend on the will of this Court. The future will of this Court will be paramount in ensuring that the IRIS scheme is developed to completion, and I hope and certainly if I am a member of this hon. Court I will continue to support and push and try to ensure that this scheme progresses to its completion, however long that may take, and if I am a hundred, well so be it. I do not really care if the people still put me back. That is if I could cope with it till I am a hundred. Anyway I think that is where we are at.

As far as Mr Shimmin, I thank him for the comments he made and specifically the point again where he made the point about the Marine Drive and the safety issue. I have made it absolutely clear, both publicly on the radio, in the press, in answers to questions in this place, in another place, that safety,

public safety, is paramount and I will do nothing, and I underline, I will do absolutely nothing to jeopardise public safety. Anything we do will be provided by the advice of our risk assessors, our insurance advice and so on. In fact we have a statutory responsibility, as I said in my written answer to the hon. member for North Douglas, Mr Henderson, when I said to him quite clearly, that we have a statutory responsibility to act responsibly and I take that seriously. So as far as that is concerned, that is where we stand on safety.

Again the hon. member Mr Shimmin made the point that the Department of Transport is not shy to spend taxpayer's money. Well, as I say to the Chief Minister and to Treasury -

Mr Cretney: Invest.

Mr Brown: I am not spending, I am investing, because what we are able to do today will help future generations and I believe that that is the right thing to do while the money is available, invest in our infrastructure to ensure we have the best quality of life we can provide our people, and I have been very active at doing that since I have been in this Court, as can be testified by people not too far from here.

Mr Corkill: The Treasury.

Mr Brown: And I do not apologise for it, and I have been lucky that we have had the money available.

Mr Delaney raised a few points about the issue and he said we cannot stop now. He is absolutely right. The decision to proceed with the IRIS scheme was made in April, I think it was, of 1998, where my department provided this report to Tynwald Court, IRIS master plan Second Review and Update, and as far as I am concerned, that put the thing to bed, that determined the policy of Tynwald Court to implement the IRIS scheme, it determined how we would go forward, it looked at whether or not we would use the railway line or the road, or both, or fields or a mixture of all and that was subject to a risk assessment. The risk assessment was done and it said the railway line between Douglas and Santon, we could not use it because the pipe was so large, it was not a viable proposition. That is the book that we have determined our policy on, and as Mr Shimmin says, and I would say to the hon. member for Onchan, Mr Karran, the decision has been made. Let us get on with the job, that is what we are here for. You have fought your battle: let us get on with it. Everybody knows your views on it. This is where we go forward.

Now, I would make the point, and just to update hon. members, we have been investing in IRIS, and this is part of the scheme, and it was made by a member that this is the real part of IRIS. Well, I would say it is another component of IRIS and it is certainly, from the Douglas end, the matter that will take all the sewage to Meary Veg from Douglas and Onchan, but we have to date, in conjunction with the local drainage authorities, completed the Douglas and Onchan storage tanks, we have completed the Ramsey tanks, the Port Erin tank, the Castletown tanks, Peel is under way, Port St Mary is ready to go. We have been investing millions and millions of pounds in the Island since about 1995 in preparing to go forward with IRIS by providing the storage tanks which are the first major component throughout the Island. Once we have got all those in place it literally is only a matter, and I say that knowing the difficulties envisaged, of then connecting up the pipes to make the thing work. Now, that is a major, major investment, major disruption because we are travelling along from the north to the south to the east to the west, but a lot of work has been done, the investment has been made.

Now, the hon. member Mr Delaney also mentioned about the cost of £2 million for only this relatively short area. I would remind the hon. member, as I said in my opening speech, that this is also allowing for the reconstruction of this road and it is the road which is in a pretty poor condition, we have the hedges in poor condition, so it is all part of it and the IRIS component is actually relatively small because we had a

choice. We could either put the IRIS main in and patch the road up, knowing that in a couple of years' time we would have to come back and reconstruct the road, and I took the decision that that was nonsense. What we needed to do was put the thing together and get it done once and for all and my colleagues on the department supported me in that view and said, yes, that is the way to do the job, get it over with, because, with respect, there is impatience by the public, it is causing disruption and this is regular, and we need to try and speed this up and that is what we have done, and that is why also our timescale, as mentioned by the hon. member for Peel, is very tight, we hope it will not slip, but I can tell you there has been considerable thought put into that to try and get that timescale as tight as possible and it is subject to a number of factors, weather conditions and all sorts of other matters that may in fact spread that timescale even further.

The hon. member for South Douglas mentioned about have we made provision for overtime, have we made provision for working seven days a week. The problem with that is, and we have certainly talked about it - and there will be certain times, I am sure, when work will go on at the weekend - is the physical ability of the men on the ground, who are doing physical work, to work seven days a week on a regular basis. I worked seven days a week as an electrician for about three or four weeks and you are physically tired. That is not digging holes, that is not shifting earth, and I know there is machinery. You cannot expect men to work for month after month after month doing it and if you do, there will be an accident. So you have to balance, again, that up, and all I can say is we have endeavoured to determine the best timescale possible to try and minimise the disruption to the public.

Mr North, the member for Middle, raised the issue about the people at Oakhill in Port Soderick, to make sure they are catered for. I am not really sure, if we open the Marine Drive, and I will come back to the Marine Drive later, what we can actually do to minimise the disruption of traffic going on a road past properties. All I would say is that we have to look at the broader picture. If there is a specific problem, then we will endeavour to see if we can do anything, but realistically it is unlikely we can do anything because we are talking about cars going up and down a road and therefore that in itself will naturally for a period of time have a change on a very quiet area. But what we have done in our thoughts and made it clear is that if we open the Marine Drive, it is for light vehicles, not for wagons in terms of big heavy goods wagons or anything like that, it is for cars, vans, transit vans that sort of thing. Again I will come back to cover it because I do think it is important. The hon. member for Laxey, sorry, for Garff-

Mr Shimmin: Laxey!

Mr Delaney: Lonan.

Mr Cretney: And Maughold and Baldrine.

Mr Brown: And Maughold and that sort of area said, 'How soon will the scheme benefit Laxey?' All I would say is that it is bound to benefit Laxey in the end because the Laxey system will connect up to the Douglas/Onchan area and all that is done, and I am not going to make a foolish promise, I am not going to say to you, 'Oh, we'll be there in so many years', because I cannot tell you. The honest answer is I cannot tell you, but again all I can say is we are committed to get the whole Island up and running in this system as soon as we can. IRIS has been flexible in terms of how we progress it. We have already brought all this part of the scheme forward because Treasury was able to make the funds available, which is what we said would happen, and as far as I am concerned we will progress as soon as we can.

I would remind the hon. member for Garff that we have agreed to put back in the Glen Road, Laxey scheme and that in itself, when it is progressed, will have an impact in some of the problems in the area and that is part of our scheme being progressed.

He made the point it is a momentous day for the department. I would say it is a momentous day for the Isle of Man if Tynwald Court passes this because it really does start us moving on our way in a more direct way, as will the next motion before the hon. Court. And he says, 'Will it ever happen?' The answer is, as far as I am concerned, yes, Laxey will eventually be brought into the system.

Mr Cannell made a few points which I would just say - and he was doing well actually, he was very supportive and then he said that the minister had done a U-turn about the Marine Drive, and I would just make the point to the hon. member for Onchan, Mr Cannell, that in fact my views about the Marine Drive have always been that we should endeavour to reopen the Marine Drive if at all possible and since I became minister, I think it is two years ago, I announced on my own initiative that we would look at the Marine Drive to determine its long-term future because just to allow it to deteriorate without any maintenance, or certainly maintenance past just minimal maintenance level, was not acceptable and we should determine what we are going to do in the area that is closed off, whether it stays shut and then we make it into something else or whether we open the road and use it properly, and I have made that clear and at some stage I hope to progress it. I have to say that other issues of greater importance have been put with the department in the last year, to meet deadlines to come here to Tynwald and we have not been able to progress as much as we would like, and we have said we will consult with those parties who have an interest in the issue before we make a final recommendation.

As far as Mr Karran, he says he is opposed to the 'IRIS folly' as he calls it. I partly answered him but I would say that I am a little bit surprised that he actually is so opposed to it because my understanding is that in fact the progression of IRIS and the treatment plant especially at Meary Veg is now quite an important part of his proposals from his board, the Water Authority, to actually implement its own scheme of refurbishment of its own treatment plants and its own water systems and without a treatment plant such as IRIS there may be greater difficulties thrown on the Water Authority. So I hope the hon. member, whilst he has opposed it, and battled on, will take the point of view that he says about the hospital: 'But we've now got to get on with it.'

Mrs Crowe: Yes.

Mr Brown: And that is what is important.

Mr Karran: Yes, but we could change this.

Mr Brown: As far as Mr Braidwood, I would thank him for his support. He did mention about using The Nunnery grounds and the road for traffic. As somebody who has only, for the first time in my life, travelled along that road twice in recent times to go into the actual Nunnery for a number of government courses I would just say that it really is not a very suitable road for traffic to go up and down and I am not sure how we would deal with it.

Again I would make the point that we have changed what we are doing on the construction now because our original proposal for the Old Castletown Road was in fact to close it off completely to enable us to have a shorter timescale, and what we have decided is that we would not do that, because of the implications, and we would look at partial closure with traffic-lights and that those traffic-lights will be manned at peak times, as we did with Leigh Terrace, to enable traffic flows to go through, and if I got it wrong, I apologise.

Now then, I would just make the point that a number of members encourage the use of the Marine Drive and if I can just come back to that issue. Sorry, I just picked up a point, Mr President. Mr Duggan asked about vehicles today. I have not got the figures of how many vehicles a day use the road. We do know it is substantial, certainly at peak times. Certainly if you come into Douglas on the Old Castletown Road it is not unusual to be at the White Hoe in the traffic flow trying to get through into Douglas and sometimes further. So we do already know there are pressures on there.

Now, Mr Henderson, and I think it is important that I clarify it for the hon. Court where we are up to with regard to the Marine Drive, and I first of all thank him for his comments about support for the scheme, and he believes it an excellent scheme and is appreciative and so on and I acknowledge that. As I say, we will have the scheme with traffic-lights on, manually switched at peak times, as we have done now on all our major schemes. Yes, the consultant said to him, he says, there is no problem using a one-way system. I accept that: we can get people through. The problem is with the one-way system the tailback is still considerable and you end up getting people, and we know this from when we did Leigh Terrace, starting to load Quarter Bridge and you end up with Quarter Bridge having excessive loads, a large tailback on the Old Castletown Road because of the lights and you end up with a situation that we think we may be able to assist with the reopening of the Marine Drive on a temporary basis.

Now, all I would say, and I want to be straightforward to the hon. member here, is I have given instructions for preparatory work to be undertaken in case a decision is made to reopen the Marine Drive. None of those decisions has affected whether or not we open it because they are basically remedial work. Some would say it is even maintenance work that should have been done anyway and what we have done is, because of the timescale, undertaken works that do not prejudice the decision whether or not to open it. I have made it absolutely clear to the hon. member and to this hon. Court and another place that a decision will not be made on whether or not to open the Marine Drive on a temporary basis until we have got the results of the core hole tests that were recommended by our risk assessors and they have evaluated those and I get a full report on which I can then make a firm decision one way or the other and it is only then a decision will be made whether or not to open the Marine Drive on a temporary basis.

What I can tell the hon. member is that if we open it we are proposing that there should be netting on the rock face and we are even looking at whether to do that or not anyway because if people are walking along there, then in fact if there is a potential rock-fall, then maybe we should be doing that anyway. We are satisfied that that money would not be wasted because again it does improve the safety of the rock face there. It will only be open at peak times, early morning into Douglas, late afternoon out of Douglas for I think it is two hours each side. There will be double white lines so there is no overtaking, we would have a height restriction to keep it down to light vehicles at the Horseleap into and out of the corner, there will be traffic humps to slow them down at each side to reduce the speed again so nobody can go round speeding, because we take the point that if people are irresponsible that might happen, but it will be closed off, it will physically be closed off outside the two sessions that we are talking about, if it was opened. There would be a safe pedestrian area at Horseleap to ensure the pedestrians are safe from the cars with barriers, a 30 mile-an-hour speed limit would be implemented on the whole length of the Marine Drive, there will be two emergency phones, one at each gate in case anybody breaks down or there is a problem, they will be inspected daily by staff of the right calibre to ensure that the highway is still safe, there will be people to ensure nobody parks within the area when the actual area is open, it would be a designated clearway, so it will actually be an offence to park, and we will fully comply with our consulting engineers risk assessment report as provided to us in October 2000. So all I can say is we will take every

precaution because public safety will be paramount. No decision has yet been made by me as to whether or not we will open it but certain preparatory works have been made.

Mr President, I thank hon. members for their forbearance on this. I did think it was important to answer all the points that were raised because I think they were very valid points and it gives me great pleasure to move the motion standing in my name.

The President: The motion, hon. members, is that printed at 5 on your order paper. Will those in favour please say aye, against, no. The ayes have it.

A division was called for and voting resulted as follows:

In the Keys -

For: Messrs Gilbey, Quine, Rodan, North, Sir Miles Walker, Mrs Crowe, Messrs Rimington, Brown, Houghton, Henderson, Cretney, Duggan, Braidwood, Shimmin, Downie, Mrs Hannan, Messrs Singer, Bell, Corkill, Cannell, Gelling and the Speaker - 22

Against: Mr Karran - 1

The Speaker: Mr President, the motion carries in the House of Keys, 22 votes in favour and 1 vote against.

In the Council -

For: Messrs Lowey, Waft, Kniveton, Radcliffe, Mrs Christian, Messrs Delaney and Crowe - 8

Against: None

The President: All members of the Council approving, hon. members, the motion therefore carries.

**IRIS — Meary Veg Sewage Treatment Plant — Construction of Access Road etc. —
Expenditure Approved**

The President: Hon. members, being aware of the clock can I suggest that in fact we clear item 6 this evening?

Members: Agreed.

The President: I call on the hon. member for Castletown, Mr Brown.

Mr Brown: Thank you, Mr President. If I may, I would just refer to one issue on the last item, because it is all related to the issue of the IRIS scheme. Just to say the hon. member for East Douglas, Mr Braidwood, asked me a question which I misunderstood; I would just clarify if I may, because it was an important question: he asked about going through the Nunnery with the actual transmission main. I apologise, I thought he meant the traffic. I would make the point that, with regard to that, we still have to reconstruct the road, so there is no benefit in us not putting the main in the road while we do it.

Mr President - and I thank you for that, sir - I beg to move the motion standing in my name:

That Tynwald -

- (1) authorises the department of Transport to undertake works for the construction of the access road to the proposed sewage treatment plant, the transmission main and the bridge, at Meary Veg, Santon, for a sum not exceeding £1,985,000:*

- (2) *authorises the Treasury to expend during the year ending 31st March 2001, a sum not exceeding £500,000 from the Consolidated Loan Fund to meet the cost of the above; and*
- (3) *approves of and sanctions borrowings not exceeding £1,985,000 being made by government, to be repaid within 30 years.*

Mr Brown: I would say on this occasion the works concerned in this motion are the transmission main from the Old Castletown Road near to its junction with Oatlands Road to the proposed sewage treatment plant at the site at Meary Veg. This section of transmission main would generally be constructed within a new, also to be constructed private access road to Balnahowe Lane and, from Balnahowe Lane, the upgraded farm lane public footpath to the proposed sewage treatment plant site.

The objective of these IRIS works is to pave the way for the ultimate connection of the existing completed Douglas and Onchan IRIS elements to the Meary Veg sewage treatment plant and to facilitate construction access to the treatment plant site without having to use Balnahowe Lane for access. These joint transmission main access road works are being promoted as providing best value for money and also include for the laying of the high voltage electricity cables and communication ducts which are required for our site.

The main and private access road will pass over the railway line on a new road bridge on the Douglas side of the existing Balnahowe railway bridge. The existing bridge will continue to carry the public road - Balnahowe Lane - traffic. The Meary Veg farm lane which is also, and will remain, a public footpath will be properly made up as a single track road with passing places.

The transmission main will be of ductile iron of 800-millimetre and 900-millimetre diameter with 150 meters of concrete balancing tank comprising two 150-millimetre diameter pipes laid side by side between the 800-millimetre and 900-millimetre diameter sections. This balancing tank is necessary to dissipate the energy from the pump flows and provide, as far as is possible, a steady flow to the treatment plant.

The proposed works for which planning approval has been received have been the subject of the submission of competitive tendering from which, subject to Tynwald approval of this motion, Island Drainage and Groundworks Ltd will be awarded the contract. Again, subject to Tynwald approval, the works are scheduled to commence early next month - that is December 2000 - for completion during the late summer of 2001. I beg to move.

The President: Mr Kniveton.

Mr Kniveton: Yes, thank you, sir. Again I rise to second this motion. Certainly I am not going to go into detail as I did the previous item on the order paper. What the minister is asking for is, I believe, straightforward: it is a question of further advancement towards the eventual goal.

Some hon. members at the very well supported presentation last week queried the necessity for the bridge to be constructed at Meary Veg. All I can say is that, following objections by the Department of Tourism on behalf of the steam railway, the Planning Committee ruled that this bridge must be the way across the railway line. I am not here today to criticise that decision but simply to explain it.

Again, I trust that all members will realise that we are moving on steadily and we need their unanimous support and backing today. Thank you, sir.

The President: The hon. member, Mr Shimmin.

Mr Shimmin: Just one comment regarding the bridge and the strength of the bridge. Could the minister advise if the bridge is going to be sufficiently robust and strong to carry all of the building works necessary for the treatment plant and, if so, would it therefore equally be strong enough to carry any building works necessary for any prison that might be sighted out in that area, sir? (*Laughter*)

Mrs Crowe: Good try, John!

The President: The hon. member, Mr Karran.

Mr Karran: Eaghtyrane, as far as I am concerned this is yet more folly, and I think that today with this situation we will see that this will be another one that will be added to the volumes of where money will be wasted as far as I am concerned. I believe that it is wrong when I listen to members in this hon. Court. They might not like the message, but then to try and distort the message. . .

Nobody in this hon. Court wants to pump raw sewage into the sea. I have never wanted that. That is not something that I believe in. I believe in the fact that what we should be looking at is the matter of three treatment plants. I believe in the fact that when we have a foetal monster as far as this whole proposal is concerned, it is all political bluff and manipulation. We have seen in the previous one the only reason we did the roads up was because of the fact they could not go along the railway lines. We see in this one - and one got ridiculed and maybe my member there has a short memory and wants to remember when I was asking the question of my ex-constituents in South Braddan about the facts of the total disruption that this that is in front of us is going to have on their ability to get into Douglas, and I am glad to see that that has brought the reality of a Marine Drive into the equation, because that is the truth of the matter. No matter how much you hide around the situation, and maybe - we have heard a lot about the Marine Drive because it is all part of this equation - the hon. minister should revisit the possibility of what they did originally by using the original footings of the original bridges, as my father was one of the ones who put the last bit of bridging that was up at the entrance of the Marine Drive, which is still there 50 years on, and if he is going to look at the Marine Drive I just hope that we can get consultants who will have a look at it and will give an honest appraisal as far as looking at that issue.

But getting back to this proposal in front of us today, I am concerned when I hear suggestions that the likes of the holding tanks at the Douglas promenade are leaking and we are actually pumping sea water and we are going to be pumping sea water up to the likes of Meary Veg, and that is partly the reason why we have got the drainage problems, why we have got the alternative to the Taj Mahal down at Lake Road - instead of water we have got sewage raising up out of the thing; we have the situation of other facilities around the National Stadium are leaking. I believe that the pipe that goes under the River Glass - there is a pipe going under there - it just concerns me so much, Eaghtyrane. I cannot believe that I am so out of touch with reality and yet (*Laughter*) I end up so often in this Court voting one way and this hon. Court voting the other way, but I do remind especially my would-be minister over in the corner there to go and look at *Hansard* about the problems of congestion in my former seat. Read *Hansard*.

I feel, Eaghtyrane, that what we have today. . . and I thought the hon. member for Council, the seconder, summed it up wonderfully: we will not go into details on this. If ever a proposal of the old adage of the Emperor with no clothes syndrome ever effected this hon. Court I believe IRIS must be the best example of it, and there are a number of others as well as far as this is concerned.

I do hope the hon. member looks into those issues, the issues that I am concerned about, and I do not want to question the integrity of the mover or the members of the department. I do not question their integrity, and I do feel it wrong that some of us are cheapened by the fact that I do not need political

gimmicks as far as votes are concerned; I have had more farewells from the likes of the hon. member from West Douglas and the likes that would make Gracie Fields look in the shadows as far as the establishment in this Court, but at the end of the day the people outside this hon. Court know one thing, that I will stand up and defend what I believe is right, and I believe today we are wrong. We have tinkered with this policy and tinkered and tinkered and it is nothing like what was originally proposed. It is all right people saying, 'Oh, well, the new hospital. . .' Vainstyr Loayreyder. I believe we had no choice as far as that is concerned. We would have had a complete vacuum and we would have ended up having to try and keep the acros under there -

A Member: Rubbish!

Mr Downie: That is what you said on the radio.

Mr Karran: - but today we have got an alternative: we could stop this. This is madness to go to Meary Veg, in my opinion, and I would also ask the hon. mover, how is he going to sort out the problem as far as the sewerage and the acid problem and the acidity of the sewerage and all the other things? At the end of the day it is not me that is speaking here; one of my former constituents was one of the architects of the Singapore sewerage system (*Laughter*) and it is all right members laughing, they are only about half as big as us with six million people living on an Island, and that person laughed at this proposal - laughed! - and I am sorry, Eaghtyrane, I am sure my colleague here has more likely met the chap, and I believe that we are making a folly for future generations as far as this is concerned and I shall be voting against it whether it is vote with this Court or not vote with this Court.

The President: The hon. member, Mr Braidwood.

Mr Braidwood: Thank you, Mr President. It is the prerogative of this hon. Court for every member to be able to speak their own opinion (**Mr Cretney:** Hear, hear.) and have their own views. I am going to express my own views and that is to support this motion. (**The Speaker:** Hear, hear.)

As the hon. minister said in the previous motion, the blueprint was there, endorsed by this hon. Court in 1998. We cannot go back. I could express some views: why isn't the treatment plant at the White Hoe? But we have to live with it. The blueprint is there. The only concern I had at the presentation was, why a bridge and not a level crossing? The view was, by the experts - and it has been mentioned - apart from the Department of Tourism and Leisure because of the trains; it was because the trains were unable to stop in time coming from the south if there was somebody on the line. Therefore, primarily safety is at a premium; we had to build a bridge. I think it was an additional £100,000 to that of a level crossing. Mr President, let us get on with it, let us vote and get on with this.

Members: Hear, hear. Vote!

The President: I call on the minister to reply.

Mr Brown: Thank you, Mr President. Mr Braidwood, just to respond really to those points, if I may, because I think certainly the issue of the bridge versus level crossing is an issue which understandably we would all have concerns about because of the cost difference. I would say that the department's initial intention was to have a crossing. We made the case to the Department of Tourism and Leisure, to the director of public transport, and I met with him to make sure he could convince me we had no alternative. We made the case that this was a private road, limited access, and that we believed it was satisfactory for what we were going to use it for. He made the point - and from where he is sitting I think quite rightly - that as the man responsible in terms of the chief executive equivalent - in other words, the director of

public transport - he could not endorse a crossing because of the safety issue. The problem relates to visibility because, of course, the track near that point turns into that area, the weight of the trains, and the 'stopability', if that is the correct word, of the trains in the distance that would be required if a wagon broke down on the track and they were not aware of it, and he made the point to us that whereas, if it had been an existing crossing, he could not do anything, this was creating a new one and he had a responsibility on health and safety to ensure public safety was paramount. When we take that into account, whether we want to or not, we cannot put a price on it; we have to do what we believe is necessary. I have to own up and say that the bridge is costing more money than was originally proposed by our consultants, but then what they proposed was a bridge that you would see on a motorway as against a bridge which I said had to be put in there which fitted in with the Manx countryside and reflected the bridges already on the railway system, so that that cost us a bit more money, but at least it will look right and I think that was the right decision. I think that is what the public would expect us to do and I therefore made that decision, so I hope that that responds to the point that the hon. member has made.

I thank Mr Shimmin for his comments and I would just say that my understanding is that the bridge will have been constructed to ensure that we can get all the wagons and the size of wagons for construction and operation across that bridge without any problems.

As for Mr Karran, the hon. member raised a number of issues, Mr President, and I would just make the point that we are all here to fight what we believe in and sometimes we will project our views outside this hon. Court, but I do think it is unfortunate if that projection basically comes down to insults about members of this hon. Court, and I have to say (*Mr Karran interjecting*) that I, like the hon. member for West Douglas, listened to the radio and, I have to be honest, I wondered why I was here. Mr President, Tynwald has determined a policy and that policy is at this Tynwald Court, and my department is implementing that as quickly as possible. I have to say I am amazed that for the first time the hon. member tells me, makes statements in this hon. Court that will go on *Hansard* without me being to say one way or the other, that the Douglas and Onchan tanks are leaking sea water; we are going to be pumping sea water. Secondly, there is a pipe under the River Glass polluting the river -

Mr Karran: No, not pollute.

Mr Brown: - seeping?

Mr Karran: Seeping into it.

Mr Brown: Well, I have to say - (*Interjection*) I picked up the hon. member wrong. I thought he said 'pollute'; seeping in, whatever. I have to say that that is a matter, if it is drainage, for Douglas Corporation, so I hope the hon. member has reported it to Douglas Corporation, because I am not aware of it -

Mr Downie: We are aware of it in the department.

Mr Brown: Well, I am not. I am just saying I am not aware of it, and I have to say that if it has been reported it is the responsibility of the Douglas Corporation as the drainage authority to resolve it and I would hope they resolve that quickly. There is certainly no problem with funds - none at all in terms of emergency works and never has been. As far as the Douglas and Onchan tanks are concerned, I have heard nothing about this, and all I would say is to the hon. member, do not wait until you are in Tynwald; if you have identified or somebody has said to you this is happening, for goodness' sake let me know straightaway (**Mr Gilbey:** Hear, hear.) and I will then inspect it. The worst problem we can have in the Isle of Man, or anywhere else for that matter but certainly in the Isle of Man, is rumours. We have to remember there are people who do not like the idea of IRIS; there are people who are saying it will not work; there

are people who are saying what we have done is a waste of time; what we have done we do not know what we are doing; we do not know how to construct properly. So they are bound to say all sorts of things. If there is sea water getting into the system, I need to know and I have to say I find it a little bit objectionable that the first I hear about it is in this hon. Court (**Mr Gilbey:** Hear, hear.) because then it goes on *Hansard*. I cannot defend the department's situation. I cannot even say we did not do anything.

Mr Karran: You have just got it verified from the other minister.

Mr Brown: The hon. Minister for DAFF verified the situation with the Glass. (*Mr Downie interjecting*) I said I did not know about that, and that is a matter for Douglas Corporation. I am talking now about the Douglas and Onchan tanks and the statement the hon. member for Onchan, Mr Karran, made that there is sea water getting into the system and we will end up pumping that up to Meary Veg. I am saying to him I think it is irresponsible of a member not to say anything until he came here, and I am sorry, that is how I feel. If I knew about it and I was not a member of that department, the first person I would tell would be the minister and his chief executive, because at the end of the day this is about the taxpayers, not us; it is their investment, it is their money, and we have paid people to do a good job for us and, as far as I am concerned, I will hold them responsible. I am just making the point because the hon. member raised the issue here. Mr President, I beg to move the motion standing in my name.

The President: Hon. members, the motion before the Court is that printed at 6 on your order paper. Will those in favour please say aye; against, no. The ayes have it.

A division was called for and voting resulted as follows:

In the Keys -

For: Messrs Gilbey, Quine, Rodan, North, Sir Miles Walker, Mrs Crowe, Messrs Rimington, Brown, Houghton, Henderson, Cretney, Duggan, Braidwood, Shimmin, Downie, Mrs Hannan, Messrs Singer, Bell, Corkill, Cannell, Gelling and the Speaker - 22

Against: Mr Karran - 1

The Speaker: Mr President, the motion carries in the House of Keys, 22 votes in favour and 1 vote against.

In the Council -

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

Against: None

The President: Six members voting for in the Legislative Council, the motion, hon. members, therefore carries.

Now, hon. members, we may not have made a huge progress through the order paper but we have made considerable movement on the expenditure of capital today. Can I suggest that we now adjourn until 10.30 tomorrow morning and we will commence at item 7.

The Court adjourned at 6.40 p.m.