

REPORT OF PROCEEDINGS OF HOUSE OF KEYS (QUESTIONS)

Douglas, Tuesday, 28th May 2002
at 10.06 a.m.

Present:

The Speaker (the Hon J A Brown) (Castletown); Mr D M Anderson (Glenfaba); Hon A R Bell and Mr L I Singer (Ramsey); Mr J D Q Cannan (Michael); Mrs H Hannan (Peel); Mr P Karran, Hon R K Corkill and Mr A J Earnshaw (Onchan); Mr G M Quayle (Middle); Mr R W Henderson (Douglas North); Hon D C Cretney (Douglas South); Hon R P Braidwood and Mrs B J Cannell (Douglas East); Hon A F Downie and Hon J P Shimmin (Douglas West); Hon J Rimington, Mr Q B Gill and Hon Mrs P M Crowe (Rushen); with Mr M Cornwell-Kelly, Secretary of the House.

Questions for Oral Answer

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**Tynwald – Decisions Binding on
Government –
Question by Mr Singer**

Question 1. The hon. member for Ramsey (Mr Singer) to ask the Chief Minister:

Is it the practice of government to treat unanimously adopted policy decisions of the House of Keys or Tynwald as binding on government and its departments until the point, if any, at which a contrary view is expressed by the above named branches of the legislature?

The Speaker: I call on the hon. member for Ramsey, Mr Singer.

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

The Speaker: I call on the hon. member for Onchan, the Chief Minister, Mr Corkill.

Mr Corkill: Thank you, Mr Speaker. There are Tynwald and House of Keys resolutions which may be said to be legally binding, and others which are not. Where a resolution does not legally bind the government, and provided it is directed at government, it is nevertheless highly influential, and resolutions of Tynwald naturally carry more weight than those of the House of Keys. Where a resolution has unanimous support, which is the situation referred to in the question, by definition it has the support of members of government. It is the practice of government, Mr Speaker, to respond positively to parliamentary resolutions which are directed at it, albeit that it may not always be possible to do so as quickly as we might all wish.

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

Mr Singer: Can I thank the Chief Minister for his answer. Is the Chief Minister therefore confirming that, as far as the departments and the Council of Ministers are concerned, a unanimous decision in this Court is binding upon the government? And if I could refer him, perhaps, to a specific case: the Court's decision to oppose the establishment of a new civil nuclear power station in the United Kingdom. Would he therefore agree with me that, if a department has responsibility or has dealings with, say, the nuclear energy authority in the UK, it is incumbent on that department to follow the directions of this Court and not follow a different policy?

The Speaker: Chief Minister to reply.

Mr Corkill: I would not agree with the hon. member for Ramsey, Mr Singer, in that assertion, Mr Speaker. The motion that the hon. member referred to - and I will read it out - is 'that this House expresses its opposition to the commissioning of any further

civil nuclear power reactors in the United Kingdom and wishes that these views should be expressed to the United Kingdom Government immediately.' In fact, that expression of view was transmitted to the Lord Chancellor's department. I know that letter was sent. But the motion does not actually bind government, Mr Speaker; it was an expression of the House of Keys, and that was conveyed, as I have said, but in fact if you look at the way that the motion was worded, we, as a council, did not find it binding or particularly helpful in relation to the Department of Local Government's activity in fighting the expansion of activities at Sellafield.

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

Mr Singer: I am not quite clear what the Chief Minister is saying here. If it was a unanimous decision in this Court, unanimously supported by members of the Council of Ministers, that we should oppose the proliferation of new nuclear sites in the United Kingdom, how can he say therefore that it is not binding on him or the minister of the department, who are surely bound by the Council of Ministers' decision?

The Speaker: Chief Minister to reply.

Mr Corkill: Quite simply, Mr Speaker, this is a situation where the policy of government and the policy expressed by this House differ slightly. Not greatly, but it does differ slightly. I understand what the hon. member is saying with regard to the unanimous vote - that was an expression of this House - but when it boils down to the stance taken by the Department of Local Government and the Environment, which has statutory duties outwith expressions of view of this House, then it is difficult sometimes for the two to be married completely together.

Can I also say that quite often, and normally, the expression of policy views is in another place: in the Court of Tynwald. The hon. member, in his initial question, referred to this House as a Court; in fact, this is one branch of that Court. The policy would, perhaps, be better if it was discussed in Tynwald Court rather than by the House of Keys, but nonetheless the hon. member did exert his right to have a debate in this House, and we took part in that. The hon. Mr Speaker will appreciate that we also tried to amend that motion because it does actually change the nature of government policy to a great degree and, as I have said, not in a very helpful manner. This government wishes to focus on the issues of Sellafield through the auspices of the Department of Local Government and the Environment, and the motion that this House has declared, I will say again, is not helpful in that; it is too wide-ranging and is, in fact, dealing with issues that are perhaps not relevant to this Island, but relevant to another place. We are very much committed to putting pressure on the Sellafield establishment, where we will, in fact, create some improvements and reduce the threat to this Island.

The Speaker: Hon. member for Douglas East, Mrs Cannell.

Mrs Cannell: Thank you, Mr Speaker. In view of the explanation given by the hon. Chief Minister, if the Department of Local Government and the Environment did not feel compelled to honour the motion approved by this hon. House in respect of the opposition to more nuclear plants being built, would it not be appropriate therefore for this minister to come back to this House to make a statement to the contrary, to advise hon. members that it is not helpful and that you cannot work within it within her department? And further, can the hon. Chief Minister advise that if a similar motion were to be placed in another place, in the hon. Court of Tynwald, it would carry more weight, or would we still be faced with the same scenario?

The Speaker: Chief Minister to reply.

Mr Corkill: I said in my opening response that the motion in another place *would* have greater weight, and if there is a requirement for a debate in that Court, then I welcome that. Can I say that it was made clear during the debate that the actual motion that was carried was not particularly helpful in promoting government's way forward with regard to Sellafield. Government's stance remains that Sellafield is a priority. The broadening out into a debate on whether nuclear power generation is a good thing or not is a very much wider issue; it is one that occupies the minds of the European Union, the United Kingdom and many other jurisdictions. Our focus, bearing in mind our position, is very much, as I have said, on Sellafield.

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

Mr Henderson: Thank you, Mr Speaker. Could the hon. Chief Minister advise that the particular motion which the hon. member for Ramsey, Mr Singer, is referring to is, in fact, a general policy directed at the Chief Minister's government in general broad terms? It was not a policy specifically targeted at the technical workings of one of his government departments but was for his government to enshrine as an overview policy in those terms. This is similar to the Irish Government, which has overview policies for the discontinuation of Sellafield, but at a much lower level - at the technical level - their scientists and so on work with the staff from Sellafield in a more day-to-day process. Could he agree that that is what the hon. member for Ramsey is, in fact, after? And would he also agree that he is not looking at health and safety issues here but he is looking at the overview, the broad principles of the situation?

The Speaker: Chief Minister to reply.

Mr Corkill: I am aware of the great amount of work that is going on in the Department of Local

Government, particularly in the forum of the British-Irish Council where, in fact, we are alongside colleagues from jurisdictions in the British-Irish Council: Scotland, Northern Ireland, the Republic of Ireland, the United Kingdom itself, and Wales. This is very much a live issue, particularly in the Irish Sea area; and all those jurisdictions have a coastline with the Irish Sea, therefore it is most important that we make as much headway with those colleagues as we can. And I will say again that the motion passed by this House has the potential for impeding that progress, because we are trying to get into the inside situation and actually delivering, directly at the table, our concerns about pollution from Sellafield.

So, I take on board what the hon. member is saying; it is an expression of view and the government has heard what the House of Keys has said and, in fact, as the hon. mover of this question said, it was a unanimous vote. We are all uneasy about nuclear waste and how it is generated, particularly when something like Sellafield is right on our doorstep. So, we take on board what the hon. members are saying. There is, perhaps, a shifting view, in terms of the majority of members in this House, which is broadening away from Sellafield and going towards nuclear power generation and the objections to it. We have listened to what is being said, but what I would say is that, on an annual basis, we review our government policy, and the comments of the House will be taken into account during that time. But I say again that I think the debate would have been better in another place, sir.

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

Mrs Crowe: Thank you, Mr Speaker. Would the Chief Minister agree that it was rather unfortunate that I was absent from the House on that particular morning, whilst this debate took place? I was actually at the British-Irish Council, where I was giving a speech to the other environment ministers regarding Sellafield. It was unfortunate that I could not comment on the views that were being expressed in the House at that time, but it was not particularly helpful -

The Speaker: Could I ask the hon. member for a question, please?

Mrs Crowe: Yes, indeed. I would just ask the Chief Minister to agree that, at this present time, it is not particularly helpful to the Isle of Man for these policies to be expressed in this way. And I am hoping to arrange a presentation for all members regarding all issues relating to Sellafield, as the hon. member for East Douglas requested.

The Speaker: Chief Minister to reply.

Mr Corkill: Yes, I acknowledge that the hon. minister for the Department of Local Government was actually absent from the House that day, in fact dealing with the very issues that we were concerned with, and that was unfortunate, because I think she would have

been able to bring more detail and more information to the debate. Nonetheless, that opportunity may present itself again.

The Speaker: Hon. members, I am conscious we had a full debate on this issue, so I am going to restrict the members now, the names I have before me, to asking questions. The hon. member for Ramsey, Mr Singer.

Mr Singer: Thank you. Amended or not, the Chief Minister obviously agrees with me that that particular motion had the unanimous support of him and his Council of Ministers, so can he explain to me, first of all: if it has got unanimous support in this chamber, how would it have greater weight in another chamber? And therefore, if it has unanimous support, how can it not then be binding on the Council of Ministers, which is, in fact, government?

The Speaker: Chief Minister to reply.

Mr Corkill: I think the hon. member for Ramsey is striking at the very heart of a constitutional situation, whereby these issues are debated in Tynwald, and I note on today's order paper that there are other motions from the APG grouping, who are looking to bring what I would normally expect to be Tynwald debates onto the floor of this House. Obviously that is their right. I think it is not a helpful progress. I would not wish to comment –

Mr Henderson: Point of order, Mr Speaker.

The Speaker: Hon. member.

Mr Corkill: – any further on the rights of members but just to take note of the fact that we are increasingly having policy issues on this agenda. This is an example, Mr Speaker, of a resolution which was unanimously supported, as the hon. member for Ramsey has said, and which has led us down a particular path, and it does not necessarily coincide 100 per cent with government policy. In terms of whether the Council of Ministers supported it unanimously or not, I would point out to the hon. member that one member of the Council of Ministers in fact sits in another place, in the Legislative Council.

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

Mr Henderson: Mr Speaker, thank you. I just want to clarify a point of order and ask a supplementary, if I may. First is the point of order: I am confused now in regard to raising policy motion debates in this House –

The Speaker: I will clarify that after this question is dealt with.

Mr Henderson: Thank you, Mr Speaker. In that case, could the Chief Minister agree that the Irish

Government, who work closely in the British-Irish Council in relation to Sellafield, can operate at that level quite happily, even though their national overview policy is for the general closure of Sellafield? Nonetheless, it does not stop them or preclude them or damage their workings on a lower level with Sellafield, and therefore we should be able to achieve the same levels of workings.

The Speaker: Chief Minister to reply.

Mr Corkill: I certainly, Mr Speaker, want the Isle of Man Government to make its view clear on Sellafield at the highest level. I would not wish to comment on the operation and government policies of another jurisdiction, sir.

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

Mrs Hannan: Thank you, Vainstyr Loayreyder. Could I ask the Chief Minister: does the Chief Minister not agree that more nuclear power stations generating materials that are then brought to Sellafield for treatment (**A Member:** Hear, hear.) should be our concern?

The Speaker: Chief Minister to reply.

Mr Corkill: I think that is a simplistic way of looking at the situation. I have not got the further information required to assure hon. members, but it is not such a simple issue as more nuclear stations producing more waste for Sellafield. There are other options, and certainly these are the options that we are promoting that Sellafield go down the road of, because reprocessing is not a necessity; storage is always an option. I would not wish to comment further at this stage - I have not got sufficient briefing details before me - but certainly the Minister for Local Government will be happy to advise all hon. members on further information relating to that aspect.

The Speaker: Hon. members, before we move on to question 2, I would just comment on the points that have been raised by the Chief Minister. I would make it clear that, as he indicated, members have a right, if they so wish, to move any motion on the floor of this House, as long as it is supported, and the motion then becomes a resolution. And I would state that I hope a resolution of the House, which is the popularly-elected House, is of considerable status, and I hope it will be recognised by the government as being such.

**Small Businesses –
Assistance to Find Premises –
Question by Mr Henderson**

Question 2. The hon. member for Douglas North (Mr Henderson) to ask the Minister for Trade and Industry:

Given the current problem of high rents as a result of the growing economy, what measures are in place to assist a small business to find suitable premises from which to work?

The Speaker: I call on the hon. member for Douglas North, Mr Henderson.

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

The Speaker: I call on the hon. member for Douglas West, Mr Downie, Minister for Trade and Industry.

Mr Downie: Thank you, Mr Speaker. The department provides a range of measures to assist small businesses to acquire suitable premises from which to work.

Firstly, under the department's industrial financial assistance scheme, eligible businesses can be awarded grant assistance of up to 40 per cent towards the cost of new premises. As hon. members will be aware, this scheme is designed to encourage economic growth and diversification, and financial assistance is available to support investment in, amongst other things, plant and machinery, marketing, quality assurance, energy conservation and vocational training.

Secondly, the department owns a number of industrial units in various locations around the Island, which are available for rent. Currently, all the department's available units are occupied, but units are advertised in the local press as and when they become vacant.

Thirdly, Mr Speaker, the department holds information about industrial and commercial premises available for purchase or rent from the private sector. This information is made available to individuals and businesses enquiring about accommodation. Further information about vacant industrial and commercial premises is, of course, available from local estate agents and other bodies. Thank you.

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

Mr Henderson: Thank you, Mr Speaker. I thank the hon. minister for that positive reply. Could he confirm for me, then, that if any small local businesses are having difficulties, his department's door will be open for them to ask for assistance or help? And further on from that, could he comment on the fact that commercial rents at the minute are causing an extreme problem for small local businesses who are trying to expand and move on? Will he give a commitment that his department will examine that particular situation, to help small businesses move to different premises, or to larger premises if their business is particularly successful?

The Speaker: Minister to reply.

Mr Downie: Thank you, Mr Speaker. The hon. questioner has given me about half-a-dozen questions in that one supplementary. I will try to deal with them as best I can.

First of all, it is important to understand the principles behind the department's industrial financial assistance scheme and to note that the department is only empowered to grant financial assistance to industrial undertakings as defined in the Industry Board Act of 1981, as amended. Broadly, the definition includes manufacturers, or anyone carrying on a manufacturing process, businesses exporting goods or services, businesses which supply services to persons who are usually resident outside the Island, training services delivered on the Island and businesses delivering a product or service principally by electronic communication. Now, the industrial finance assistance scheme is discretionary, and the department is not obliged to award financial assistance or to make awards at the maximum level.

Now, on this situation regarding rents charged in the private sector for industrial property, according to information available to the department, rents for industrial property currently range between £2 and £7 per square foot, and the average rate is currently around £5.50 per square foot.

The department also operates a small business set-up scheme, which provides training and financial assistance to new businesses up to 18 months old. This is a discretionary scheme, and a total of £3,000 can be made available: up to £1,500, payable through a weekly allowance, can be awarded, and in addition to this a grant of up to £1,500 can be awarded for business equipment within the first six months of the business starting. Businesses have to match the funding provided by the department towards the equipment on a pound-for-pound basis. So, to be helpful to the member, we have a fact file, which provides all the information he is seeking, and information about the various incentives, industrial development, the free-port and all the other systems operated by the department are available on the web site.

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

Mr Karran: Vainstyr Loayreyder, can the minister inform this hon. House: what is the legislation that actually covers rent control as far as small business is concerned? Is it still not the piece of legislation that was passed in 1952? Would he also not agree that maybe we should review that piece of legislation? Can the minister also inform this hon. House: because the problem basically is about supply and demand, has his department identified a new site for industrial units, and if he has not, will his department consider looking for such sites and making sure they are then not sold off and are kept in the ownership of the government to help small business to develop? And the third supplementary: is it not true that, basically, to get financial support from this department as far as

small business is concerned, it has to be a business that exports off the Island?

The Speaker: Minister to reply.

Mr Downie: Yes, thank you, Mr Speaker. The hon. member for Onchan will be aware that the department has a number of properties which it actually owns and rents out. Now, department policy is to erect industrial units in parts of the Island where it is perceived that private developers are reluctant to build. The department owns premises in various locations around the Island, including Ramsey, Peel and Jurby. At present, all the properties except one are occupied, and these are occupied predominantly by manufacturing and commercial concerns. The only unit that is vacant is the former Douglas Plastics factory on Hills Meadow, the future of which is currently under review. Rentals for the department properties are based on commercial criteria and go up to £5.50 per square foot. The level of rent charged for each individual property is set after consultation with the government valuer, who takes into account matters such as the age, location and condition of the property. As far as I am aware - I stand to be corrected - regarding the question that was put to me about the control of rents, I am not sure whether there is power within the legislation to control commercial rents in the Isle of Man but I will take that up and look at it.

Mr Karran: It is the 1952 Act.

Mr Downie: The hon. member says, 'the 1952 Act'; I will research that and, if possible, come back to him. The department is always keen to find new sites and, in reply to this question, I think if a different approach was taken by the Planning Division and it was possible to identify, at an early stage, land which was suitable for industrial use, I am sure that our Department of Trade and Industry would be willing to work with the Department of Local Government and the Environment to put together a strategy for starter units and other small industrial units.

The financial support that the hon. member referred to really is quite specific and it is laid down, as I said earlier on, in the Industry Board Act 1981. You just cannot give grants and support to everyone who applies; there has to be some benefit as far as export, new jobs and new businesses go. So the rules covering the grants are quite clear and distinct and are contained in the Industry Board Act of 1981.

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

Mrs Hannan: Thank you, Vainstyr Loayreyder. Could I ask the Minister for Trade and Industry whether his department has any plans to build any more small business units, and if so, where?

The Speaker: Minister to reply.

Mr Downie: There are a number of issues, hon. members, which the department is considering at the moment. If I had a magic wand, I would have a considerable number of small units in the pipeline, because I think they are a good way of stimulating small business in the Isle of Man. We are waiting on a development in the west of the Island; we are also looking at some industrial land in the Ramsey area, in the north; and there may be an opportunity to provide some new units in the central conurbation, the Douglas/Braddan/Onchan area. These issues, as I have said, are difficult to progress because, under the terms of the local plans and Island's strategic plan, there seems to be a reluctance to have land zoned for industrial use. So, as the question that was put to me was in the name of the Chairman of the Planning Committee, the hon. member for North Douglas, Mr Henderson, perhaps he can take a greater interest in this area and through that particular department they can make suggestions as to where we are going to find the land for these industrial units.

The Speaker: Hon. member for Michael, Mr Cannan.

Mr Cannan: Minister, in your reply, you have stated that you do not know of land zoned for industrial sites. Are you, as minister, still not aware that there are acres of bare land in the Jurby Industrial Estate, which is zoned for industrial (**Mr Henderson:** Hear, hear.) purposes, and you have done nothing - but nothing - since you have been in office for the last six months except talk, talk, talk and do nothing. This land is available; it is zoned as an industrial area; it is bare land; all it needs is investment. Why are you not doing anything, sir?

The Speaker: Minister to reply.

Mr Downie: Yes. Well, I am very sorry at the completely negative attitude that the hon. member for Michael appears to be taking to this issue. Perhaps people are reluctant to invest in Jurby because they feel they get a negative response all the time from their hon. member (*Interjection by Mr Cannan*), but I can assure the hon. member for Michael that the department has done a lot of work recently to try and relocate business to the Jurby area. We are trying to sell it all the time, and I am hoping that, in the next few weeks, we will have something positive to report about Jurby and some new business initiatives. But the small business units and the small starter units that hon. members have been asking questions about really need to be in places where there is a considerable population, because a lot of their activity depends on the conurbation that they support. Now, regrettably, you have not got that situation in Jurby. Ideally, we would like larger companies to come into the Jurby area, and I can also advise the hon. member that we have recently put a significant amount of money into a very successful business in Jurby which deal with printing materials and packaging. That business is thriving, and we are looking at other opportunities,

which we are hoping to announce in the not-too-distant future. So, I would assure the hon. member that we are trying to do our best for people in Jurby, but I do not think it is helpful when we have the line of questioning that the hon. member seems to be wishing to pursue.

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

Mr Henderson: Thank you, Mr Speaker. Could the hon. minister agree that the question on the question paper that I am asking is, and I quote, 'Given the current problem of high rents as a result of the growing economy, what measures are in place to assist a small business to find suitable premises from which to work?', and that my question is not interested in planning issues? It has got nothing to do with the deflections (*Interjections*) that have just been saying that. What I am after is a short-term measure only; we can look at the bigger issues some other time, I agree. But my question is: would the minister be prepared to look at the criteria that he spoke of earlier - which I was impressed with, I have to say - to make them more flexible and to bring under the net some smaller local businesses, so that they may be helped in the present economic climate? And that is all that I am after.

The Speaker: Minister to reply.

Mr Downie: Thank you. I would just like to reiterate to the hon. member that some of the grants that are awarded by the department can be given to assist or to offset rent, but at the end of the day it is supply and demand. I cannot pull business premises out of the hat -

Mr Henderson: I am not asking you to.

Mr Downie: - and even more I cannot pull business premises out of the hat at knockdown or affordable prices.

Mr Henderson: I am not asking you to.

Mr Downie: It is a difficult situation that we are in and, to some extent, I am constrained by the legislation. I can assure the hon. member that if areas in the Island become available for development, and particularly those that are designated as industrial, the department will use every endeavour to try and get involved and create small business units there. We have already been given a lot of support by Treasury, and we are very keen to have a broad range of starter units and areas available for people who wish to invest in jobs and industry and diversification of the economy in the Isle of Man.

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

Mr Karran: Vainstyr Loayreyder, would the minister report back to this hon. House with any

review of a legislative framework for change to protect small business from the uncommercial rents that are out there? Can he give a timescale of his considering doing that? Is the minister also aware that when we lost the issue of the siting of the new hospital at the White Hoe and surrounding areas, one of the issues that was raised to one of his predecessors was the issue of the development of the new industrial site, now at Middle River, that is being developed privately? Would he consider - because he is a new minister - getting into the driving seat and developing again what was once developed by his department in the 1950s sites - so that his department controls the sites instead of going in with private enterprise and then finding that it has a stifling effect on enterprise and we end up with just another monopoly situation, as we do with most of the industrial sites on the Island?

The Speaker: Minister to reply.

Mr Downie: Yes, I have no problem with the hon. member's wish to try and increase our profile as far as small business and small business initiatives go, but I feel that it would be extremely difficult for me to bring in a system where we could effectively control rents. The only way we could control rents is by actually owning the land and the property and having a policy ourselves. And with no disrespect to the hon. member, I think we very much missed the boat because, like the housing market, the majority of land zoned for industrial use has been snapped up by people who are providing that range of facilities for a number of developers, for a number of other businesses, and really you have to ask yourself: is government in the business of acquiring all this land and putting buildings up when there is somebody available to do it in the private sector? (*Interjections*)

The Speaker: Hon. members!

Mr Downie: I take on board what the member has asked me to do today. I will ask the Economic Division of the department to review its present policy and to see if there are ways in which we can provide further assistance. As far as I am aware, we do not have any new legislation in the pipeline which would control rents or other mechanisms, but I will give the House this promise today that I will ask the Economic Division to have a look at it, and we will, perhaps, issue an update to hon. members as and when we get the information available.

The Speaker: Hon. member for Middle, Mr Quayle.

Mr Quayle: Thank you, Mr Speaker. The hon. minister mentions a possible reluctance for location of light industrial usage in certain areas; could I ask him, therefore, if he is aware that there are large areas of land designated in the draft Braddan plan which, if the plan gains approval, will free up a lot of land for the usage which he is seeking?

The Speaker: Minister to reply.

Mr Downie: I am aware that there may be other land available in the pipeline but, like a lot of other draft plans, it is a dream at the moment, and until that plan has been formally adopted and comes into being, there is no certainty that this land is actually going to be zoned for those particular purposes. This really is part of the problem that my department has when trying to forecast areas that are going to be suitable, and in the interim what happens is that big business comes along and buys this land or takes an option on this land, which may or may not be designated in the future, and here we are again with our backs to the wall, trying to deal with a situation that really has got very much out of control before we have been able to have the opportunity to acquire some of this land for government purposes. I think we have to improve our dialogue with the Department of Local Government and the Environment, and particularly the planners, and start to look at a long-term strategy which not only deals with housing - which I know they are dealing with at the moment - but which also deals with industrial land and places where we can have starter units. And also, to bring in the question at this particular time, we have a lot of areas where there are non-conforming uses taking place, where some of the businesses which are operating in a residential area really need to be moved somewhere else to have a place on their own, because their use, and what that particular business is doing, is actually detrimental to the surroundings in which it is working. So there are a number of issues; it is not black and white; it is not simple. But I am sure, hon. members, that we will look at it, in conjunction with other departments, and see if we can come up with a proper policy.

The Speaker: Final supplementary in relation to this question. I call on the hon. member for Douglas North, Mr Henderson.

Mr Henderson: Thank you, Mr Speaker. Could the minister agree with me that my question is *not* to do with planning (*Interjection by Mr Cretney*) and would he agree that what I am after here - I have been trying to allude to it in my supplementaries, and I cannot put it any plainer - is that he would be willing to meet with any small business which has got a problem with trying to find somewhere to move to, if there are areas that are available for rent, but for which they are having difficulty finding funding? That is what I am interested in: could he agree to actually review that particular situation with small local businesses finding a problem in moving on with the rents, as long as they are places to move on to? And if they have got a rent problem with that, could he agree that he would like to see them in his department for further talks?

The Speaker: Minister to reply.

Mr Downie: Yes. I should advise the hon. member that we get many requests for assistance from small business but, as I said early on, the level and

type of assistance that we can give is very much controlled by statute - by the rules under which the Industry Board actively operates - and there are clear definitions of what 'industrial undertakings' are. We cannot be giving money out to panel beaters and spray painters and somebody running a joiner's workshop and things like that; these are difficult areas. If there is an opportunity to expand some of these businesses or to put them into areas where we are seeing an export opportunity or there is an opportunity to employ more people, fine; we are more than willing to talk to them. I would respectfully remind the hon. questioner that if he does have someone who has difficulties with their premises or over the rents: contact the Economics Division at Hamilton House, and I am sure that we will give them all the advice and information that we possibly can. They may be able to go onto the waiting-list for a unit - we are trying to progress more units through the system - and then we can help in other ways. But the department is here to help, and while I am the minister, that will be the policy of the department: to try and do our best to stimulate both the economy and local industry where possible, including Jurby.

**Rockmount, German -
Letting of Land -
Question by Mrs Hannan**

Question 3. The hon. member for Peel (Mrs Hannan) to ask the Minister for Transport:

- (1) *Was the land at Rockmount, German, advertised for let by your department, if not, why not;*
- (2) *how long is the tenancy; and*
- (3) *when will it be let again?*

The Speaker: I call on the hon. member for Peel, Mrs Hannan.

Mrs Hannan: I beg leave to ask the question standing in my name.

The Speaker: I call on the hon. member for Douglas West, Mr Shimmin, Minister for Transport.

Mr Shimmin: Thank you, Mr Speaker. My department has never advertised any of the agricultural land under its ownership for let. Where this land is not subject to a protected tenancy under the Agricultural Holdings Act 1969, my department normally lets the land under short-term grazing agreements of 364 days or less, or for grass cutting. Subject to payment of a reasonable market licence fee, my department's policy has been to enter into further short-term agreements with the farmer that previously held the rights. Rockmount was let by my department under short-term grazing agreements in 1999 and 2000 to the farmer, historically, who had used this land under short-term

grazing agreements from the previous owner. This farmer subsequently retired and therefore no agreement was entered into with him for 2001. For that year my department decided, as a result of the foot-and-mouth crisis, to only let grass cutting rights. Offers in respect of these rights were invited by letter from all the farmers who had previously expressed interest in writing, in this land. A grass cutting agreement was subsequently entered into with a local farmer. My department has now entered into a 364-day short-term grazing agreement with the local farmer who last year held the grass cutting rights. This agreement is effective from 1st May 2002, and my department will next consider the most appropriate way to manage this land before the agreement expires on 29th April 2003.

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

Mrs Hannan: Could I ask the minister: how many people showed an interest in this particular land and why was it not advertised, when short-term grazing rights can be advertised and they can be looked at from the point of view of local interest? And could the minister also agree that there has been a terrific amount of local interest in this particular land?

The Speaker: Minister to reply.

Mr Shimmin: Thank you, Mr Speaker. I am advised that there were approximately half-a-dozen farmers or land users who had expressed an interest in this. Certainly, as the hon. member may be aware from her time in the department, the policy was never documented, and I have asked that this be included in the draft policies for the Properties and Estates Division, which will be reviewed as part of the consideration of our draft policies.

One of the difficulties, members will be aware, is that were we to enter into a longer-term lease or to allow annual bidding for these tenancies of 364 days or less, the maintenance of the land is sometimes done at a less high specification. In the case of Rockmount, consideration also has to be taken of the relationship with Poortown Quarry, as it is important that any grazing tenant is able to work with the quarry and not present unnecessary problems. Under these grazing agreements, we reserve a right of access for surveying et cetera, and we also include an early determination provision should the land be required.

However, we will be looking into short-term grazing agreements in the future, provided they can avoid protected tenancies. The review will look at the current situation with regard to a five-year term. However, the Department of Local Government and the Environment also seem to operate a similar performance where they leave the current land user with established tenants rather than advertising those, and our advice from the Department of Agriculture, Fisheries and Forestry is that the tendency within the industry is for landlords to renew short-term grazing agreements. I am sympathetic to the fact that this

excludes other persons from the possibility, which is why I have asked for this policy to be reviewed.

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

Mr Karran: Vainstyr Loayreyder, is the minister not aware that we have recently changed the Agricultural Holdings Act, which gives flexibility as far as the problems that were in his reply are concerned? And would the minister include the Kew land that has also recently come into his ownership as part of any procedures as far as Rockmount is concerned? And would the minister not agree that he is to be congratulated that he did not commit an act of vandalism on the Kew House like we did over Rockmount House?

The Speaker: Minister to reply.

Mr Shimmin: Thank you, Mr Speaker. Yes, indeed, it is the Agricultural Holdings Act which has allowed us to have the flexibility whereby we could enter into longer agreements without having a protected tenancy. It is one where these decisions have been historic, and I am not satisfied that they do give full access to the people in the area. However, what we do require is good maintenance of the land. Therefore, before entering into any further tenancy agreements which will come into operation from 29th April next year, we will be looking at the best utilisation to protect the assets of the department for the people of the Island. The land at the Kew has recently come into our ownership, and we will be looking at that within the whole policy investigation of that section of the department.

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

Mrs Hannan: Thank you, Vainstyr Loayreyder. Could I ask the minister: with regard to the working of the quarry, is that the reason why this land has been let to a Department of Transport worker?

The Speaker: Minister to reply.

Mr Shimmin: I can honestly say, Mr Speaker, that I was unaware that the current tenant is a Department of Transport worker. I do not believe that that has any significance other than that the person put in an offer, during the existence of the previous department, which was acceptable to the department at that time.

Bridle-ways – Development of Network – Question by Mr Houghton

Question 4. The hon. member for Douglas North (Mr Houghton) to ask the Minister for Transport:

Does your department have any plans to develop a network of bridle-ways in order to encourage horse-riding away from tarmac roads?

The Speaker: I call on the hon. member for Douglas North, Mr Henderson, to ask the question in the name of Mr Houghton, the other member for Douglas North.

Mr Henderson: Thank you, Mr Speaker. I beg leave to ask the question standing in Mr Houghton's name.

The Speaker: I call on the hon. member for Douglas West, Mr Shimmin, Minister for Transport.

Mr Shimmin: Thank you, Mr Speaker. I am able to inform the hon. member for Douglas that my department does intend to take action to create bridle-paths to further the safety and enjoyment of the horse-riding members of our community. The means of creating a bridle-path is under the Road Traffic (Amendment) Act of 2001, whereby the department may, with the agreement of the landowner, designate by order any footpath or part of a footpath as a bridle-path. The section of the Act which allows the dedication will come into operation on 1st July 2002 by an appointed day order, and from this date it will be possible to create a statutory bridle-path in the Island. A bridle-path is defined as a right of way which is on foot and on horseback, although cyclists may use it, provided they give way to pedestrians and horses. The section of footpath for which it is hoped to obtain a dedication is situated in the central area of the Island and will have a proposed length of approximately three miles. I am not at liberty to inform the hon. member of the exact location, as my department is at present preparing the proposal for presentation to the landowner; however, I can advise it is in the Crosby area.

There are currently about 30 miles of green lanes, which are public roads open to all forms of traffic which are able to use them, available for use by the horse-riding fraternity. I would also like to inform the hon. member for North Douglas that my department would welcome the dedication of any bridle-path from members of the horse-riding community who are also landowners. My department, with regard to safety, has also made sections of disused railway track within its ownership available for use by horse-riders, and I have recently offered my support to the formation of a green lane user group to co-ordinate and bring together the various parties involved. Thank you, Mr Speaker.

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

Mr Henderson: Thank you, Mr Speaker. I welcome the minister's announcements this morning. All I need to find out further is: would the minister – and I think he is indicating he would – be agreeable to meeting with various representatives from the Isle of

Man horse-riding fraternity in further discussions as a way forward on this issue?

The Speaker: Minister to reply.

Mr Shimmin: Yes, Mr Speaker. I can confirm that only last week a letter did go out to a member of the horse-riding fraternity, which outlined that the four-wheel drive club is keen for a green lane user group to be formed. We have offered our support with a proposal to chair any meetings, and I hope to arrange a preliminary meeting one evening in July and will contact you with an invitation to attend nearer the time. Therefore, I can confirm that all users of these difficult areas to maintain are going to be invited to try and see if we can move forward, sir.

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

Mr Singer: Can I ask the minister: in supporting the development of this network of bridle-ways, as these are also public footpaths, whose responsibility will it be to make sure that these are kept clean?

The Speaker: Minister to reply.

Mr Shimmin: Yes, Mr Speaker, I am sure all hon. members are aware of the ongoing difficulty of maintaining these in a suitable condition. It is the responsibility of my department, and that is one of the reasons for supporting the user group: so that we can actually try and co-ordinate a greater level of support for the conflicting users who may have their own interests but whose actions at times bring into question the condition of those pathways. Therefore, the attempt is to try and actually work together in order to improve the position of our countryside, which is important to everybody from rambblers to motor vehicle users.

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

Mr Karran: Vainstyr Loayreyder, is the minister aware that the Forestry Division is supposed to be having meetings - which were set up by the former member for Glenfaba, Mr Walter Gilbey - with the riding establishment about land that is the responsibility of the Forestry Division? Does his department want representation at those meetings? I would be interested to know whether, if he does, he will get in touch with the Forestry Division so that he will be included in those meetings.

The Speaker: Minister to reply.

Mr Shimmin: Yes, Mr Speaker. I, along with the Minister for Agriculture, Fisheries and Forestry and the Minister for the Department of Tourism and Leisure have already had one meeting because we are aware of the concerns expressed in this area. Following consideration of the user group, I then did approach the

two departments to ensure that they would be able to make available members of their staff. In the first instance, I spoke to Miss Charter; however, I believe that there is now an officer within the department looking at public footpaths and rights of way. He may be the most appropriate, but I will leave that to the department to consider. Certainly, it is intended to be inclusive of government departments and the agencies representing groups outside, sir.

**Horse-Riding –
Greater Access in Countryside –
Question by Mr Houghton**

Question 5. The hon. member for Douglas North (Mr Houghton) to ask the Minister for Agriculture, Fisheries and Forestry:

What action is being taken by your department to create more access for horse-riding in the countryside?

The Speaker: I call on the hon. member for Douglas North, Mr Henderson, to ask the question standing in the name of Mr Houghton.

Mr Henderson: Thank you, Mr Speaker. I beg leave to ask the question.

The Speaker: I call on the hon. member for Rushen, Mr Rimington, the Minister for Agriculture, Fisheries and Forestry.

Mr Rimington: Thank you, Mr Speaker. My department is the largest landowner on the Island, and these landholdings are in three broad categories: firstly, the glens, which are generally only suitable for pedestrian access and recreation; secondly, the uplands, over which there is already a policy of open ramblage. Horses are entitled to use the green ways, which traverse these uplands, though I appreciate that overuse by motorbikes may make such usage difficult; this is an ongoing problem, which I know my colleague, the Minister for Transport, is anxious to address. It would be inappropriate to have the same policy of open ramblage or trekking for horses, as the terrain would be too dangerous and it would also conflict with the grazing tenants. Finally, my department is responsible for the many plantations on the Island, and where these can be sensibly used for recreational purposes, they are. There are 18 plantations, which are available for horse-riding under licence. This has worked well for a number of years, although the situation needs constant monitoring to ensure that soft rides through these plantations are not made impassable due to overuse or to use during inclement weather. Other than in the plantations, my department has no remit or powers to provide any more access.

I am sure all hon. members agree that horse-riding is a healthy recreational activity to be supported. The increasing traffic on our roads does make this pastime quite difficult, and we should always encourage road users to slow down and show respect and tolerance for

horse-riders. My hon. friend, the Minister for the Department of Transport, is soon to introduce provisions under the Road Traffic (Amendment) Act 2001, as he has already outlined, to create a new highway classification of bridle-path. This enabling legislation may assist with making a further provision for off-road access throughout the Island, of which I would anticipate members would be fully supportive. My department will continue to work with the Department of Transport to explore opportunities to create bridle-paths wherever appropriate.

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

Mr Henderson: Thank you, Mr Speaker. I thank the hon. minister for his detailed answer there and obvious support. I would just like to ask, as a final supplementary: would he be agreeable to a meeting with representatives of the Island's horse-riding fraternity as a way forward in this matter?

The Speaker: Minister to reply.

Mr Rimington: Yes, the department is always willing to meet members of the public, particularly groups, to try and resolve issues where they need to be resolved.

The Speaker: Hon. member for Douglas South, Mr Cretney.

Mr Cretney: Yes, thank you, Mr Speaker. The use of the plantations is something which is welcomed and much enjoyed by many people. Could the minister's department take the opportunity, once again, to perhaps re-emphasise the message to that minority of dog owners whose pets, because of the owners' laziness, spoil the enjoyment of the plantations for so many others, similar to Marine Drive and, unfortunately, other places?

The Speaker: Minister to reply.

Mr Rimington: Yes, I thank the hon. member for raising that issue. I think it is very valid that dog owners throughout the Island should exercise responsibility when exercising their pets and especially, obviously in areas which are under the department's control in the plantations, which are highly used by a lot of people, they could make that little extra bit of effort to clean up as they go (**Mr Henderson:** Hear, hear.); it would make life a lot nicer for everybody else.

**Procedural –
Standing Order Suspended**

The Speaker: Hon. members, that concludes Question Time as allotted under our standing orders. Hon. member for Ramsey, Mr Singer.

Mr Singer: Can I move, Mr Speaker:

That standing order 43(2) be suspended to enable all the questions tabled for oral answer at this sitting to be put.

Mr Henderson: I beg to second, sir.

The Speaker: Right, hon. members. The motion before you is suspension of standing orders to enable the last two questions on our order paper to be taken. All those in favour say aye; against, no. The ayes have it. The ayes have it.

Conservation Areas – Control of Demolition – Question by Mrs Cannell

Question 6. The hon. member for Douglas East (Mrs Cannell) to ask the Minister for Local Government and the Environment:

Why has your department not brought into effect section 19 under part 3 of the Town and Country Planning Act 1999, which provides for control of demolition in conservation areas?

The Speaker: I therefore go to question 6, and I call on the hon. member for Douglas East, Mrs Cannell.

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

The Speaker: Hon. member for Rushen, Mrs Crowe, Minister for Local Government and the Environment.

Mrs Crowe: Mr Speaker, I can advise that, as yet, my department has brought into operation only part 1 of the Town and Country Planning Act 1999, which deals with development plans. Parts 2 to 5 of the Act, dealing with development controls, special controls, enforcement and miscellaneous matters, will be brought into operation as a complete package once the necessary secondary legislation has been drafted and approved by Tynwald. The drafting cannot be finalised until my department has completed a comprehensive review of the planning system, which was one of the first announcements I made as minister of the department. The present planning process has operated since 1982 and should, in my opinion, have been subject to regular review. As you can imagine, the suggested changes to improve the system will need to have public consultation, but I hope that that will all be completed by the autumn of this year. However, the particular clause to which the hon. member for East Douglas refers simply re-enacts an existing provision, which is section 13 of the Town and Country Planning Act 1991; in other words, there is already planning control over the demolition of buildings in designated conservation areas.

The Speaker: Hon. member for Douglas East, Mrs Cannell.

Mrs Cannell: Mr Speaker, is the minister not aware that the appointed day order has never come before members and so, therefore, the particular provision that I am asking for in my question is not part of law at the moment and is not being utilised? Has she not been advised of that fact?

The Speaker: Minister to reply.

Mrs Crowe: The 1991 provisions are in place, and there is already control over the demolition of buildings in designated conservation areas.

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

Mr Karran: Vainstyr Loayreyder, would the minister, when doing a review of her legislation, also bring into the equation the likes of my former private member's Bill that was thrown out by the dead hand of the executive? And will she look at the contents of that piece of legislation which dealt with the issues of demolition and other issues as far as the protection of buildings was concerned? And when she reports back to this department, will she also have a view on the Bill that would have solved this problem but was destroyed because it did not come from the executive?

The Speaker: Minister to reply.

Mrs Crowe: I will comment on those matters for which I am responsible. Certainly the department will be happy to take into consideration anyone's views on the new planning system at any time, and we will certainly consider anything that has been brought forward before us.

The Speaker: Hon. member for Douglas East, Mrs Cannell.

Mrs Cannell: Thank you, Mr Speaker. Does the hon. minister appreciate that, while she fiddles about and reviews the legislation to which I am referring, Rome is burning, in that we are losing historically and architecturally important buildings in this Isle of Man, which not only benefit our tourism industry, but will also benefit our growing film industry? And can she please advise why there is the need to not review as well as bringing in the regulations? In other words, will she bring the regulations in, please, let the law become effective, and then take her review, rather than holding up important and essential legislation?

The Speaker: Minister to reply.

Mrs Crowe: Thank you, Mr Speaker. I do resent the remarks about 'fiddling about'. I think one would agree that I am in my office at the crack of dawn and work through every night, progressing the work of the

department; that is not fiddling about, which some members may well do.

However, what I would suggest is that the complete review of the Planning Department was essential, in my view. It was one of the first announcements I made as a minister. That will be completed by the autumn, so it has held up the introduction of these regulations, which were not in place, by a few months. Hopefully, after that time, we will have a complete planning process that is user-friendly to all in the Isle of Man and will protect whatever buildings we feel need protecting.

The Speaker: Hon. member for Middle, Mr Quayle.

Mr Quayle: Thank you, Mr Speaker. Could I ask the hon. minister for clarification because, in a previous answer in another place, I drew attention to the 1934 Act, where she would have been able to utilise that for development - section 6 - and she replied in her answer that the 1934 Act was no longer in use and that the 1999 Act had superseded it. Is she clarifying now that Tynwald members had been previously misinformed and that the 1934 Act is still in use and that the 1999 Act will, when that is passed from sections 2 to 5, actually then replace the 1934 Act and that that will be repealed?

The Speaker: Minister to reply.

Mrs Crowe: There are various parts of Acts which are in place in the department at the present time, but the particular provisions that the hon. member for East Douglas was referring to are in section 13 of the 1991 Town and Country Planning Act, so those particular provisions, where there is already planning control over the demolition of buildings in conservation areas, are, in fact, already established and in place. That is what we are working to but, of course, it will be superseded by parts 2 to 5 of the new Town and Country Planning Act of 1999.

The Speaker: Right, hon. members, before I move on to question 7, could I just make a comment in relation to the point made by the hon. member for Onchan, Mr Karran, where he indicated that the executive had rejected his legislation. I would make it clear that the *House* rejected it; the executive is *part* of the House.

Mrs Crowe: Thank you, Mr Speaker.

Litter – Prosecutions and Fines – Question by Mr Earnshaw

Question 7. The hon. member for Onchan (Mr Earnshaw) to ask the Minister for Home Affairs:

In view of the amount of litter around the Island's beaches, towns and countryside –

- (1) *how many successful prosecutions have been effected by the Island's Constabulary during the last three years; and*
- (2) *what is the cumulative total of fines suffered by offenders for those prosecutions?*

The Speaker: I call on the hon. member for Onchan, Mr Earnshaw.

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

The Speaker: I call on the hon. member for Douglas East, Mr Braidwood, Minister for Home Affairs.

Mr Braidwood: Mr Speaker, prosecutions of the nature described by the hon. member brought successfully during the last three years are as follows: 1999-2000, one prosecution, receiving a fine of £300 plus £10 costs; 2000-2001, two prosecutions, receiving fines of £100 plus £10 costs, and in the second case £200 plus £10 costs; 2001-2002, one pending prosecution. During this three-year period, nine persons have received a caution in relation to littering; therefore the cumulative effect is £600 in total.

The Speaker: Right, hon. members, that concludes . . . Hon. member for Onchan, Mr Earnshaw.

Mr Earnshaw: Thank you, Mr Speaker. Sorry if I was a bit slow in getting up there. I thank the hon. minister of the department for his response. Can I begin by asking the minister why, when there is so much evidence all around us, there are so few prosecutions for litter offences, and also his opinion on the principle of having laws for offences if there is so little appetite for enforcement? Secondly, would the hon. minister agree with me that although the vast majority of people would not drop a sweet paper in the street, the remainder do not seem to care less, and that many members of the public wishing to challenge those who drop litter are put off doing so by the aggressive response they are likely to receive from the offender?

The Speaker: Minister to reply.

Mr Braidwood: Thank you, Mr Speaker. I honestly believe that it should be a local authority function. The 1972 Litter Act, which was amended by the Public Health Act 1990, enabled local authorities to appoint authorised officers - litter wardens - to issue fixed-penalty notices. The amount of the fixed penalty is fixed by the Department of Local Government and the Environment, and therefore I think it might be

appropriate for the hon. member, who is a member of the Department of Local Government and the Environment, to enquire how many local authorities have appointed litter wardens and how many fixed-penalty notices have been issued. In the second part, on people dropping sweet papers and causing litter, I totally agree with the hon. member for Onchan, Mr Earnshaw: it is a tragedy that people walk about and just drop litter, and I appreciate that a lot of people do not like pulling them up for fear of being hit.

The Speaker: Hon. member for Onchan, Mr Earnshaw.

Mr Earnshaw: Well, I think many people will be rather surprised to hear that answer; I thought it was entirely a police matter to enforce the law regarding litter, and I would suggest that there is an element of passing the buck here (**Mr Henderson:** Hear, hear.) to suggest that this responsibility gets passed on to local authorities. I would finally like to ask the minister for the department what action he proposes to take to ensure authorities become more active in making arrests and bringing prosecutions for litter offences, and would the minister assure the public that reports by them of litter offenders will result in prosecution?

The Speaker: Minister to reply.

Mr Braidwood: Mr Speaker, it has been in law since 1972, which again was amended in 1990, for local authorities to appoint litter wardens and to issue fixed-penalty notices. The police will proceed with prosecutions, but I honestly believe that there are more serious offences for the police to act upon than to get litter-bugs and to make prosecutions, although I will go back to my department and the Chief Constable and have a word and ask them if they will be more proactive.

The Speaker: Hon. member for Douglas South, Mr Cretney.

Mr Cretney: Thank you, Mr Speaker. Does the minister agree with me that, as part of the proactive strategy in relation to this ongoing problem, there should be a re-emphasis of the civic amenity sites which now exist Island-wide? In particular, I was walking along Marine Drive last night, and people had driven up to Marine Drive to drop off a bed and carpets and all sorts of other stuff, when they could just as easily have driven to a civic amenity site.

The Speaker: Minister to reply.

Mr Braidwood: I totally agree with the Minister for the Department of Tourism and Leisure. Yesterday I went to the amenity site to drop off an old wardrobe and old carpet, and it is unbelievable that people will drive up to Marine Drive and just drop off, as the minister has said, mattresses, when it is so easy to drive

down to Snugborough, where there are facilities available.

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

Mrs Hannan: Thank you, Vainstyr Loayreyder. Is the Minister for Home Affairs suggesting that the police should ignore the law?

Mr Henderson: Hear, hear.

The Speaker: Minister to reply.

Mr Braidwood: Mr Speaker, no, I am not saying that at all; I am saying that the police will bring prosecutions if they find people dropping litter and they see them, and I have already said in my answer that they gave cautions to nine people and they have prosecuted three people in the last three years, with one pending prosecution. They will take action if the officers see people dropping litter.

The Speaker: Hon. member for Ramsey, Mr Bell.

Mr Bell: Thank you, Mr Speaker. Could the hon. minister explain, if local authorities have the power to appoint litter wardens and those wardens have the power to issue fixed-penalty notices, who actually receives the fines when they are paid? Is it the local authority or does that come back into central government?

The Speaker: Minister to reply.

Mr Braidwood: Mr Speaker, I do not know the answer to that, but I will find out and inform the minister.

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

Mrs Crowe: Thank you, Mr Speaker. I wondered, as we were talking about litter, if the minister would agree with me that not all people are irresponsible, and would join with me in congratulating Stenning House, King William's College, who picked up over 200 bags of litter, four bikes, oil containers and fishing nets last weekend? Thank you.

The Speaker: Minister to reply.

Mr Braidwood: Thank you, Mr Speaker. I am totally in agreement with the Minister for the Department of Local Government and the Environment.

The Speaker: And I turn to the hon. member for Onchan, Mr Earnshaw, to ask the final supplementary on this question.

Mr Earnshaw: Thank you, Mr Speaker. I think what Mrs Crowe, the hon. member for Rushen, has just said highlights the massive problem that we have got, (**A Member:** Hear, hear.) in that one school can pick up 200 bags, four bikes and all sorts of things on our beaches.

The Speaker: Minister to reply, if there is a reply.

Mr Braidwood: I do not think there is a reply to that question, Mr Speaker.
