

REPORT OF PROCEEDINGS OF THE HOUSE OF KEYS (QUESTIONS)

**Douglas, Tuesday, 15th April 2003
at 10.05 a.m.**

Present:

The Speaker (the Hon. J A Brown) (Castletown); Mr D M Anderson (Glenfaba); Hon. A R Bell (Ramsey); Mr R E Quine OBE (Ayre); Mr J D Q Cannan (Michael); Mrs H Hannan (Peel); Hon. S C Rodan (Garff); Mr P Karran, Hon. R K Corkill and Mr A J Earnshaw (Onchan); Mr G M Quayle (Middle); Mr J R Houghton and 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); Capt. A C Douglas (Malew and Santon); Mr Q B Gill (Rushen); with Mr M Cornwell-Kelly, Secretary of the House.

Questions Answered Orally

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**Government Departments –
Representation at Chief Officers’
Group Meetings –
Question by Mr Gill**

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

In the absence of the chief executive are departments represented at the Chief Officers’ Group?

The Speaker: Hon. members, we now go to questions for oral answer and I call on the hon. member for Rushen, Mr Gill.

Mr Gill: Gura mie eu, Vainstyr Loayreyder. Ta mee shirrey kied yn eysht y chur ta fo my ennym.

The Speaker: Hon. member for Onchan, Mr Corkill, Chief Minister, to reply.

Mr Corkill: Mr Speaker, the Chief Officers’ Group meets bimonthly on the second and fourth Tuesday of each month. Meetings are scheduled a long time in advance and chief officers should normally make attendance at meetings a priority. Absences are usually the result of the chief officer being off-Island or unavailable for health reasons, or perhaps of urgent demands regarding their statutory duties.

If a chief officer is to be absent, he or she would extend apologies to the Chief Secretary, and if any matters of importance were included on the agenda for a meeting which they were to miss, the opportunity is there for the chief officer either to request the item to be deferred until the next meeting or to ask that a senior manager attend in his or her place for that particular item.

The Speaker: Hon. member for Rushen, Mr Gill.

Mr Gill: Thank you, Mr Speaker. Would the Chief Minister agree that in another place in February he advised his colleague for Onchan, Mr Karran, the Council of Ministers had directed the Chief Officers’ Group to ‘work more closely together’? Is it not therefore contradictory to this directive to maintain the exclusive and secretive practice he has just described to us?

The Speaker: Chief Minister to reply.

Mr Corkill: I do not believe, Mr Speaker, that the practice I have just described is secretive or exclusive. My final comment was that, when chief officers are not available for the reasons I outlined, alternative senior managers can attend these Chief Officers’ Group meetings so that business can be progressed. The rôle of the Chief Officers’ Group, can I just reiterate, is to implement the policy of the Council of

Ministers endorsed by Tynwald, and it is to the efficiency of that process that the Council of Ministers always looks.

**Government Departments –
Representation at Council of
Ministers’ Meetings –
Question by Mr Gill**

Question 2. The hon. member for Rushen (Mr Gill) to ask the Chief Minister:

In the absence of the minister are departments represented at Council of Ministers’ meetings?

The Speaker: I call on the hon. member for Rushen, Mr Gill.

Mr Gill: Ta mee shirrey kied yn eysht y chur ta fo my ennym.

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

Mr Corkill: Mr Speaker, as a general rule representation at the Council of Ministers is by the minister only. If a minister knows there is an item on the agenda which is likely to affect his or her department, he or she can request that the item be deferred or that someone attend for that particular item. Members of departments are often invited to attend Council meetings when items for which they have direct responsibility are discussed, and this is something that we encourage. Attendance by ministers at Council meetings is considered a priority, and apologies for absence are normally only received when the minister is off-Island on government business. Otherwise Council attendance takes priority.

The Speaker: Hon. member for Rushen, Mr Gill.

Mr Gill: Thank you, Mr Speaker. I thank the Chief Minister for that answer, but could he explain the exclusive and divisive way of running Council of Ministers’ meetings that he has just described is contradictory to the principles of inclusive corporate government that he has been propounding?

The Speaker: Chief Minister to reply.

Mr Corkill: I am rather disappointed by the supplementary, Mr Speaker, because we do – and this is not new, this is carrying on the policy of previous Councils – try to include as much member participation in the policy of government as we can achieve. The hon. member refers to the corporate governance and the corporate plan that we are embarking upon at this stage and I think hon.

members, over the next few weeks, will see that there are a number of opportunities being provided for hon. members to have input into that process. But, having said that, there is always the day-to-day opportunity of any member getting in contact, and I will gladly speak to any member at any time regarding the input of issues with regard to overall government policy. The door is always open and certainly, if the hon. member feels that the situation is divisive, I am quite happy to talk about specific issues and see if we can bottom things out.

**IRIS Scheme – Progress of –
Question by Mr Quayle**

Question 3. The hon. member for Middle (Mr Quayle) to ask the Minister for the Treasury:

In conjunction with the capital projects co-ordinator, are you content that the IRIS project is proceeding satisfactorily and within budget, particularly in relation to the section from White Hoe to Meary Veg?

The Speaker: I call on the hon. member for Middle, Mr Quayle.

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

The Speaker: I call on the hon. member for Ramsey, Mr Bell, Minister for Treasury.

Mr Bell: Mr Speaker, as the hon. member is aware, there is no specific single budget for the IRIS master plan. It is a strategy formed of something in excess of 30 different schemes, of which more than 20 have been considered and approved by Tynwald Court to date. With two exceptions, all that have been completed were delivered on time and within the approved cost. The two exceptions to this were the pumping station at Loch Promenade, which was the subject of a supplementary submission by the Department of Transport, and the tank and pumping station for Peel that was completed late but nevertheless was within the approved budget.

On completion the Department of Transport carries out a review on each individual scheme with a view to satisfying itself that the processes and systems used were satisfactory, and considers if any lessons are to be learned to ensure continuous improvement of future schemes as required by the procedure notes for capital schemes. I am pleased to advise the hon. member that my department has asked through the capital projects unit that the Department of Transport reviews, as matter of good practice, the IRIS project as a whole together with the remaining schemes to ensure that, if the department progresses with the remaining

elements of this large undertaking, they will continue to provide value for money.

With regard to the specific reference to the scheme for the transmission main from White Hoe to Meary Veg, the continuing delay of the completion of the main is disappointing, and progress in resolution of the problems being encountered is very unsatisfactory. I can advise that the project manager has ensured that the final account has been secured and agreed within the sum approved by Tynwald.

In terms of resolution of ongoing problems, I am advised that the department is giving the matter its closest attention and has agreed to an action plan with its advisers and the main contractor.

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

Mr Quayle: Thank you, Mr Speaker. In thanking the hon. Treasury minister for that comprehensive reply, could I ask him if, in conjunction with the Capital Projects Co-ordinator, he could perhaps liaise with the Department of Transport in seeking to an extension to the warranty for that particular section that has caused so many problems and is yet to be completed from White Hoe to Oakhill?

The Speaker: Minister for Treasury to reply.

Mr Bell: Mr Speaker, my officers work very closely with the Department of Transport officers and obviously, as this is a very major scheme for the Island, we will consider suitable action.

**Litter – Issue of Fixed Penalty Notices –
Question by Mr Earnshaw**

Question 4. The hon. member for Onchan (Mr Earnshaw) to ask the Minister for Home Affairs:

How many fixed penalty litter notices have been issued by officers of the Isle of Man Constabulary since the ability to fine offenders by this method was introduced on 1st January 2003?

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, to reply.

Mr Braidwood: Mr Speaker, there have been no fixed penalty litter notices issued by officers of the Isle of Man Constabulary since 1st January 2003.

The Speaker: Member for Onchan, Mr Earnshaw.

Mr Earnshaw: No fixed penalty notices? Would the minister confirm that the police are paid by the public to serve the public, and is it therefore reasonable for the public to expect an effort to be made in carrying out their wishes?

The Speaker: Minister for Home Affairs to reply.

Mr Braidwood: Mr Speaker, of course we know that the public pay for the Isle of Man police force, but it is not general that people walking through the streets would drop litter in front of police officers, and in actual fact the Isle of Man Constabulary indicated to the Department of Local Government and the Environment that there would probably only be a dozen litter notices served in a full year.

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

Mr Quine: Would the minister agree that in the context of law and order there has to be an order of priorities (**Mr Karran:** Hear, hear.) and matters such as this, important as they may be in local localities, are not what the police would properly consider to be a high priority, and it is open to government, be it central government or local government, to pursue the enforcement of these regulations through resources other than the police if the will was there?

The Speaker: Minister for Home Affairs to reply.

Mr Braidwood: Thank you, Mr Speaker. I totally agree with the sentiments expressed by the hon. member for Ayre, Mr Quine. As he quite rightly points out, local authorities can appoint their own litter wardens. I know legislation is being looked at by the Treasury, but normal fines go to general revenue, and if legislation can be changed so that the fines would go to the local authorities then litter wardens would be self-financing.

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

Mr Earnshaw: Thank you, Mr Speaker. Is the minister aware that a campaign is about to start – a ‘Keep the Island Clean’ campaign will be starting by the local government department on the 22nd of this month? And is the minister also aware that when certain matters had been reported to the police regarding litter around the Island – and there is evidence of this – no action is being taken?

The Speaker: Minister for Home Affairs to reply.

Mr Braidwood: Mr Speaker, yes, I am well aware of the campaign which is starting throughout the Island. If evidence comes to the police where dumping

has taken place, and in each case when the evidence comes through the case is viewed on its merits, then the police will take action and prosecute that person.

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

Mr Houghton: Thank you, Mr Speaker. The minister mentioned that it is not likely that an offender would drop litter in front of a police officer. Could he advise if there are in fact any police officers in evidence for an offender to drop litter in front of, sir?

The Speaker: Minister of Home Affairs to reply.

Mr Braidwood: Mr Speaker, I do not think it is worthy of an answer. (*Laughter*)

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

Mr Houghton: The truth hurts!

Mr Cretney: Hear, hear.

Mr Karran: Vainstyr Loayreyder, would the shirveishagh not agree that the hon. member for Ayre is quite right in his issues that the priority should be drugs, crimes of violence and issues like that. And would he also not agree that yet again another golden opportunity was lost by amendments by myself to the recent Litter Bill in order to have this issue resolved by putting requirement on local authorities to get on with some of the jobs that we should let them do?

The Speaker: Minister for Home Affairs to reply.

Mr Braidwood: Again, Mr Speaker, I totally agree with the hon. member for Onchan, Mr Karran, that it should be the local authorities who appoint their litter wardens.

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

Mr Earnshaw: Thank you, Mr Speaker. It is all very well hiding behind the local authorities (**Mr Houghton:** Hear, hear.) but the police are there to enforce the law, and are we wasting our time working up legislation if the police are just going to ignore it? These fixed penalty litter notices are just as easy to issue as parking tickets. (*Interjection by Mr Houghton*)

The Speaker: Minister for Home Affairs to reply.

Mr Braidwood: Thank you, Mr Speaker. Generally parking fines, notices, are issued by the parking controllers, and therefore you can look and say that if the local authorities appoint their own litter wardens they will be able to go around the areas and

issue their fixed penalty notices. I believe that the police should concentrate on more important matters.

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

Mr Henderson: Gura mie eu, Vainstyr Loayreyder. Could the hon. shirveishagh confirm that what he is actually saying is that, if somebody does drop litter in front of a police officer, that police officer will not take any action?

The Speaker: Minister for Home Affairs to reply.

Mr Braidwood: Mr Speaker, no, I am not saying that. What I am saying is that if a person deliberately drops litter in front of a police constable then a fixed penalty notice to the individual will be warned (**A Member:** Oh, dear!) and also a fixed penalty notice can be issued.

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

Mr Quine: Would the minister agree that if the Department of Local Government and the Environment are in fact mounting an Island-wide campaign, I would assume that there have been discussions with other departments, not least the police and the local authorities, to make sure that the resources are available to make that campaign successful? Is the minister aware of any liaison that has taken place with the force to ensure that this campaign has some chance of success?

The Speaker: Minister for Home Affairs to reply.

Mr Braidwood: Mr Speaker, I am not aware of any liaison between the Department of Local Government and the Environment and the Department of Home Affairs. I received a letter from the Minister of Department of Local Government and the Environment as an individual making me aware of the current campaign.

The Speaker: We turn to the hon. member for Onchan, Mr Earnshaw, for the final supplementary.

Mr Earnshaw: Thank you, Mr Speaker. It is like 'round the mulberry bush' here really, isn't it? (*Interjection*) Is the minister aware that there is a serious concern at the moment in the Isle of Man about the possibility of fly-tipping arising, and if we do not tackle the small offences, we are just inviting serious trouble in the future?

Mr Houghton: Hear, hear. (*Interjection by Mr Karran*)

The Speaker: Minister for Home Affairs, Mr Braidwood, to reply.

Mr Braidwood: Mr Speaker, I have already said that if dumping rubbish or fly-tipping, as the hon. member for Onchan, Mr Earnshaw, has mentioned, and the police are given evidence and they look at that evidence and it merits a prosecution, the police will take out a prosecution.

Douglas Harbour – Elevated Walkway – Question by Mr Houghton

Question 5. The hon. member for Douglas North (Mr Houghton) to ask the Minister for Transport:

In respect of the elevated walkway at Douglas Harbour -

- (1) *when was it opened for public use;*
- (2) *what was the cost of its provision;*
- (3) *does it have any defects; if so,*
- (4) *what is the cost to bring it up to standard; and*
- (5) *who will pay for the repairs?*

The Speaker: I call upon the hon. member for Douglas North, Mr Houghton.

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

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

Mr Shimmin: Thank you, Mr Speaker. In answer to the first part, the travelling public first used the elevated walkway on 1st April 1999.

In answer to part (2), the project came in under cost and in time for Easter 1999 as promised. The cost of its provision was £1,820,781.79.

Regarding defects in part (3), currently the walkway is operationally successful and the department is generally happy with the results of the project. There were initial difficulties with some leaking of the glazed structure and in the commissioning of the wash-water gantry. The work was finally completed to the satisfaction of the engineer on 29th November 2002 when the Certificate of Defects Correction was issued. The cost of all remedial and commissioning work during this maintenance period was met by the contractor under the conditions of contract. Because of the location and nature of the glazed structure, it was recognised that an ongoing maintenance programme would be a requirement.

Subsequent to the department taking over the walkway, there have been some problems with leaks which are dealt with in the routine maintenance programme. The high temperatures experienced in the walkway are dealt with by increased ventilation and the use of air conditioning units.

In answer to part (4), as stated earlier, the contractor met the cost of bringing the walkway up to the standard required by the engineer.

Finally, as from 29th November 2002, the department became responsible for the maintenance of the walkway.

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

Mr Houghton: Thank you, Mr Speaker, and I thank the hon. minister for his comprehensive reply this morning. Can he just confirm, though, that he is satisfied that no undue additional expense will indeed fall on government with regard to this structure, sir?

The Speaker: Minister for Transport to reply.

Mr Shimmin: Not being a specialist in this area, Mr Speaker, I have to turn to the advisers within the department, of which we have many professionals. To date the maintenance costs have only been in the region of approximately £1,000 for the last five months. It is estimated that the maintenance costs for a facility costing £1.8 million are in the region of £6,000 annually – that is to do with painting, cleaning and repairs. I think all hon. members will realise that the walkway takes over an extremely exposed position in the harbour and the purpose is to try and ensure that the passengers have a safe means of travelling from one landing pier to the main sea terminal building. It was always anticipated there would be some ongoing problems; however, we are satisfied with the progress to date. Any structure with such a large amount of glass means that there will be problems of heat in the summer and also the driving rain on occasions will produce leaks, which is not unusual in a building which is built of different types of construction materials. Generally, sir, we are happy and confident that the maintenance programme will be reasonable.

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

Mr Karran: Vainstyr Loayreyder, would the shirveishagh not agree this is another white elephant that has come home to roost as far as capital projects are concerned, being the only member that voted against this white elephant, and would he not communicate this with the staff that actually work in the department who have direct responsibility, as I have been told on several occasions whenever I go over the alternative euthanasia system for seeing off elderly people who want to walk up three flights of

stairs who are frightened to go in a lift? Would he not agree that that is not the case, and what we are seeing once again, because of the lack of transparency over the original decision making, is that we have lumbered our taxpayers with something that is a liability for future generations?

The Speaker: Minister to reply.

Mr Shimmin: Mr Speaker, Tynwald vote was £1.94 million for this scheme; it came in at £1.82 million, therefore, unusually within this House, it came in under budget and on time.

Regarding the safety of the travelling public, were anybody to look at the harbour area they would realise that the need to get passengers safely from one part to the other would only be achieved by having a designated route. The lifts that have been put in for this facility do operate and therefore we cannot accommodate for those persons who may have difficulties with lifts, but it does mean that there is a safe way of passing without the freight handling area being compromised. We are short on space in this area. The elevated walkway, I repeat, came in under budget, on time, and now we have a responsibility for ongoing maintenance. I do believe that government has a responsibility to all of its properties to ensure a reasonable maintenance programme so that we do not incur liabilities in the future.

IRIS Scheme – White Hoe to Meary Veg Section – Question by Mr Quayle

Question 6. The hon. member for Middle (Mr Quayle) to ask the Minister for Transport:

With regard to the latest problems encountered with the IRIS scheme from White Hoe to Meary Veg -

- (1) *are you entirely satisfied that this section can be successfully completed;*
- (2) *what is the revised timescale in terms of completing the work;*
- (3) *who or what has been responsible for the unacceptable delays in completing this section; and*
- (4) *due to the massive disruption to the business, social and daily lives over an intolerable period of time to the residents of South Braddan, is there any penalty clause in the IRIS contract that can be invoked?*

The Speaker: I call on the hon. member for Middle, Mr Quayle.

Mr Quayle: 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 Shimmin, Minister for Transport, to reply.

Mr Shimmin: Mr Speaker, regarding the first question which says 'entirely satisfied' I think the hon. mover of the question knows my views on the satisfaction on this scheme. He is also aware that I can only rely on the advice received from the experts who have been appointed by the department, and in this regard I have received advice that confirms the laying of the main can successfully be completed. Again I hesitate to give a timescale as I am reliant on third parties who previously have let us down. However, I understand that, based on the advice given to me, a specialist firm in leak detection has been appointed from the United Kingdom and he is working with the main contractor to achieve a successful test. The department, I repeat, is incurring no costs as part of this process.

Until we can be assured that the tests are successful, it is difficult to give the hon. member any commitment. The reason quite simply, as has been stated before in this House, is poor workmanship. This has led to an extended period being required to effect repairs when the transmission main continues to fail the test.

As I advised previously, the main contractor is Farrans Construction Limited. Their principal sub-contractor is Done (Isle of Man) Limited and the engineer to the contract is Arup. We share the extreme disappointments that my officers, in conjunction with others, having selected an engineer and a main contractor with a proven track record in mains laying elsewhere, have been let down quite badly with such poor workmanship.

In answer to part (4), I am advised it is not possible within the terms of the contract to incorporate a penalty. I am advised that the courts will not support the imposition of a penalty clause. The contract does, however, have provision to charge liquidated and ascertain damages in respect of any delay; that is to offset costs incurred by the employer which in this instance is my department, but this would only be against moneys due under the contract, and that charge has to reflect costs incurred. My department is considering this matter but it has to be borne in mind that the department has not until now needed beneficial use of the main and that any charge is likely to be recharged to the Manx subcontractors.

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

Mr Quayle: Thank you, Mr Speaker, and I do appreciate the comprehensive answers provided by the hon. transport minister and I do acknowledge that

obviously I have been keeping in close contact with him virtually on a weekly basis since the problems have arisen. But could I ask him: is he aware of how many repairs have been required to the section of pipework from White Hoe to Oakhill, and what confidence does he have, obviously with so many repairs having been required? And with this particular section proving so difficult to complete, could I ask him if he will consider achieving and obtaining an extra period of guarantee or warranty that could be enforced for this particular section, as it has involved so many problems to date and which would protect the taxpayers of the Isle of Man should problems arise in the future?

The Speaker: Minister for Transport to reply.

Mr Shimmin: Mr Speaker, I am not aware of the full number of leaks that have been identified in this one-and-a-half kilometre section. However, I can advise the House that the main was pressure-tested last week and two further leaks were identified. One has already been successfully repaired and the second leak requires fittings to be delivered from the United Kingdom. The contractors are planning to work over the bank holiday weekend to complete this repair, after which the pressure testing will be continued and tried, and we hope this time to be successful.

I hear what the hon. member talks about, both in the previous question and this, regarding an extra guarantee and warranty. I will look further into that matter. However, I would reassure the House and the public that as yet we have not taken ownership of this part of the contract, therefore any guarantees and warranties have not yet commenced and will not be doing so until such time as the pressure test has been successful.

I have details which I will supply to the hon. member at the end of this session regarding the works programme for the completion and upgrade of these sections, sir.

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

Mr Henderson: Gura mie eu, Vainstyr Loayreyder. Would the shirveishagh agree with me that perhaps it is time now that this particular troublesome section, although not his department's fault, needs to be dug up from start to finish and relaid? And could he also answer what his department is doing in relation to comfort for the road users and people who live in the area?

The Speaker: Minister for Transport to reply.

Mr Shimmin: Mr Speaker, it would be disastrous for the taxpayers of the Isle of Man were we to go along with the suggestion from the hon. member for North Douglas. This is a contract legally gone into,

and the responsibility quite clearly since July has been with that contractor. Were we to do any works on that section now, it would compromise any of the guarantees, warranties and the responsibility for the satisfactory completion of it. The hon. House is well aware of the problems we have experienced. However, if we try and put it into context we are talking about a length of one-and-a-half kilometres, but I would advise the House that the section from Oakhill Bridge to Meary Veg, which is a substantial area in this location, is three-and-a-half kilometres. That has already successfully passed all stages and work will consist of regulating this replacement of the road surface, which is due to be commenced on 19th May. The work that is currently being carried out on the section from Oakhill Bridge to Meary Veg, a major section of problems for the public, is due to have a final slurry seal beginning on 9th June which hopefully will be completed by the middle of June for the three-and-a-half kilometres of section. The final remaining section, which we are still awaiting final approval on, is one-and-a-half kilometres. That will retain a problem until we get access from the contractor, and it is estimated that the work will take a further three months to complete.

I am optimistic, Mr Speaker, that by the end of July we should have this reinstatement done to a satisfactory standard and hopefully the people in the area who have been extremely tolerant and inconvenienced, will get some normality back in their lives.

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

Mr Quayle: Thank you, Mr Speaker. Could I ask if my understanding is correct that originally the people to supervise the joining of the pipes should have been on site and actually doing this particular job, and the original people that were to have done that actually were dispensed with? I would ask why that was so. Also, in relation to the people in the area who have experienced massive disruption to their lives, could I ask him if he will consider appointing a liaison officer as part of the duties of a particular officer in his department so that the people in the area can at least have a focal point so that they could actually ring and discuss calmly the concerns that they have with this particular contract?

The Speaker: Minister for Transport to reply.

Mr Shimmin: Mr Speaker, there is a meeting at lunchtime today between my chief executive and the director of Farrans and the contract engineers' managing director. Certainly the liaison with the public has been disadvantaged by the unfortunate illness and subsequent retirement of the person fulfilling that rôle. This has been operated by other members of the contract team and the department. However, if there is a shortfall in that communication, I will take that up

with the hon. member. Certainly I am aware that the members of the public are in frequent dialogue with my department, therefore I assume they do have the opportunity.

With regard to the pipe-laying, certainly the subject of whether or not there should have been supervision was discussed prior to the contract and subsequently and, indeed, Farrans were experienced in this area and felt there was no need. That is being further pursued as to whether there is fault either on my department's side or on the side of the contractor.

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

Mr Quayle: Thank you, Mr Speaker. I would thank the minister again for the replies, but also could I ask him if he would outline the situation concerning the former walkway along the old Castletown Road, and does he envisage provision of a kerbing along the road and a pavement eventually? He has previously anticipated problems once the road is, hopefully, completed to everybody's satisfaction, the problem relating to speeding; I would ask him if he can, with his officers, be proactive in achieving some suitable plans and solutions in advance of the road being opened so that those problems of speeding can be resolved, particularly in the Quine's Hill/Oakhill area?

The Speaker: Minister of Transport to reply.

Mr Shimmin: Mr Speaker, the scheme as was originally planned was for resurfacing of those sections of the road in question. There was not part of that scheme included in the financing for a pedestrian walkway and, indeed, the works that we are currently planning and doing at the moment on drainage are extra to the original contract. Therefore I will further investigate the areas he is talking about on the pavement. However, my understanding is that that is not part of this contract and never was.

With regard to the speeding, I have drawn this to the hon. member's attention and the House's that certainly, once this road is constructed to a high standard, then, yes, the difficulty of speeding traffic is a concern for my department, as it is, I am sure, for the residents in the area. I am quite happy looking at that. However, I think the hon. member wants a bit of both sides. We are attempting to get it to a position where it is a reasonable surface for the travelling public. In order to do that we get it to a level where people unfortunately may be tempted to drive at excessive speeds. I will take that up quite happily with the hon. member afterwards, sir.

**IRIS Scheme – Progress of –
Question by Mr Karran**

Question 7. The hon. member for Onchan (Mr Karran) to ask the Minister for Transport:

In connection with the IRIS scheme –

- (1) *when do you intend to issue a progress report; and*
- (2) *can you confirm the scheme is on schedule?*

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

Mr Karran: Vainstyr Loayreyder, I beg to ask the question standing in my name.

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

Mr Shimmin: Yes, Mr Speaker. I would regret to announce to the hon. Court that the intended IRIS newsletter was due to go out in January or February of this year but, in view of the ongoing problems in the old Castletown Road, we decided to try and delay and were continually thwarted by failures to continue and successfully pass this section. It is now our intention to issue a newsletter in May, by which time, hopefully, we will have an up-to-date position for the people living in the area but also to give the people of the Island an update on the current status.

In regard to the second part – ‘Can you confirm the scheme is on schedule?’ – certainly the scheme or the IRIS masterplan is not a simple scheme but a series of individual projects. The project which was most recently completed was the contract for the combined works between Castletown and Meary Veg along the railway, which was completed on time and to budget. In general, each of the contracts is progressing well and is on programme. The exception, as referred to, is the work on the old Castletown Road which has already been the subject of numerous questions. I believe I have just answered this in the previous answer, sir.

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

Mr Karran: Vainstyr Loayreyder, will the progress report include the fact that you as shirveishagh have inherited this IRIS scheme and will you be informing the people of the Isle of Man that the IRIS scheme will never work as it was originally intended to work in the Isle of Man, and can you assure this House that if we are having problems like this under your ministerial control you will be proactive and not reactive as far as this issue is

concerned in order that people are aware that, if there is another white elephant to come home to roost, (*Laughter*) this administration knows well that the situation is that the people should be getting told what is going on as far as this massive amount of public expenditure is concerned?

The Speaker: Minister for Transport to reply.

Mr Shimmin: Mr Speaker, I feel we have a sense of *déjà vu* at some of the comments from the hon. member for Onchan. I think we are all aware that he has never been a supporter of the IRIS scheme and has certainly no confidence that it is going to work. I am proud that I have inherited a scheme which on so many occasions has been delivered on time and on budget and has the major benefit of improving the marine environment of the Isle of Man. Certainly the newsletter will be an open update for all people of the Island in order to explain the successes that have gone on through this scheme.

I would love to give the hon. member a guarantee and an assurance that it will work. However, like him, I am no expert in this field. I am assured by the contractors and the people working in the department who have expertise that, yes, it will work and, yes, it is done throughout the world; there is nothing unique about the scheme on the Isle of Man and therefore it is proven technology. Certainly my department and, I am sure, my predecessor – yourself, Mr Speaker – and others will always attempt to be honest with the public and proactive in ensuring that if there are problems we deal with them in a timely manner. I do feel it is unfortunate that certain hon. members continue to knock any schemes that government is doing on behalf of the people, and I do believe that one problem, not underestimating the problem in the old Castletown Road, should not divert attention from the major successes of IRIS to date, sir.

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

Mr Rodan: Thank you, Mr Speaker. Can the minister confirm that the draft Laxey and Lonan Area Plan, which is due to go to Tynwald shortly, makes numerous references to the inadequacy of the foul drainage system in my constituency and the problems with foul discharges through the short sea outfall into Laxey Bay, and will he take the opportunity today to say whether his department is on target to do something about these problems in Laxey and Lonan in particular?

The Speaker: Minister for Transport to reply.

Mr Shimmin: Mr Speaker, I do not wish to go through every constituency on the Island regarding the current status of IRIS and I do not have that information to hand. I am aware as a regular visitor to Laxey what a lovely beach and bay they have in that

area, which I am sure is shared by everybody in the House. There have been problems throughout the Island of the sewerage infrastructure, which is why the taxpayer, through my department, have invested tens of millions of pounds in order to try and solve the problem. I will make sure that I find out and reply to the hon. member about the current position on Laxey, and the update due out next month will give the people of the Island a programme, hopefully, of where we are up to and where we hope to be in the next few years, sir.

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

Mr Karran: Vainstyr Loayreyder, would the shirveishagh not agree that the Laxey and Lonan sewerage system is a classic example of one of the promises that have now come to light that will never be fulfilled in that they will never join up in my lifetime into the IRIS scheme and everybody knows that? And would the minister not agree that this is an issue that we have to be more transparent on so that we can at least be more proactive so that we are not then under crisis management, even if the shirveishagh had nothing to do with the decision-making in the first place.

The Speaker: Minister for Transport to reply.

Mr Shimmin: I do wish the hon. member for Onchan a greater level of longevity in his life than he seems to give himself at this stage, Mr Speaker. *(Laughter)* Certainly, it is the intention, as it has been, to join up areas throughout the Island to the IRIS treatment works at Meary Veg. I do believe that that is still the aspirations of the department subject to the moneys been made available. Certainly there have been issues of the capital programme which have meant that we have had to reconfigure the scheme, but certainly it is still our intention to join up Laxey. The foresight the hon. member has, I think, is more to do with his negativity towards the scheme rather than any known fact, sir. As I have pointed out to the member for Garff, I will be investigating the current position and try to feed that back to the hon. member.

The Speaker: Hon. members, that completes the questions on our order paper.
