

REPORT OF PROCEEDINGS OF TYNWALD COURT (QUESTIONS)

**Douglas, Wednesday, 19th February 2003
at 10.35 a.m.**

Present:

The President of Tynwald (the Hon. N Q Cringle).

In the Council: The Lord Bishop (the Rt Revd Noël Debroy Jones), the Attorney-General (Mr W J H Corlett QC), Hon. C M Christian, Mr D F K Delaney, Mr D J Gelling CBE, Mr J R Kniveton, Mr E G Lowey, Dr E J Mann and Mr G H Waft, with Mrs M Cullen, Clerk of the Council.

In the Keys: The Speaker (the Hon. J A Brown) (Castletown); Mr D M Anderson (Glenfaba); Hon. A R Bell and Mr L I Singer (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 and Mr A C Duggan (Douglas South); Hon. R P Braidwood and Mrs B J Cannell (Douglas East); Hon. J P Shimmin (Douglas West); Capt. A C Douglas (Malew and Santon); Hon. J Rimington, Mr Q B Gill and Hon. P M Crowe (Rushen); with Mr M Cornwell-Kelly, Clerk of Tynwald.

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Tynwald Policy Decisions Report – Inclusion in Annual Report – Question by Mr Karran

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

With reference to the resolution of Tynwald Court in July 2002 that ‘the Chief Minister include, as an appendix to government’s annual report presented to Tynwald each October, an annual Tynwald policy decisions report’ -

- (1) *why was this not included in the annual report laid before Tynwald in October 2002; and*
- (2) *how do you intend to comply with this resolution?*

The President: Now, hon. members, as we agreed last evening, we turn this morning to the question paper and I call on the hon. member for Onchan, Mr Karran.

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

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

Mr Corkill: Thank you, Mr President. The resolution of Tynwald Court in July 2002 was taken very seriously by the government and it intends to fully comply with that resolution. However, I had not envisaged that the Court expected the resolution to

apply retrospectively, and I do not believe it so intended. The annual report presented in October 2002 dealt with the year April 2001 to March 2002. The resolution was passed in July 2002, so it is my view that the dates actually speak for themselves.

As I see it, when *Hansard* is produced, officers will review the decisions made by Tynwald Court and report on how and when such decisions have been implemented. This will apply for Tynwald decisions made at sittings of Tynwald Court subsequent to the July 2002 sitting when the resolution was so approved.

The President: Mr Karran.

Mr Karran: Eaghtyrane, I would like to thank the Ard-shirveishagh for his reply. Would he not agree that it is important that it is no use us having resolutions agreed in this hon. Court and for them to be forgotten about? So it is important that his government does look at the implementation of the highest court of the land’s recommendations.

The President: Chief Minister.

Mr Corkill: Yes, Mr President, I would say that resolutions of this hon. Court are never overlooked, they are pursued, but this reporting system will ensure scrutiny of that procedure.

Heritage – Return of Celtic Historical and Cultural Items – Question by Mr Henderson

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

Will your government adopt a policy whereby historical artefacts and items of cultural significance removed from Celtic countries are returned?

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

Mr Henderson: Gura mie eu, Eaghtyrane. Ta mee shirrey kied yn eysht y chur ta fo m'ennym.

Mr Houghton: What does that mean?

The President: Chief Minister. *(Laughter)*

Mr Corkill: Mr President, I will attempt to answer the question - I hope I understand it! *(Laughter)*

Mr Braidwood: It was Manx.

The President: He has begged leave to ask the question standing in his name.

Mr Corkill: Thank you for your guidance, Mr President. Can I say that I am content to actually endorse the current policy of Manx National Heritage to add important items to the Manx national collections when it is possible to do so. The policy of other Celtic countries is actually beyond my remit.

The President: Hon. member for Douglas North.

Mr Henderson: Gura mie eu, Eaghtyrane. Will the Chief Minister acknowledge that this needs far more than just a facelift on the matter, and is he now telling us that he is supporting cultural looting?

The President: Chief Minister.

Mr Corkill: I am certainly not supporting cultural looting, Mr President, and if the hon. questioner has any incident of cultural looting, any specific aspect, then certainly I would endeavour to follow that through with to find out whom it had been looted from and where it had been looted to. There are certain specific items that come to mind that have relevance in Manx history that lie elsewhere but, of course, they do so in legal fashion, they have not been looted, but if the hon. questioner has an instance of looting then I would follow it through.

The President: Hon. member.

Mr Henderson: Gura mie eu, Eaghtyrane. Would the Ard-shirveishagh agree with me that national pride and political will should supersede any inclination of an institution's administrators to maintain the status quo of these valuable artefacts and in fact there should be a greater effort for their return to this Island?

The President: Chief Minister.

Mr Corkill: I would ask the hon. member again as to which artefacts he is referring to –

Mr Henderson: The Chronicles of Mann, for one.

Mr Corkill: - and I would suggest political will and national pride should not supersede the law.

**Chief Minister –
British–Irish Council/Tynwald –
Question by Mrs Hannan**

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

Which is more important to you, the British-Irish Council or Tynwald Court?

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

Mrs Hannan: Thank you, Eaghtyrane. I beg leave to ask the question standing in my name.

The President: Chief Minister.

Mr Corkill: Mr President, I should like to place on record that I consider it a privilege to be a member of the House of Keys for Onchan and therefore a member of this hon. Court. My attendance clearly demonstrates my allegiance to Tynwald and to the people of the Isle of Man. I consider the questioning of the importance of Tynwald to me, which is implicit in this question, to be an insult and I would ask the hon. member to withdraw the comments.

The President: Hon. member for Peel.

Mrs Hannan: Thank you, Eaghtyrane. Would the Chief Minister not agree that it was an insult to Tynwald to leave to go to the British-Irish Council when there were very important national issues being discussed in this hon. Court?

The President: Chief Minister.

Mr Corkill: I, like other members, Mr President, from time to time may have to seek leave to be absent from this hon. Court when business takes one elsewhere. At the end of three long days at the particular sitting that the hon. member refers to, the timetable did get very, very pressured and I was sorry to have to leave Tynwald Court but I believe I made the right decision in the interests of the people of the Isle of Man, had a very productive meeting with first ministers from all the different British jurisdictions,

and certainly it is not unusual for hon. members to seek leave of absence from this hon. Court for a number of issues, not least the Commonwealth Parliamentary Association from time to time.

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

Mr Delaney: Thank you, Mr President. Can I ask the Chief Minister in his position as a member of this forum, when can we look forward to seeing him having a meeting on the Island so we can take our full part in this organisation?

The President: Now, hon. members, we do not want to widen the question too far but I will permit the Chief Minister to answer.

Mr Corkill: Mr President, the British-Irish Council is a relatively new institution. As hon. members may be aware, it was borne out of the Good Friday peace agreement and is very much driven by the desire of a number of parties to seek peaceful resolution (**Mr Delaney:** Hear, hear.) within the island of Ireland. That to one side, from an Isle of Man perspective it provides a great opportunity, I believe, for government here to have a relationship with other governments, our neighbours, and I believe that the process is actually doing that. I would like to say that, assuming and hoping that the process stays in one piece, our turn to host a number of meetings on the Island to do with the British-Irish Council will come to pass. There are regular summit meetings; as we may know, one has already been held in Jersey and our turn, hopefully, will come in the early part of next year, and I would hope that the Island might be able to host that in the newly refurbished Villa Marina premises, but I would also say that there are other officer working groups within the British-Irish Council that have already met within the Island, so there is a process there which I think is in the Island's interests, it enables us to exchange ideas but, more importantly, it enables us to see the problems of others.

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

Mr Gill: Thank you, Eaghtyrane. Would the Chief Minister agree that, far from being insulting, it is entirely appropriate for the hon. member for Peel (**Mr Delaney:** It is.) to ask the question (**Mr Cannan:** Hear, hear.) as it stands? And would he agree that, as the Chief Minister is not answering the question, it is reasonable to infer that he regards the British-Irish Council as more important than Tynwald Court?

The President: Well, Chief Minister?

Mr Corkill: I would like to answer that, Mr President. I think I made it quite clear that my

allegiance and my priority is to Tynwald Court, to the people of Onchan and to the people of the Isle of Man who have elected me to be here; that is the same for any hon. member. Therefore I would certainly defend the hon. member for Peel's right to ask any question in a democratic forum but I would also say that I regard the original question as an insult.

The President: Hon. member for Peel. A final supplementary.

Mrs Hannan: Thank you, Eaghtyrane. Could I ask the Chief Minister: notwithstanding that standing orders says that the Tynwald sitting is for three days, does the Chief Minister not also agree that the issues that were being discussed were extremely important to the Isle of Man and to its people?

The President: Chief Minister.

Mr Corkill: All agenda items on Tynwald Court's agenda are important. They are important in varying degrees to different members. I will always make sure that the issues to do with government that are within this agenda are dealt with appropriately, and I will say again that from time to time there will be the necessity to seek leave of absence. All members have that ability and it is, at the end of the day, with you, Mr President, as to whether that leave of absence is granted.

**Civil Service –
Work of Chief Officers Group –
Question by Mr Karran**

Question 4. The hon. member for Onchan (Mr Karran) to ask the Chief Minister:

Will you initiate urgent steps towards making the work of the chief officers group, and of its individual members, significantly more transparent and accountable?

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

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

The President: Chief Minister.

Mr Corkill: Mr President, the terms of reference of the chief officers group are as follows: firstly, to provide a forum for chief officers to raise issues of policy, management and common interest and to report on matters from their departments; secondly, to consider issues emanating from the Council of Ministers which have a bearing on the working of departments and the managerial implications thereof;

thirdly, to sit as a consultative and advisory forum on specific issues that are referred to it for consideration by, for example, the Council of Ministers, the Treasury or perhaps the Civil Service Commission; and fourthly, to develop something of a think-tank rôle for the overall direction of government and to generate initiatives that are not covered by the remit of other groups or committees and for these initiatives to be put before the Council of Ministers. Each of these four strands is designed to develop better corporacy within government.

Any policy advice given is private to the Council of Ministers, and the Council of Ministers is responsible for accepting, rejecting or amending such advice. The work of the individual members of the group is directed towards the support of their individual departments or of the Council of Ministers through the chief officers group. Indeed, over the last 12 months the chief officers group has held more regular joint meetings with the Council of Ministers, and this is a development which is set to continue and which I welcome. I do not think it appropriate, therefore, at this time to take any steps other than those already being undertaken to initiate a closer working relationship between the chief officers group has with the Council of Ministers. I am convinced that the closer working relationship which the chief officers group and the Council of Ministers is not only in the best interest of the Island but has already made the workings of chief officers significantly more transparent and accountable.

The President: Hon. member for Onchan.

Mr Karran: Eaghtyrane, a supplementary. Could the Ard-shirveishagh then explain, how do we know who is actually making the policy? Is it the Council of Ministers or is it the chief officers group if we do not know if everything is clouded in secrecy as far as what goes on in the chief officers group?

The President: Chief Minister.

Mr Corkill: It is not clouded in secrecy, but I would perhaps give a parallel example of minutes within departments which are not made public. It is not helpful or useful to the workings of departments to conduct all of their business completely transparently in public as the policy and as the issues are being progressed. So we have an accepted practice in that area that departmental minutes are confidential to those departments, and likewise the minutes of the chief officers group can be dealt with the same way in terms of the public. Having said that, we are in a new process of corporacy, there are criticisms of it and we heard some of that yesterday in the budget debate. We are reviewing the situation in terms of a number of aspects of how we roll out the new timetable and there is a lot of work for the chief officers group to be doing in the short term to help the Council of Ministers

formulate and develop policies which are in the best interests of the Island. I wish to assure the hon. member that it is the Council of Ministers who control the chief officers group and that is quite clear. The chief officers group is not new, it has been in existence for quite a long time now, but what is new is that they are being expected to work more closely together. This is a direction of the Council of Ministers.

The President: Hon. member for Ayre.

Mr Quine: In the context of corporacy of which the Chief Minister has spoken, is there not a glaring deficiency from the terms of reference of which he has advised us, and that is the need to co-ordinate department activities? I would have thought that this is critical to corporacy and yet it is not covered in the terms of reference.

The President: Chief Minister.

Mr Corkill: I would say it is covered in the terms of reference. The fact is that chief executives who represent their departments come together on a regular basis. The structure is being enhanced so that the issues from departments, which perhaps conflict with other departments - that is, the joined-up government aspects - will be examined and aired far more frequently, so the whole idea of this is to actually deal with the question that the hon. member puts forward, so it is inherent in the whole function of the chief officers group that we have set up. Their terms of reference, I believe, do cover that, but I take on board the hon. member's comment; I think it is common sense.

The President: Hon. member for Michael.

Mr Cannan: Mr President, having listened to the Chief Minister, is it not a matter of concern to the Chief Minister that the chief officers group is having endless meetings about policy, corporacy, co-ordination et cetera - the meetings are happening but the delivery of the services to the people, whether they are housing or road repairs or whatever, do not appear to be happening? It seems to be bureaucracy and meetings and endless meetings, but what the people require, Chief Minister - will you not agree? - is delivery of service.

The President: Chief Minister.

Mr Corkill: I would wholly endorse the hon. member for Michael's comments about delivery of service. Public services are very important and the delivery of them is extremely important. I hope the hon. member will help the Council of Ministers in terms of improving the situation. They are not endless meetings, meetings for the sake of it; they are there for a purpose, and one of those purposes is delivery. There are other issues as well, but I take on board what the

hon. member is saying and I would stand by the record of this government so far that we are delivering a number of things in a number of areas as quickly as is practicable and feasible. We all want more, and I understand the hon. member's frustration with regard to a number of issues. The fact is, the chief officers group will help the Council of Ministers, who are ultimately responsible for the delivery of those services.

The President: A final supplementary from the original questioner, Mr Karran.

Mr Karran: Eaghtyrane, would the Ard-shirveishagh not agree that matters in process, fair enough, should be kept confidential whilst they are being looked at, but would he also not agree that once the issue has become a reality it should not be private as far as what they are up to, so that we can have some sort of audit trail of why some of these more bizarre schemes that have come out of government happen in the first place, and then we would know who actually was behind the original thought process, either the government or the chief officers?

The President: Chief Minister.

Mr Corkill: I would not have thought, Mr President, that all our efforts in improving the health service, improving the housing situation, improving our educational system, improving our law and order situation, were bizarre schemes.

Mr Karran: No, but I can think of plenty of others.

Mr Corkill: The fact is that the Council of Ministers will determine what the chief officers group has come up with and it may well be that we do not agree with some of the things they come up with; in fact, I would be most surprised if we do not. Therefore it would not be helpful to trail these things publicly prior to decisions being made by the Council of Ministers. It would create unnecessary conflict. At the end of the day, elected representatives are those who make the final decisions and we are also, as a block, I would say, accountable in as much as we must ensure that the resources that we have available on behalf of the taxpayer - and I mean the civil service and government employees, they are a resource - do work efficiently, and I see the chief officers group as a tool in helping that.

**Water Treatment Plant (Douglas) –
Planning Refusal –
Question by Mr Quayle**

Question 5. The hon. member for Middle (Mr Quayle) to ask the Chief Minister:

(1) *Do you agree that the provision of a safe, wholesome supply of water is a basic human requirement, and is it considered to be of national strategic importance and in the national interest to ensure satisfactory supplies for the whole Island, and was the recent planning application for the new water treatment plant in Douglas dealt with accordingly; and*

(2) *what are the cost implications and other ramifications that arise, due to the planning application's refusal?*

The President: Hon. member for Middle.

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

The President: Chief Minister.

Mr Corkill: Mr President, in answer to the first part of the hon. member's question, I would agree that the provision of a safe, wholesome water supply is a basic human requirement. Indeed, it is a statutory requirement on the Island for wholesome water to be available in every home and food premises and in every workplace where drinking water is provided.

As regards the recent planning application by the Isle of Man Water Authority in respect of a proposed new water treatment plant to be built alongside the Isle of Man College at Homefield Road, Douglas, I would say that the issue of national strategic importance is one that could quite properly be taken into account under the planning procedures. I am satisfied that the proper planning procedures were followed in that case, and it was certainly open to the Isle of Man Water Authority to include national interest arguments in presenting its case before the planning committee and, more latterly, before the independent planning inspector.

All planning applications must stand or fall on their own merits. Whilst understandable to an extent, I believe it is most unfortunate that there has been such adverse publicity attached to the recent decision to refuse the application, even though I can understand the considerable disappointment and frustration to the Water Authority. I also have to acknowledge, having read the report of the independent planning inspector myself, that the minister really had little alternative but to accept his unequivocal recommendations.

In answer to the second part of the hon. member's question, it is probably too early to say what the likely cost implications and other ramifications might be as a result of the refusal of the planning application. Obviously there will be delays, but until a new proposal is developed it will not be possible to have the costs of the same properly evaluated. I am sure that the chairman of the Water Authority and her board will be doing their utmost to come forward with new plans

as soon as possible, and they have been offered assistance in formulating suitable plans by the Director of Planning.

The President: Hon. member for Middle.

Mr Quayle: Thank you, Mr President. I wonder if I could ask the Chief Minister if he is fully aware of the Town and Country Planning Act 1981, whereby it provides for the Council of Ministers at any time, prior to a final planning decision having been made, to require the Department of Local Government to refer their application to the Council of Ministers for determination, and I would ask why this planning procedure was not followed, as he is agreeing that the provision of this water treatment plant really was in the national interest?

The President: Chief Minister.

Mr Corkill: I am not aware, off the top of my head, of every detail within that planning Act but I understand what the hon. questioner is saying. The Council of Ministers at certain times do have the ability to call in planning applications for a number of reasons.

Can I say that in this case that did not happen. What I would like to say to the hon. questioner is that, having done that, it would not necessarily have changed the decision, so that has to be borne in mind. So if the hon. questioner is saying that by doing that we can actually arrive at any planning decision that we may find suitable in the national interest, we have to be careful in balancing that situation because there were objectors to the planning and they have rights under planning law. There would have to be an independent inspector appointed to produce a report; the main difference would be that the Council of Ministers would be reading that report en bloc rather than the minister on her own in this case. It does not mean that the decision would have been different.

The President: Hon. member for Ayre.

Mr Quine: Can the Chief Minister confirm that the matter of national interest was in fact raised (**Mr Delaney:** Hear, hear.) - well, referred to - by the inspector and therefore, in saying that you support the decision taking by the minister, by the inspector, are you saying that they were correct in disregarding national interest in this case?

The President: Chief Minister.

Mr Corkill: I am aware of comments within his report about the national interest and a wholesome water supply but, notwithstanding that, the inspector came to his particular decision and the minister concurred with the recommendations of the independent inspector. He obviously, as an expert in

planning, was very fully versed and aware of the situation in regard to national interest.

I think I would like to say that that is now all in the past. Whatever the questioning, whatever we feel about the situation as to how it may or may not have been handled, the fact is that the planning application has now been refused. We have to accept that, therefore it is up to the Water Authority to make fresh progress and certainly, having visited and spoken with the chief executive of the Water Authority last week myself, I am very keen to make sure that all the facilities that government can offer to a statutory board such as the Water Authority are freely available, and I know they are freely available in their attempts to deal with this difficult problem. So we will be definitely making sure that progress is made, we understand the urgency of the situation, but I think we also have to be aware that, if successful, the new treatment works would not have come on stream until possibly the end of 2005. Therefore, although we are one week further down the line or so in terms of planning, time has not moved on that much, but I do appreciate that in fact there is a lot of work to be done now in reassessing the situation and, as I have said, we will be making sure that the Water Authority in terms of advice from planning have that available to them.

The President: Now, hon. members, I do not want to get into a long debate on the merits of the water treatment plant. Hon. member Mr Delaney.

Mr Delaney: Thank you, Mr President. Would the Chief Minister agree with me that, although he states that it is all in the past, the situation could be very expensive to the taxpayer of this Island? Secondly, would the Chief Minister agree with me that built into our system of planning, brought in when I was the minister, were two protections for the national interest: one, where the minister can overturn the planning decision of the inspector; and, secondly at any time during the course of the planning you or anyone in your position could have called in to the Council of Ministers the planning application, and that was built in to protect those same taxpayers and the people of the Isle of Man?

The President: Chief Minister.

Mr Corkill: Yes, Mr President, obviously, whoever the appointed person is, in this case the minister, has the ability to overturn an inspector's recommendations, but I would add to that comment - and this has been borne out by recent events elsewhere - that a minister or acting minister in that position has to have good reason.

Mr Delaney: National interest is the best reason you can have.

Mr Corkill: There have to be other reasons. Now, whether national interest as a reason on its own was enough was a matter for that individual to determine, and the decision has been made so there has to be reason, and if a minister makes a decision without good reason then the next thing you will find is that it will be in the High Court as we have seen in recent times, so ministers have to act reasonably in terms of that situation. Now, I really need to be careful that I do not get into further detail with regard to a particular planning application; I think I have said enough about a historical situation, because the reality is there will be further applications by the Water Authority in one form or another, and I would not wish to cast any opinion on those at this stage; it would be wrong. The planning process, as we know, has an independent way of life. So, yes, obviously water supply is in the national interest, but is the hon. questioner saying that that national interest should override completely the interests of neighbours around the site that was proposed, and that is a matter of interpretation?

Mr Cannan: Yes.

Mr Delaney: National interest does override individuals.

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

Mr Earnshaw: Thank you, Mr President. I think the previous questioner, Mr Delaney, member of Council, has asked a very similar question to the one I intended to ask, so I think it has already been answered by the Chief Minister.

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

Mr Singer: Thank you. Could I ask the Chief Minister: knowing and acknowledging that this was such an important matter, and again using the words 'national interest', can the hon. Chief Minister tell me, was he himself or the Council of Ministers made aware by the Minister for the Department of Local Government that she was going to make this decision refusing the water treatment plant, or did she do it without the anybody else's knowledge? And in retrospect, does he believe he should have been called in because of the ramifications that are now going to take place, and have the Council of Ministers and himself learned anything from what has happened this time?

The President: Chief Minister.

Mr Corkill: I said in my opening comments, Mr President, that I had read the report myself. I cannot retrospectively forecast what would have been a decision of the Council of Ministers en bloc if they

had considered the report, but I can tell you that my vote would have been for refusal, because it was quite clear that the mass of the building proposed was out of proportion to the site, and that was the main thrust of the inspector's decisions. So I know where I would have stood, but I cannot predict what other ministers would have said. Hindsight is a wonderful thing, and I would ask hon. members to look forwards rather than backwards on what is an important issue. But, as I have said before, the proposed treatment works, which has just failed its planning, would not have been available to the Island until the end of 2005 anyway, so I think we should just put the timing of these things into perspective a little bit. Having said that, there is an urgency; I am not saying it is not urgent, it is, and we have to deal with it, but I would also wish to say that, with regard to comments by the hon. questioner as to whether the minister had come to the Council of Ministers seeking advice on her rôle as a minister in this capacity, that would have been completely out of order.

Mr Cannan: Really?

Mr Corkill: People charged with a planning decision do so with professional advice, but they do not and cannot go around asking advice on how to make that decision. It would be quite wrong for that individual to do that; in fact, I think it would bring the planning process into disrepute.

The President: A final supplementary, the original questioner, Mr Quayle.

Mr Quayle: Thank you, Mr President. In thanking the Chief Minister for his replies, could I ask him then if he would not agree that it is important to live to learn from the experience of the past to avoid making similar mistakes in the future, and would he not agree that a project in the national interest should have been progressed in a different way than something like a conservatory or a house extension which just goes through the normal planning procedures of a Planning Committee review and appeal? Finally, could I ask him, could he make clear to those people across the Island who are bitterly disappointed at this planning application that there is undertaken by the Isle of Man Water Authority provision of free bottled water in certain circumstances?

The President: Chief Minister.

Mr Corkill: I cannot comment about free bottled water; that would be a matter for the Water Authority to discuss. Certainly I think it is a shame that there is so much bottled water around. I think it is unnecessary because the water supply we do have is wholesome and much cheaper, so there is no need for it. Long may that comment last (*Laughter*) and that is a wonderful reference for the Water Authority.

Now, with regard to hindsight, learning, yes I hope that from every event that we are involved in we learn, but there are other major capital issues that this Court has sanctioned money towards that have gone through the normal planning process. It is one method which the purveyor of a capital scheme can choose to go down, so really big capital schemes, much bigger than this one, have gone through the traditional planning process in the past, but there is this option to call in, and I would also wish to remind hon. members that the latest Town and Country Planning Act, which has yet to receive its appointed day order because there are certain parts of it that there are technical aspects to so that we are having trouble introducing the appointed day order, allows for a much more streamlined process for certain types of planning applications, and can I say the Council of Ministers looks forward very much to the implementation of that part of the legislation as soon as we can get it.

**DHSS –
Ill-Treatment of Children –
Prevention of –
Question by Mr Gill**

Question 6. The hon. member for Rushen, (Mr Gill) to ask the Minister for Health and Social Security:

Following the recent inquiry into the tragic murder of Victoria Climbié, are relevant social and health services in place to prevent such a tragedy occurring here?

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

Mr Gill: Eaghtyrane, I beg leave to ask the question standing in my name.

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

Mrs Christian: Thank you, Mr President. In January this year the independent inquiry into the tragic death of Victoria Climbié produced its final report. That report contains 108 recommendations, which cover 17 general recommendations, 45 social care recommendations, 26 health care recommendations and 17 police recommendations. Many of them are complex and require careful examination.

The Island's Child Protection Committee, which includes representatives from Health, Social Services and the police amongst others, have been asked to evaluate them and report back to their respective departments. The Chief Minister's Children and

Young Persons Strategy Group will also be looking at the report from the Child Protection Committee.

I believe that we need to look at the report from the Child Protection Committee, which will examine the implications for the Island of the Climbié report before we can be sure whether appropriate health and social services are in place to reduce the risk of such a situation happening here.

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

Mr Gill: Thank you very much, Mr President. Could I just simply ask how that report, when it is compiled, will be promulgated to the general public?

The President: Minister.

Mrs Christian: Mr President, is the hon. member talking about the Climbié report, which is available to the general public? The working group report will come to the Children and Young Persons Strategy Group; it will be for them, I presume, to determine whether or not they wish to expand upon the results to a wider community.

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

Mr Karran: Eaghtyrane, would the shirveishagh not agree that the situation would be that any report that is done as far as the recommendations of this report in social services structure in the Isle of Man would go basically back to the staff, to the likes of yourself and the member for Social Services, all very busy with other issues to address? Would she not agree that the only way we are going to get effective social services on the Island is to have a proper Social Services Committee with a broad band of representation from all sections of the community so the likes of these reports can be digested by people who have not got an interest as far as their own jobs are concerned, in order to make sure that we get the value that we could be getting out of social services?

The President: Now let us not start a social services debate. Minister to reply.

Mrs Christian: I would respond to that, Mr President, by saying that I do not accept the point of view expressed by the hon. member. I do believe that all social services organisations and indeed the wider provision of care for children in the Isle of Man through various departments will be concerned to look at this report and to see if there are any lessons to be learned from it. However, I would say that, since the hon. member left the Social Services Division of the department, there has been a much greater strengthening of interdepartmental work under the auspices of the Children and Young Persons

Committee, and let us remember that this Climbié report does not only deal with social services; the essence of it really is the interrelationship between various services and that expected co-ordination of working. Now, I believe that in the Island we have taken considerable steps forward and made great improvements recently with regard to that sort of working through the formation of the strategy group for children and young people. However, we are not complacent and we will be looking at these recommendations to see whether there are loopholes here which need to be tightened up on.

I would add, though, that whilst no-one would ever dream of saying such a thing cannot happen here, I do believe that the circumstances of Victoria Climbié's illegal entry into the United Kingdom with disguise and false passport and so on and disappearing into a very large community probably added to the difficulties of that community, and I would hope, in a small community like ours, at least one of those obstacles would be less difficult to overcome.

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

Mr Houghton: Thank you, Mr President. Can the hon. minister advise as to whether her department operates a practical prevention strategy whereby social workers work weekends and evenings, not those social workers on call but ordinary social workers looking after those children particularly at risk, in order to prevent matters happening at the high risk times rather than working during office hours when children mainly are at school?

The President: Now, hon. members, I will permit the minister to answer this question, but there are further supplementaries still to come. We are not going to go down the road of a social services debate, and if it is a question which is widening it out further then your supplementaries I will disallow. Minister.

Mrs Christian: Mr President, we do, as the hon. member says, have an on-call system. With regard to children who are in care, clearly that they have support at all times. The hon. member seems to imply that we should be able to have a 24-hour, seven-day—a-week Social Services.

Mr Houghton: Not 24 hours, but evenings and weekends.

Mrs Christian: There is an on-call duty social worker who can be called upon at any time to deal with any incidents, and children in care have their residential social workers. If the hon. member feels that there is a need to extend that service then clearly it is a resource issue.

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

Mr Henderson: Gura mie eu, Eaghtyrane. Would the shirveishagh agree with me that, following all the disparate services examining the recommendations from the Victoria Climbié report, what should happen is a general seminar where all these services get together to work in unison and in a corporate approach, and if there are any recommendations to be taken on board, if necessary a ministerial directive should be given?

The President: Minister.

Mrs Christian: Mr President, that already happens in the Children and Young Persons Strategy Group where officers from all relevant departments do meet on a regular basis already.

The President: A final supplementary, again in the hands of Mr Gill.

Mr Gill: Eaghtyrane, would the minister please agree that the widest possible public awareness about the multi-agency work she has described would lead to public reassurance in this difficult area?

The President: Minister.

Mrs Christian: I note the comments of the hon. member. Perhaps we can do something to raise the profile of that in a departmental working group.

**DHSS –
Digital Hearing Aids – Introduction –
Question by Mr Henderson**

Question 7. The hon. member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security:

Can you make a statement on the progress of introducing digital hearing aids into the Island for people with hearing difficulties?

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

Mr Henderson: Gura mie eu, Eaghtyrane, Ta mee shirrey kied yn eysht y chur ta fo m'ennym.

The President: Minister to reply.

Mrs Christian: On the assumption, Mr President, that he is asking me to answer the question.

Mr Henderson: Absolutely, minister!

Mr Delaney: He is asking you for a date!
(*Laughter*)

Mrs Christian: The answer is no.

Mr Henderson: I would not either!

Mr Delaney: Sensible woman! (*Laughter*)

The President: Hon. members!

Mrs Christian: Mr President, I can advise the hon. member that the full evaluation report of the pilot studies carried out within the United Kingdom National Health Service into the use and benefits of digital hearing aids is still awaited. However, in anticipation of a satisfactory outcome to these pilot studies, the department is in the process of examining the various packages that may be available to the Island and as a part of that process has arranged for formal presentations to be made by a number of suppliers, the final one of which took place earlier this month. An option appraisal exercise is currently being undertaken.

The President: Hon. member Mr Henderson.

Mr Henderson: Gura mie eu, Eaghtyrane. Could the shirveishagh state or otherwise what her department intends to do with the information from these pilot studies and so on in reference to folk with hearing difficulties and to disseminate any changes or good news for them in our community?

The President: Minister.

Mrs Christian: Mr President, as I have answered in previous questions, we do know that not all patients will be suitable for digital hearing aids. However, if it is determined to go ahead with this, there will be a priority group established in terms of need for assessment to see if they are suitable for trying digital hearing aids. That will be done through the normal processes going through the audiology clinic and perhaps not by wider dissemination of information. Such dissemination might lead to disappointment if people were not able to access this service all at once. We do have to make sure that all the necessary resources are in place and, as I say, this will be introduced, providing that the final report is satisfactory, on a phased basis.

New Hospital – Patients Smoking – Question by Mr Henderson

Question 8. The hon. member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security:

What is the policy for patients, especially the older person, who wish to smoke if they are receiving care in the new hospital?

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

Mr Henderson: Gura mie eu, Eaghtyrane, Ta mee shirrey kied yn eysht y chur fo m'ennym.

The President: Minister to reply.

Mrs Christian: Mr President, I can confirm that the policy that has been determined in respect of the new hospital is that smoking will not be permitted. In this respect no provision has been included in the design of the hospital for designated smoking areas either for patients or for staff.

The President: Mr Henderson.

Mr Henderson: Gura mie eu, Eaghtyrane. Can the shirveishagh then advise what her health department intend to do with the likes of pensioners who are admitted to the new hospital who have been smoking for all their lifetime, and would she agree with me that suddenly saying to such a patient that 'No, you cannot smoke anywhere, hard luck' would be detrimental to their well-being and their own needs, and what does she propose to do about that?

The President: Minister.

Mrs Christian: Yes, Mr President, I can quite understand the difficulty that someone who has an addiction to nicotine will feel (**Mr Delaney:** Hear, hear.) when not able to smoke. However, the hospital does, in those circumstances and where clinical indications approve it, offer nicotine replacement therapy. Now, if patients are not willing to accept that - and I am aware of some circumstances where they have not been willing to accept it - I am afraid we have to balance the requirements on the clinical side, and there are concerns about the impact of smoking on health with that provision.

The other point I would make, Mr President, is that we are intending to introduce smoking cessation pilots in Noble's Hospital, firstly for staff and would hope to extend that eventually to anybody who wishes to take it up. I am also aware, Mr President, that in Newlands - and I think the question may emanate in respect of a patient from Newlands - they did have an area where elderly folk who are in there for a long period of time could go and smoke. Since those people have been decanted into the new hospital they have not been able to smoke. However, as I say, nicotine replacement therapy has been offered where it is clinically felt to be appropriate.

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

Mr Waft: Thank you, Mr President. The problem with smoking, and in public places particularly, has been going on and on, and I have been bringing this up in this Court over many, many years. I am just wondering if, following the UK legislation, we will simply be adopting UK legislation or will we be making our own.

The President: You are widening it again, hon. members. Minister.

Mrs Christian: Mr President, the tobacco strategy is being addressed rather slowly than most of us would like; I accept that, but nevertheless it is not necessarily the case that we will simply follow UK legislation, and I have to say that in terms of the new hospital no doubt there will be strong feelings raised at the time when we move in there and people are actually experiencing this inability to smoke. So the matter will no doubt be kept under review and will have a high profile from time to time.

The President: Hon. member Mr Anderson.

Mr Anderson: Thank you, Mr President. Will the minister agree with me that the effects of passive smoking are well documented and, as a result of that evidence, we with responsibility for the health of the people of this Island should act accordingly? (**Mrs Crowe:** Absolutely.) And further, does the minister agree that it is highly undesirable to have smoking in government-owned and run catering facilities?

The President: Minister.

Mrs Christian: Mr President, I entirely agree with the hon. member and endorse his views about catering facilities.

The President: A final supplementary, Mr Henderson.

Mr Henderson: Gura mie eu, Eaghtyrane. Will the minister agree with me that, far be it from having a pro-smoking campaign, what I am trying to do is to address the needs of the older members of our community and not plague people with passive smoking but actually recognise that the withdrawal symptoms from a lifetime of smoking are absolutely horrendous, and would she agree it is not right to kick a pensioner out into the cold of the night so they can have a cigarette when nicotine replacement therapy has not proved as successful as it might?

Mrs Cannell: Hear, hear.

The President: Minister.

Mrs Christian: Mr President, I am not aware of anyone being kicked out into the night, but the hon. member may have information that I have not got. I do accept that there are risks with passive smoking. The issue of whether nicotine replacement therapy was successful or not I cannot answer on –

Mr Delaney: It works for me.

Mrs Christian: As far as offering that facility is concerned, that seems to me to be a reasonable balance between the concerns of the person who has an addiction. I am not aware that an addiction after many years is any worse than after we first establish it, but to that extent I do not know whether age is a factor.

Mr Delaney: Could I answer that? (*Laughter*)

The President: Hon. members, before I invite the hon. member for Douglas North to ask the question on the question paper at 9, I would refer the hon. member to standing order 3.23(5) which clearly states ‘The business of this Court shall be transacted in English.’ I think we have made the point already this morning, sir.

**DHSS –
Relocation of Manx Nurses –
Discrimination –
Question by Mr Henderson**

Question 9. The hon. member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security:

Can you confirm that since the last time I raised the issue of Manx nurses wishing to return to the Isle of Man being entitled to accommodation and relocation packages, which you endorsed as was so, that all senior managers throughout the health service have been advised of your comments made in Tynwald and my concerns that Manx nurses were being discriminated against relating to relocation packages, by way of internal memorandum?

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

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

Mr Houghton: Hurray!

The President: Minister.

Mrs Christian: Mr President, I can confirm that all off-Island residents who enquire or apply for a

health service vacancy are sent a recruitment package, which includes guidance on the availability of removal and relocation expenses. In these circumstances there is no need to issue an internal memorandum as suggested by the hon. member, given that no discrimination against Manx workers exists.

The President: Mr Henderson.

Mr Henderson: Thank you, Mr President. Is the minister aware that some of her senior managers have actually refused these allowances for people applying to come back to the Isle of Man, and would she agree with me that under those circumstances it is most essential that a memo be circulated to all managers throughout the health service to ensure there is a consistency of approach in this matter and to ensure that discrimination is not taking place?

The President: Minister.

Mrs Christian: Mr President, the consideration of whether or not relocation expenses are payable is in relation to the post, and therefore it is advertised with the post. We do not know whether applicants will be Manx or otherwise and therefore any applicant is given the information. If the hon. member has any information regarding incidents of discrimination as he sees it, perhaps he would invite me to accept the details and I can investigate them, but just simply putting down a question does not take the matter any further if he feels someone has been discriminated against. However, I would also say that there are some circumstances where, as I understand it, it has not been entirely clear that a person has been permanently located in the United Kingdom when they have made an application for a relocation package.

The President: Hon. member Mr Karran.

Mr Karran: Eaghtyrane, would the shirveishagh not agree it is very difficult to prove discrimination when there is no transparency as far as decision-making happening, and would she also not agree that the problem you have got there is the fact you have got a management team that is unaccountable to anybody and there should be a proper hospital management committee as part of the hospital management? That is the way to deal with this problem. This would then get rid of whether it is fact or myth; one way it would resolve it, because then it would be open decision-making and it would be decisions made on a broader base than by a small clique.

The President: Minister.

Mrs Christian: Mr President, I reject entirely the comments of the hon. member. It is not true to say that

the management are not accountable to anybody. We are familiar with the hon. member's view that there should be an administrative committee for the hospital which deals with every jot and tittle and tattle and all the rest of it. Indeed it would, in his view, then be considering every application for relocation expenses. I really do not think that that is practical.

Mr President, the availability of a relocation package goes with the post. It is not a matter for management to determine whether an individual should receive it or not; it is determined before the appointments are made that such a package shall be available. Again, I would say to that, hon. member, if he believes that anybody has been unfairly treated, perhaps he will let me know who it is and I can investigate.

The President: Hon. member Mr Henderson.

Mr Henderson: Thank you, Mr President. Will the minister acknowledge that an oft used phrase by some of her senior managers in the health service is 'Sorry, you cannot have a relocation package because you are coming back home'? That is what has been said to local folk wishing to return, and again I would reiterate my earlier question: will she now issue a memorandum to all managers to ensure that there is consistency in the approach?

The President: Minister.

Mrs Christian: Mr President, the hon. member has said that management are saying you cannot have it because you are coming back home. Please give me details; I will certainly look into it. As I said before, there are some circumstances where it has been felt that they are not genuine relocations, in that the person has not permanently moved out of the Isle of Man. If that is one of those cases, I will look into it; if it is not, then please give me the information.

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

Mr Karran: Eaghtyrane, would the shirveishagh not agree that the problem you have got is the decision-making? If there is no transparency of making the decisions and then you have the situation where the people who make the decisions are not accountable to anybody, even at this small level, then surely people get upset with the department because it seems that they make the policy on the hoof as far as who gets and who does not get these allowances. Transparency, accountability - that would solve a problem.

The President: Hon. member, it is the same supplementary as you asked previously. We will go on to question 10.

**DHSS – Bereaved Relatives –
Interviews re Benefit Entitlement etc –
Question by Mr Henderson**

Question 10. The hon. member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security:

What is the policy of your department and procedures for interviewing bereaved relatives and guiding them through any benefit entitlements, or forms that may require filling out?

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

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

The President: Minister for Health and Social Security.

Mrs Christian: Mr President, the department's policy with regard to dealing with bereaved persons is to offer in a sympathetic and caring manner as much assistance and support as possible. Losing someone is obviously very distressing, and benefit staff are required to offer as much support and help as is necessary for that bereaved person to claim any benefits to which they may be entitled. Again, I say to the hon. member, if you are aware of any circumstances where this has not been the case, then I will be happy to investigate. Can I also say, Mr President, my office has recently been advised of one case where a claimant felt that they had not been dealt with in an appropriate manner and I have raised that issue with the staff concerned, but generally speaking we do not receive complaints in this direction, and I hope and believe that the staff do deal sympathetically with the bereaved.

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

Mr Duggan: Thank you, Mr President. Is the minister aware that her officers will actually go out and visit people, especially if they are sick and they have had a bereavement, and they will help them with the forms and they are very helpful right throughout the whole issue?

The President: Minister.

Mrs Christian: Mr President, I believe that to be the case. However, if there are exceptions I am always willing to hear about them and take steps to remedy the position.

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

Mr Henderson: Thank you, Mr President. I am pleased to hear the quality of input from the staff, but again I would ask the minister, would she acknowledge that what I am seeking here is consistency to approach in this highly delicate matter and that there are examples where staff have not dealt with things in the best fashion, and would she give an undertaking to ensure that all staff receive the correct amount of training and that this situation can be addressed consistently?

The President: Minister.

Mrs Christian: Mr President, the department's policy is clear and I have told the Court what it is: training is in place for people who are on the desks and quality is a concern of the department to the extent that we do have a Quality Adviser who pursues all of these issues. Now, again, human nature being what it is, I cannot say that every day on every occasion every member of staff behaves as is appropriate, but unless the hon. member can tell me when that happens or I get feedback in some other way, it is difficult to take any action to remedy the situation. However, I do not believe that generally speaking there is a concern.

The President: Hon. member Mr Henderson.

Mr Henderson: Thank you, Mr President. Would the minister give a further undertaking, then, that it is reasonable to expect if a staff member feels uncomfortable with the situation they should withdraw from that and get somebody who is capable and trained to deal correctly and appropriately with that situation?

The President: Minister.

Mrs Christian: Indeed, Mr President, if a staff member feels they are not equipped to deal with people on the counter, or in their homes or wherever it may be, they can certainly discuss that with their line managers or seniors and get someone else to do the job.

The President: We have a further transparent question from Mr Karran.

Mr Karran: Eaghtyrane, would the shirveishagh not agree that the issue is that for far too long we should have had a proper welfare rights department that deals with this issue of rights, and is it not the case that this is where it has gone wrong? We should have a welfare rights department, maybe not in her department, but where people can go and go one place to get the information instead of having to go to two or three places in order to do so?

The President: Minister.

Mrs Christian: Mr President, I think the vast majority of information about benefits is clearly within the department. However, we do have a very good working relationship with Age Concern, who are outwith the department but who do give a lot of advice to people who seek help and support in respect of benefits and any other matters relating to the department, and to that extent one might regard them as an independent welfare officer type of organisation; in addition, the Office of Fair Trading can assist in those matters. So I do not accept that there is any necessity for a further body at this time, Mr President.

**Housing Allowance – Up-rating –
Question by Mr Houghton**

Question 11. The hon. member for Douglas North (Mr Houghton) to ask the Minister for Health and Social Security:

Will your department consider uprating the housing allowance in respect of income support and family income supplement to a realistic level which is reflective of today's rates in the private sector?

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

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

The President: Again it is for Mrs Christian to reply.

Mrs Christian: Mr President, subject to the concurrence of Treasury and the Council of Ministers it is the intention of the department to submit to this hon. Court next month a social security benefit uprating order which will include provision for the uprating of housing costs element in the four income-related benefits. As was the case of 2002 uprating, the 2003 uprating has been informed by an analysis of the actual rents paid by people in private rented accommodation on income support. Full details of the proposals will be circulated before next month's sitting and, of course, the order itself will be a subject of a motion on the order paper, which will give an opportunity for debate.

Mr Houghton: Mr President, I welcome the hon. minister's answer this morning. Can she just also confirm – she has mentioned income support levels – the family income supplement will also be reviewed accordingly at a more realistic level than currently, which equates to approximately half the private rental rate at this current time?

The President: Minister to reply.

Mrs Christian: Mr President, it will apply to all the housing upratings; whichever benefit it is in, whether it is in income support or in family income supplement, disability working allowance, whatever, there will be an uprating relating to housing. I have said that we have looked at the rents that people are paying on those benefits and uprated accordingly.

The President: Hon. member for Ayre.

Mr Quine: Yes, what contact has the minister made with local estate agents to ascertain the availability of housing within the set rate? And if such contact has been made when was it made, and what response did she receive from the estate agents?

The President: Hon. minister.

Mrs Christian: Mr President, our analysis has been on the claimants who are currently accommodated and obtaining support or family income supplement. Now, I understand the point that the hon. member is making but I would ask him: where are these claimants who are not claiming? I presume that he is assuming that they are not making some sort of claim under the income support or family income supplement rules and there is no evidence to suggest that people are not claiming because they cannot get the accommodation.

Mr Houghton: They are claiming.

**Ramsey Cottage Hospital –
Clucas Ward – Consultations re Closure –
Question by Mr Singer**

Question 12. The hon. member for Ramsey (Mr Singer) to ask the Minister for Health and Social Security:

Please detail any consultations with the medical profession prior to and after the decision was taken to close the Clucas Ward at Ramsey Cottage Hospital and establish an NHS dental service in that ward?

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

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

The President: Minister for Health and Social Security to reply.

Mrs Christian: Yes, Mr President. Officers from the department have discussed the plans to convert the

John Clucas Ward at Ramsey and District Cottage Hospital to a National Health Service dental surgery with the medical profession on a number of occasions. On 6th November representatives from the Estates Services Directorate visited Ramsey and District Cottage Hospital to access the possibility for the siting of a surgery as proposed, ward staff were informed of the proposal that afternoon and a meeting between the hospital manager and representatives from the Ramsey group practice was arranged the following day.

On 13th November the general manager of primary health informed members of his executive team of the proposal and a general practitioner from the Ramsey group practice was present at that meeting.

On 28th November the hospital manager of Ramsey and District Cottage Hospital met with two general practitioners from the Ramsey group practice to discuss the proposal.

On 6th December on a visit to the hospital, I viewed both the John Clucas Ward and Gardiner Wing and discussed the proposal with the general practitioner from the Ramsey group practice.

On 23rd December the general manager of primary health discussed the proposal with the consultant physician from Noble's Hospital.

Following this discussion the department felt that, owing to the only occasional use of the ward by visiting consultants, alternative arrangements could be made to accommodate them elsewhere in the hospital, so allowing for the development of the John Clucas Ward into a dental surgery.

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

Mr Singer: I thank the minister for her giving me that timetable, but is it not true that on that 6th December visit to the hospital you were told verbally that the doctors were not happy as they said that the use of the theatre which cost £2 million, was at last increasing after 10 years and the beds would be used regularly for patients recovering from operations, yet the go-ahead for conversion was given later on that month, the actual correspondence with the doctors only occurred after that date and the doctors feel that they have been on the periphery of the decision that has been made?

The President: Minister.

Mrs Christian: Yes, Mr President. After the meeting on 6th December, the doctor, the GP I spoke to, did make me aware of his concerns about the proposal and I am also conscious that the facility at Ramsey Cottage Hospital has taken a little while to get going in terms of the use of the theatre. However, at the same time two of the clinicians, two of the consultants, who use the theatre do not use this ward for their patients at all. One of the surgeons uses it on one half-day per fortnight for a number of patients.

There is capacity within the other wards for increasing work to be carried out in the theatre, and to that extent those considerations were borne in mind when coming to this decision.

I am conscious that the GP practice at Ramsey is not happy with this particular decision but I do not believe that it will impinge on the further development of the use of the theatre. I have had further correspondence from various GPs in Ramsey expressing their concern after the decision was made - indeed, as they did before it was made. I did also have a letter from the Medical Society back in November where their concern was access through the hospital. Now, those and other considerations were my concerns as well, and all of these features, including the option to go into other places or to modify other parts of the hospital or to build new or to have portacabins, were all explored within the resources available to us. I really believe, bearing in mind what we said yesterday about use of resources, that this is not an unreasonable step to take, given that half a day a fortnight seems to me to be able to be accommodated within the rest of the hospital, given the 60 per cent average occupancy of the beds in that part of the hospital.

The President: Mr Singer.

Mr Singer: Could I ask the hon. minister: is it not one of the essential features of good day surgery, the ability to offer a definite day and time to the patient to have their procedure done, and it is reverting to bad old practice to gamble that there may be a bed on a ward if no-one gets admitted to it during the night or someone cannot be discharged? And is it not also a fact, despite what the minister says, that the consultants and the staff committee - in fact, all the medical side - say that this decision is for a quick fix which could well compromise hospital services and, in fact, the department is poaching the accommodation from the hospital to put it in the dental surgery?

The President: Minister.

Mrs Christian: Mr President, I do agree that it would not be very satisfactory if appointments had to be cancelled on the grounds that no bed was available. However, looking at the numbers that go through the operating theatre in Ramsey and looking at the spare capacity on the other wards, it seems to me that there is a reasonable amount of scope for that hospital to take patients through the theatre without the need for cancellations.

Against that, Mr President, we are conscious of the need for an NHS dental service to be provided in the north of the Island. One would hope that eventually, when negotiations with the dental practitioners conclude, we may very well be able to revert in the medium to longer term, in the light of experience, to change this back to hospital use. However, I would say that health services are not just

hospital services; they embrace dental services as well and, whilst I do understand the concern theoretically that someone's appointment might have to be cancelled, I do believe that the capacity is such that it is unreasonable to expect us to keep these beds empty for thirteen and a half days a fortnight when there is a need for dental practitioners in the north of the Island with the NHS services.

The President: A final supplementary. Hon. member for Ramsey.

Mr Singer: Thank you, Mr President. Would the minister agree that the three consultants that are now regularly attending the hospital have already vastly improved the quality of the service to the patients in the north of the Island and are extremely keen to increase their theatre use, so can you not appreciate, minister, that this proposal to do away with the beds that they would need to be constantly available will mean a deliberate retrograde step in the services offered by the hospital, especially as there is plenty of room for a modular-type dental surgery to be constructed in the hospital grounds if you do not intend to rent suitable premises more centrally in Ramsey? As minister, you have said that this is not an ideal solution and that if more suitable premises arose then they would be considered. Is this not an admission of doubt on your behalf but in fact, if you go ahead now and then go back to some other form of service and premises later, you are actually reducing hospital services now that will not be then returned to the hospital? They will, in fact, be lost and we could well lose in the North the services of those specialists who are now very keen to work from Ramsey Cottage Hospital?

The President: If we have a matter of opinion there - minister to reply.

Mrs Christian: At risk of repeating myself, Mr President, I do acknowledge that the willingness of the surgeons to go to Ramsey has been very much welcomed and obviously enhances the services in the north of the Island, and that I am delighted to have. However, I do not accept the point which the hon. member has made that this action would necessarily curtail the development of that service. There is still much capacity in other parts of the hospital.

With regard to whether or not we could have put something in the hospital grounds and built new or whatever, we are working on a timetable, Mr President, where the pressures for dental services are very considerable, as the hon. member himself has been ready to point out to me on more than one occasion. Because of that, Mr President, we considered (a) we did not have resources to build new - we are all conscious of the capital programme and moving that around; (b) we did not have time to go through the planning procedures of the considerations that would

be needed to build new; (c) we did not have the resource available to move into premises in Ramsey, which we did look at and explore the possibility of doing but, all in all, in the interests both of the people who need services and of the taxpayer who is paying for, at the moment, underutilised facilities or at least the maintaining of them, we believe that this decision is a reasonable and pragmatic one.

New Hospital – Public Transport Services – Question by Mrs Cannell

Question 13. The hon. member for Douglas East (Mrs Cannell) to ask the Minister for Tourism and Leisure:

- (1) *Will there be a dedicated, frequent public transport provision to service those attending the new hospital when it opens; and, if so –*
- (2) *When will details of the schedule be available to the public?*

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

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

The President: The Minister for Tourism and Leisure, hon. member Mr Cretney.

Mr Cretney: Thank you, Mr President. There are no plans to operate a dedicated bus service to the new hospital when it opens. Discussions are continuing with the new hospital commissioning committee regarding the provision of bus services to serve the site. The existing public transport services which operate within the area will be diverted to call at the new hospital and provide the level of service required to meet likely demand. It is proposed that services on routes 5 and 6a, which operate between Douglas and Ramsey via Peel and Strang crossroads, will provide 12 journeys per day in the Douglas to Peel direction and 13 journeys per day in the opposite direction on Mondays to Saturdays. On Sundays seven journeys are provided in each direction. In addition, journeys on services 9 and 11, which operate from Douglas via Ballabrooie and Abbeylands and call at Strang crossroads or the existing Ballamona Hospital, will also call at the new hospital site. This provides for an additional 12 journeys to the site to and from Douglas on Mondays to Fridays, 11 journeys on Saturdays with a further two journeys per weekday to be introduced on service 11 at the time the new hospital opens.

Just to summarise, therefore, once the new hospital is open, there will be 39 buses calling each

day during the week, 36 on a Saturday and 14 on a Sunday. These proposals have been outlined to the new hospital commissioning committee. Demand for public transport to the new hospital when it opens will continue to be monitored by both my department and the Department of Health and Social Security. Service levels will be reviewed in the light of this information and consideration will be given to provide additional journeys should it be necessary outside of peak hours, providing that this can be accommodated from within existing resources.

The President: Mrs Cannell.

Mrs Cannell: Thank you, Mr President. I thank the hon. minister for that. Can I ask him, though: when will all of this information and the schedules be released to the public so that they can rest assured that they will be able to use the new hospital? And further, can the hon. minister advise what will happen during road closures when races are taking place? Is he aware that all appointments and operations will be suspended as a consequence, or does he anticipate that they will continue, and how will members of the public be able to access the hospital then?

The President: Minister.

Mr Cretney: With regard to the first question, obviously this information will be passed on via information to bus users and others in the immediate future.

With regard to the operation of the hospital during TT and Manx Grand Prix periods, that is really a matter for the hospital management rather than my bus company.

The President: Hon. member for Peel.

Mrs Hannan: Yes, thank you, Eaghtyrane. Could I ask the minister whether he is satisfied that there is capacity on the Peel bus, especially at high times of travel such as mornings and evenings, to facilitate these buses serving the hospital as well as Peel?

The President: Minister.

Mr Cretney: We already, Mr President, have real problems at peak hours because the school journeys coincide with commuters to and from Douglas to Peel and everywhere else, Douglas to Ramsey, Douglas to Port Erin and vice versa. So, yes, there will be pressure on those buses, and that is why I am making it clear that we do not have an additional capacity at peak hours, but I am told that we will have, within our resources, capacity sufficient to meet the demand which is envisaged.

The President: Hon. member for Ayre.

Mr Quine: Can the minister confirm that the frequency of linking services - that is, services linking with these principal routes that you have referred to and of which you have specified the frequency - is going to match those on these primary routes? It is all very well if you have got these services running from Ramsey, but you have got to get from Andreas, Bride and Jurby, for example, before you can connect with these services. So what about the linking services?

The President: Minister.

Mr Cretney: Yes, thank you, Mr President. I think it is very important that any link services do match up and there is work continuing to ensure that that happens when the hospital is commissioned and the services commence.

The President: A final supplementary. Hon. member, Mrs Cannell.

Mrs Cannell: Thank you, Mr President. Could the hon. minister give us a reassurance today that he will discuss with his colleague in the Council of Ministers, the health minister, in terms of how they are going to manage and operate the service for patients who will be required to attend hospital during road closure periods. Will they get their heads together and come up with some sort of plan that is going to help the public in respect of this?

The President: Minister.

Mr Cretney: Of course, we will work on that basis. That is the principal thing that governments' is supposed to do. We are supposed to work together on a co-operative basis, and clearly I will be discussing these matters with the health minister and her department in the weeks ahead.

Mrs Cannell: Thank you.

The President: Minister for Health, Mrs Christian.

Mrs Christian: Would the hon. minister confirm that the commissioning team of the new hospital is currently working with his officers on the issue of bus services and that indeed, where we have any concerns about the proposed service, we are continuing to negotiate with them. I would confirm for the hon. minister that elective surgery as at Noble's now winds down during TT sessions but of course other services will continue.

The President: Minister for Tourism and Leisure.

Mr Cretney: Yes, I am pleased to confirm, Mr President, that the two departments at officer level have been meeting for some considerable time now to

discuss the arrangements, and obviously the hospital commissioning team are regularly making it clear to my officers what they believe the demand for service will be, and clearly we are trying to meet that level of demand.

**Steam Railway –
Reinstatement of Peel-Douglas Line –
Question by Mrs Hannan**

Question 14. The hon. member for Peel (Mrs Hannan) to ask the Minister for Tourism and Leisure:

- (1) *What is your programme for reinstating the Peel-Douglas railway line;*
- (2) *and when will you carry out a feasibility study on the line?*

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

Mrs Hannan: Thank you, Eaghtyrane. I beg leave to ask the question standing in my name.

The President: Any answer is in the hands of the Minister for Tourism and Leisure.

Mr Cretney: Yes, thank you, Mr President. Hon. members will be aware that the Isle of Man Government has recently invested substantial resources in the railways infrastructure and is continuing to do so. This investment is part of a planned programme which is necessary for several years yet and is of priority if we are to preserve, maintain and improve the quality and safety of the existing railway system for the long-term benefit of the Isle of Man, its citizens and visitors.

My department has no plans to consider reinstatement of the old Peel to Douglas line, neither does it have plans to undertake a feasibility study. Hon. members will be aware that there has been no railway service between Douglas and Peel since 1968. Since closure of the line a number of the land sites have been disposed of and utilised for other purposes, including the National Sports Centre and a housing development at St John's. The track bed between St Johns and Peel has been utilised for certain pipe and cable runs and Peel station now houses the House of Manannan. Two river bridges previously located near Quarter Bridge and Union Mills have been removed and would require reinstatement. An inspection of other bridge structures would also need to be undertaken and to ensure their structural integrity if they were to be reused in addition to a new level crossing across the main road at Quarter Bridge to replace the former level crossing, which has been

removed. Finally, the former track bed between Quarter Bridge and Braddan has been utilised as an access road for use in times of motorcycle racing. Other utilities have also been installed in this length of the previous track bed which would need resiting or removal. Therefore it is neither feasible or practical to reinstate the Peel to Douglas railway line along what was the original track bed, and I say that, Mr President, with a good deal of regret. I know the reasons behind decisions which were made in the past but I do regret that.

Given the capital expenditure required to complete railway infrastructure renewals in the foreseeable future to ensure the existing railway services continue, I do not see the reinstatement of the Peel to Douglas railway line or a feasibility study into this matter as an item for priority funding.

The President: Hon. member for Peel.

Mrs Hannan: Thank you, Eaghtyrane. Taking into account the response from the minister, would he not agree that, with the investment that there has been from Douglas to Port Erin, also the investment that is on the electricity, the MER, would he not agree that a feasibility study, notwithstanding his response, should be carried out on the Peel to Douglas old line to ensure that, when the IRIS pipes are either laid or not laid in this particular area, investment can be put in to securing a rail line and to secure the future of Peel because of the roads, and that Peel could be services property during race periods as well, using the railway? The situation that he mentioned could be overcome by a feasibility study to spell out exactly what could happen should a decision be made to reinstate the railway line.

The President: Minister.

Mr Cretney: Yes, could I make it quite clear, Mr President, that the works being undertaken between Douglas and Port Erin which have been carried out in conjunction with the Department of Transport have provided an exceptional opportunity in terms of that section of line because of the IRIS works, and the works are continuing there and will do for some time. Also, with regard to the Manx Electric Railway section, the works which are required to be done there are going to continue for some considerable time, and so what I am trying to say is that in the short term, given the fact that we need to use our financial resources in the most effective way, I do not see that this is a practical thing to do.

**Police –
Improved Presence to Combat Crime –
Question by Mr Duggan**

Question 15. The hon. member for Douglas South (Mr Duggan) to ask the Minister for Home Affairs:

What future investment has your department considered to improve police presence on the Island to combat crime?

The President: I call on the hon. member for Douglas South, Mr Duggan.

Mr Duggan: Mr President, I beg leave to ask the question standing in my name.

The President: Minister for Home Affairs to reply. Hon. member for Douglas East, Mr Braidwood.

Mr Braidwood: Thank you, Mr President. In considering its financial and budgetary priorities my department is aware of the need to support effective policing in the Isle of Man. The department considers this need in parallel with the competing demands for resources within all of the services provided throughout the range of the department's responsibilities. In terms of improving police presence, any provision of additional police officers would be considered in parallel with the Chief Constable's analysis as to where his operational priorities lay. This will be done as part of the department's business planning and budget process. The hon. questioner can remain assured that the department is conscious of the need to maintain investment in providing effective policing for the Isle of Man.

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

Mr Duggan: Thank you, Mr President. I thank the minister for his reply, but I would like to ask the minister, is he satisfied that at present we have got a handful of police officers policing the Island, especially at weekends with all the nightclubs et cetera, (**Mr Houghton:** Hear, hear.) and morale is low because the police have not got back-up? Is he satisfied with that? And would he not agree that we need at least 20 more police officers over 20 years to police this Island and get some proper policing done?

Mr Houghton: Just to police Douglas alone.

Mrs Crowe: They are there.

The President: Minister.

Mrs Hannan: And the rest of us can go hang?

Mr Braidwood: Mr President, yesterday this hon. Court unanimously agreed the budget. My department -

Mrs Hannan: Received it!

Mr Braidwood: - received an increase of six per cent over their budget of the previous year. This was to allow for inflation, wage/salary increases and loan charges. I think any minister of any department has aspirations to increase their resources but this government only has finite resources. I have to live within those constraints which have been imposed on my department. However, I know that the Chief Minister is looking at the personal control mechanism. If I can, through efficiencies in my department, increase the number of civilians this will release police officers for operational duties. I said yesterday, Mr President, that the ratio of civilian staff to police is low. I would like to see that increased; I would like to see more operational police officers. We can and we try to improve efficiency in the police force.

I also mentioned yesterday that 70 per cent of the crime is in B division. B division has not got 70 per cent police officers. There are three divisions throughout the Isle of Man, and the last HMIC report suggested one division. I know that the Chief Constable would not go down that path because it would not be agreeable to members of this hon. Court, but if you want more efficiency in the police it would be one division.

The President: Hon. member Mr Quayle.

Mr Quayle: Thank you, Mr President. Could I ask the hon. minister if he has made any progress in dealing with what I think he referred to in an earlier Tynwald Court as the bureaucracy involved and whether or not any improvements can be made in reducing that? Also, could I ask him if he is making any progress to increase the number of support staff for the police which would then allow for more police officers to be tackling the issues out on the beat?

The President: Hon. member, I think he has just replied to that question.

A Member: Yes.

The President: Hon. member Mr Speaker.

Mr Speaker: Thank you, Mr President. Could the minister advise us how many police officers are, by shift, undertaking full-time administrative duties that could be easily undertaken by civilian staff?

The President: Minister.

Mr Braidwood: Mr President, I do not have that figure but I will find out for Mr Speaker.

The President: Hon. member Mr Karran.

Mr Karran: Eaghtyrane, would the shirveishagh inform this hon. House, what are the figures for police posts in the Isle of Man in relation to population compared with other police authorities in the United Kingdom, in particular? Could the shirveishagh also explain the fact that there are only about two other areas in the United Kingdom that have got more policemen per head of population than the Isle of Man? Could he explain why we do not seem to get the effectiveness? Is it due to management as far as those resources are concerned, and will the shirveishagh look into the reintroduction of a proper police authority which would then make people accountable so that we get the services?

The President: Mr Braidwood.

Mr Braidwood: Thank you, Mr President. The ratio of police officers to population in the Isle of Man is 3.1 police officers to every 1,000 population; in England and Wales it is a ratio of 2.4 police officers to every 1000 population, but I think we have to take into consideration there that the ratio of civilian staff to police officers in England and Wales is 1 to 2.1 and at the present time, Mr President, I will not consider a police authority.

The President: Hon. member of Council, Mr Lowey.

Mr Lowey: Would the minister also not agree that the Isle of Man police force is not a county force, it is a national police force and has other demands on it than many of the county forces in the United Kingdom?

Mr Houghton: Hear, hear.

The President: Minister.

Mr Braidwood: I totally agree with the hon. member of Council, Mr President: other authorities in the UK do not have financial crime units, which of course, with being a national police force in the Isle of Man, we have.

The President: Mr Karran.

Mr Karran: Eaghtyrane, a supplementary. Would the shirveishagh not agree that if he looks back at the likes of the Metropolitan area and other areas like that, there is a disproportionate amount of police resources in those areas, like there and in Northern Ireland? Would he not agree that it would be better for us to look at different police authorities in the United Kingdom rather than taking in the likes of whether there is a disproportion and we would look at the actual true figure as far as the population to the number

of policemen that we are actually employing at the present time?

The President: Minister, like for like.

Mr Braidwood: Mr President, this is one of the reasons that we do have inspections of the police force in the Isle of Man; the last one being carried out last year, the next report will be in the year 2004-5. In actual fact I met with Sir Ronnie Flanagan, who is the new HMIC, and he will be evaluating also the Channel Islands. So instead of being able to compare with police authorities in the UK we will be compared with other Island authorities.

IOM Prison – Inspection Report – Question by Mr Earnshaw

Question 16. The hon. member for Onchan, (Mr Earnshaw) to ask the Minister for Home Affairs:

With regard to the 199-page inspection report dated December 2001 relating to the Island's Victoria Road Prison –

- (1) What was the cost to the taxpayer of compiling and producing the report;*
- (2) why was the report produced;*
- (3) what significant new information did the report provide that was not already known; and*
- (4) bearing in mind the length of the report, who is likely to read it?*

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

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

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

Mr Braidwood: Thank you, Mr President. At the present time the cost of the prison inspection and the production of the subsequent report has not been fully quantified. However, my department anticipates that this will be in the order of £15,000.

It was determined by my predecessor, as Minister for Home Affairs, that it would be useful to have a contemporary assessment by Her Majesty's Inspectorate of the régime and facilities of the Isle of Man Prison. This was particularly so, given that it was in excess of 10 years since the prison was previously

inspected. I was happy to endorse that decision and to see the prison inspection proceed.

A number of the observations in the final report were indeed anticipated, not least the criticisms concerning the very severe limitations on the facilities available at Victoria Road, for the provision of an effective, modern, custodial régime. However, the observations of the inspectorate concerning opportunities and challenges for the prison management to consider ways in which to maximise the effectiveness of the existing régime and the scope to improve partnership working with other agencies were very valuable. These provide useful recommendations for the prison management and my department to consider.

Finally, Mr President, it is true that the document is very substantial, but this should be anticipated, given the thoroughness of the review and the complexities of the issues under analysis. Certainly, for the most part, the inspection report is a document provided for my department and for the prison management. Nonetheless, it may well be read by others with an interest in the issues involved, including, for example, legal practitioners, some of whom have approached my department for copies of the report. It is also entirely appropriate that this information is available for members of the public who may wish to have access to it. It is crucial, in my view, that the operation of a major public institution such as the prison is exposed to external scrutiny and the outcome of that scrutiny made publicly available.

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

Mr Earnshaw: Thank you, Mr President. I must, of course, thank the minister for his reply, but it is obvious to me from his reply that very little new information has been provided by this report. We all know about the deficiencies in the Victoria Road Prison, so I must ask the minister, is he aware that the Island's taxpayers are fed up with seeing public money wasted on unnecessary reports such as this, which at 199 pages long contains enough information to choke a donkey, and would he agree with me that at that length the only people likely to have enough time to read this report are the prisoners? (*Laughter*)

The President: Minister.

Mr Braidwood: Mr President, it was over 10 years since the last inspection report. Times move on and new ideas come to the fore. We were criticised 10 years ago for the slopping out and degradation of the prisoners under our care. In actual fact 10 new prison officers are being recruited and hope to be operational by September to stop slopping out during the nighttime. This report might be 199 pages long; it has 136 recommendations; some of those recommendations are already being implemented. I do

not consider it a waste of money at all, and I would say that I went through this page by page with my department and with the two hon. members who are members of this department (*Interjection by Mr Quine*)

Mr Braidwood: - and went through with the Prison Governor, Chief Executive, page by page. Yes, we are criticised; we are looking forward to moving into a new prison so we have the facilities for the prisoners, because if we can rehabilitate they will not reoffend. Mr President, a good report.

The President: Hon. member for Peel.

Mrs Hannan: Thank you, Eaghtyrane. Could I ask the Minister for Home Affairs if we can expect your report on the inadequacies of the prison at the moment and what action is to be taken, especially with regard to trying to work with prisoners so that they do not reoffend?

The President: Minister.

Mr Braidwood: Mr President, this is ongoing at the moment within the prison establishment. We are taking on board a lot of the recommendations. Some will be implemented, others cannot be implemented until we move to a new prison.

The President: Mr Duggan.

Mr Duggan: Yes, thank you, Mr President. I would just like to ask the minister: he did mention there about 10 new prison officers, fair enough - how is it he can get prison officers, but he is having difficulty getting police officers sorted out?

The President: Minister.

Mr Braidwood: One of the reasons, Mr President, is the Convention on Human Rights. We have been criticised. I would not like to be locked up in a cell with a bucket in front of me, eating a sandwich or eating my meal -

Mr Karran: He is not on your list as well as me, is he?

Mr Braidwood: Mr President, we have to move forward; that is why we are able to achieve an increase in the establishment for 10 prison officers.

Footpaths – Obstruction of – Question by Mrs Hannan

Question 17. The hon. member for Peel (Mrs Hannan) to ask the Minister for Transport:

(1) *How many footpaths are obstructed; and*

(2) *how many prosecutions have there been in the last five years for obstructing footpaths?*

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

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

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

Mr Shimmin: Thank you, Mr President. In answer to part (1) of the question, the department has no knowledge of any public footpath being deliberately obstructed at the present time. There were reports of obstruction on a footpath in the Billown area, but that has now been resolved. The department has temporary closures on four paths at present due to damage caused by the exceptional weather last October. If obstructions are found during the course of maintenance they are cleared at that time. Obstructions reported to our office are also dealt with promptly.

In answer to part (2) of the question, since the implementation of the Public Rights of Way Acts of 1961 and 1970 there have been no prosecutions for obstruction. The department enjoys excellent relations with the many landowners over whose land the rights of way pass and we hope not to need to prosecute in the future, sir.

The President: Hon. member for Peel.

Mrs Hannan: With regard to the Billown footpath, is the minister satisfied that the footpath will be reinstated as soon as is practicable, and when is that likely to be?

The President: Minister.

Mr Shimmin: Mr President, the obstruction at Billown which had been placed by the landowner was to prevent members of the public from using the path because of a washed-out bridge. However, this fact was never communicated to the department until later in the proceedings. The footpath is now closed temporarily until the replacement bridge can be constructed, and it is hoped, as this has already been ordered from the works division, that the work is likely to be carried out during the spring or summer. This is subject to the workforce being released from their current task of repairing storm damage to highways and gullies throughout the Island, sir.

The President: Hon. member Mr Karran.

Mr Karran: Eaghtryrane, could the shirveishagh maybe advertise every so often information on footpaths that may be obstructed? I understand that his

department's priorities must be to try and sort out some of our atrocious roads, but would he consider doing that? Would he not also agree that it is important that we must have that sort of information flowing in? As the former member for the old Middle sheading I know in South Braddan that several footpaths, burial paths, were closed off with a nod and a wink, and I think it is important that we must make sure that these footpaths . . . If people know they can complain about them being blocked off, would you put an advert maybe once or twice a year in order that to make sure that no more footpaths are lost for access for the general public?

The President: Minister.

Mr Shimmin: Certainly, Mr President, the department would always encourage members of the public to report any problems with rights of way to the highways operations section. In the last year there have been 102 contacts which have been logged from members of the public regarding rights of way issues. Last month there were a further 7, only one of which involved a practical problem which required chicken wire covering over a slippery area. Certainly I will consider with my departmental colleagues that, as we approach the springtime when there will be greater utilisation, we can indeed make a higher public profile of this matter.

The President: Mr Lowey, hon. member of Council.

Mr Lowey: The minister in his earlier reply said where footpaths had been deliberately obstructed; would the minister not agree that Mother Nature has a job too to answer for when blackthorns are the cause of the obstruction? I take note of what he said about reporting it, but when you have reported blackthorns in the past and then returned to the scene maybe two months later you see the same bushes growing, only with two months' more luxuriant growth on them, it does seem a bit of a waste of a time.

The President: Minister.

Mr Shimmin: Yes, Mr President, it is an ongoing problem for my department. I did confer with the original member asking the question to find out whether they were formal obstructions or indeed overgrowth, and obviously both areas are of concern to the hon. member for Peel. Yes, we do have an ongoing problem. We are aware that the amount of footpaths on the Island, which account for 299 public footpaths with a total distance of 303 kilometres, is an ongoing problem. When resources allow we do our best. Certainly there will be some areas each summer which will be overgrown, and I would encourage members and the public to notify our department. That does not guarantee we can do them in as timely a manner as we

would all like, but when resources allow we will attempt to do so.

**Industry –
Exchange of Part-Funded
Equipment/Machinery –
Question by Mrs Hannan**

Question 18. The hon. member for Peel (Mrs Hannan) to ask the Minister for Trade and Industry:

Why is equipment/machinery part-funded by your department allowed to be exchanged for inferior equipment/machinery?

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

Mrs Hannan: Thank you, Eaghtyrane. I beg leave to ask the question standing in my name.

The President: I call on the member for the trade and industry department, hon. member for Ramsey, Mr Singer, to reply.

Mr Singer: Thank you, Mr President. In the absence of the minister I am pleased to reply to this question from the hon. member. There are no provisions within the terms and conditions for the department's financial assistance scheme, which allows for grant-funded equipment to be exchanged for inferior equipment. Under the scheme standard terms and conditions are applicable to all offers of financial assistance and applicants are required to sign a declaration that they will adhere to these before any payments are made. These terms and conditions, which normally apply for a period of three or five years, contain provisions that deal with a range of circumstances, including where plant and machinery on which financial assistance has been paid is removed from the applicants place of business. In such circumstances the applicant is required to notify government immediately and certainly no later than one calendar month after the event, and the approach the department takes is to work closely with the company concerned in order to determine an appropriate way forward, taking all relevant factors into account. Government does, however, have the right to reclaim all or such part of the assistance applicable to the plant and machinery as may be determined.

The President: Hon. member for Peel.

Mrs Hannan: Thank you, Eaghtyrane. Could I ask the member for the trade and industry, is he

satisfied with what has happened at Smiths in Onchan with regard to exchange of machinery?

The President: Mr Singer.

Mr Singer: Thank you, Mr President. Yes, the department is happy, Mr President. It is perhaps unfortunate when one gets anonymous, unsigned letters. We all get these letters, and you do not know, perhaps, what are the reasons behind the person, whether they have got a grudge or whatever, but certainly as far as Smith's are concerned the workforce and their union representatives have been kept fully informed by management about what is going on. There was a press release in July 2002 when the minister and the managing director signed what was called a memorandum of understanding to come together for an agreement about what was going to happen with Smith's because the Smith's (Isle of Man) facility which supplies largely civil aircraft components has been significantly affected by the September 11th tragedy and the sharp downturn in air travel and demand for new aircraft. They are restructuring and the existing machining operations are being replaced by new manufacturing activities as the facility is reshaped into a focus precision machining company. We are well aware of the machinery that was taken out of Smith's; we are aware of the machinery that was brought back into Smith's, and the department is happy with that decision and the workforce are being kept informed at all times about what is happening.

**Education Act 2001 –
Introduction of Section 8 –
Question by Mrs Hannan**

Question 19. The hon. member for Peel (Mrs Hannan) to ask the Minister for Education:

What progress is being made regarding the introduction of section 8 of the Education Act 2001?

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

Mrs Hannan: Thank you, Eaghtyrane. I beg leave to ask the question standing in my name.

The President: The Minister for Education, hon. member for Garff, Mr Rodan.

Mr Rodan: Mr President, section 8 of the Education Act 2001 empowers the Department of Education to prescribe by order the curriculum to be followed by pupils of compulsory school age at both provided, which is to say department, schools and in maintained schools. The required order has been

drafted and was considered by the department at its last meeting on 10th February of this year. It will now be submitted to the legislative draftsman, following which the department will be in a position to commence the consultation process required under subsection (4).

Section 8 will require an appointed day order and it is the department's intention for this order and the order prescribing the Manx national curriculum to be put before Tynwald at the same time later this year.

The President: Hon. member for Peel.

Mrs Hannan: Thank you, Eaghtyrane. With regard to the aspects of section 8, could I ask what progress has been made with regard to the Manx language and Manx studies within that section?

The President: Minister.

Mr Rodan: Yes, Mr President. Considerable progress has been made. I am very pleased to say that over the past year there has been a working group on Manx culture, which has been sitting under the chairmanship of my colleague in the department, the hon. member for Rushen, Mr Gill, and considerable work has been done in formulating specific proposals for inclusion in the syllabus of the curriculum.

In addition to that, I can report that a working party of some five primary school teachers has been established in January of this year to specifically look at ways of introducing Manx history into years 4 and 5, which is to say 9- and 10-year-olds, and it is intended that this be introduced in September of this year. Following consolidation of history we shall be moving on to geography in primary schools, and this, of course, is in accordance with the new statutory requirement for Manx language culture and history to form part of the subjects of the national curriculum.

The President: Hon. member for Onchan.

Mr Karran: A supplementary, Eaghtyrane, please. Would the shirveishagh not agree that it is very good to be getting these policies going, but what sort of policies are going to be taught to the teachers that are supposed to teach the children the value of Manx culture? What sort of situation is being taught to the teachers that are coming in from across about the values of the Manx way of life as far as the different aspects of culture?

The President: Yes, the hon. member has highlighted an important aspect of carrying this forward, which is to ensure that the teachers in our schools are fully familiar with aspects of Manx life, history and so on to ensure that they are able to deliver this to pupils. Since becoming minister I have made it, for the past three years, an important point of induction of new teachers arriving on this Island to take up posts

here that they be exposed to a full tour of these chambers and the House of Keys under the guidance of yourself, Mr President, and of Mr Speaker to ensure familiarity with the distinct political set-up of the Isle of Man, and I would intend in furtherance of this to ensure that there be compulsory training days and twilight sessions in the future to ensure that what is a voluntary set-up at the moment actually is given greater depth. Clearly there is a need to provide information and training sessions for the many teachers who are new to the Island, and I certainly intend to carry this forward.

**DoLGE – Abandoned Vehicles –
Removal and Disposal –
Question by Mr Singer**

Question 20. The hon. member for Ramsey (Mr Singer) to ask the Minister for Local Government and the Environment:

In relation to the department's responsibilities for the removal and disposal of abandoned vehicles –

- (1) how many abandoned vehicles have been collected by the Department of Local Government and the Environment's contractor for the current financial year and in each of the past three financial years;*
- (2) what expenditure has been incurred by the department on the collection and disposal of abandoned vehicles for the current financial year and in each of the past three financial years; and*
- (3) what amount of costs has been recovered by the department from the owners of abandoned vehicles which have been removed and disposed of for the current financial year and in each of the past three financial years?*

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

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

The President: This time I call on the Minister for Local Government and the Environment, hon. member Mrs Crowe, to reply.

Mrs Crowe: Thank you, Mr President. In answer to part (1) of the hon. member's question the number of abandoned vehicles collected by the department's contractors is as follows: The current financial year, 390 vehicles have been collected so far - that is, up to

4th February, which is approximately 10 months. In 2001-2, 317; 2000-1, 275; and 1999-2000, 231.

In answer to part (2) the expenditure incurred by the department on the collection and disposal of abandoned vehicles is as follows: the current year - once again the 10-month period - £51,621; 2001-2, £32,032; 2000-1, £27,000; 1999-2000, £24,358.

In answer to part (3), the costs that were recovered by the department, the answers are: for the current financial year £722; 2001-2, £927; 2000-1, £1,027; and for the year prior to that, £635.

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

Mr Singer: I thank the hon. minister for her answer, the detail that her officers have given and the time they have taken to do that. In the light of the department itself being able to apply the 'user pays' principle in relation to abandoned vehicles, would the hon. minister not agree that much more needs to be achieved in terms of education and regulation before charging local authorities for domestic and commercial waste if introduced if the department cannot undertake the policy itself?

The President: Minister.

Mrs Crowe: We have an increasing problem with abandoned vehicles on the Isle of Man. It is very difficult to institute prosecutions when there are no tax discs, there are no number plates; what we are left with in many cases is just a bare, derelict hulk of car. We are working very closely now with the police and the Department of Transport and the local authorities to try and identify these vehicles before they become in a state where they are unidentified to a previous owner, and we are working very hard at the present time to progress a much firmer policy in regard to the last registered owner of that vehicle being totally responsible for its disposal.

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

Mrs Cannell: Thank you, Mr President. Could I ask the hon. minister, why is there such a large variation in the money that the department has managed, the cost recovered, whereas in 2000-1, there was 275 abandoned vehicles costing £27,000 and a recovery was made of £1,027? Why isn't the same level of recovery applying in later years? What is the difference in terms of recovery?

The President: Minister.

Mrs Crowe: The legal procedures do take time, and actually moneys do come in when we finally manage to trace the legal owners of these vehicles. That is the reason why at the current time we are

shown as far behind this year in the collection of these moneys, but I hope that this situation will improve as the year progresses.

The President: Mr Singer, a final supplementary.

Mr Singer: Thank you, Mr President. Putting this into a general context and the figures that have been given, would the hon. minister concede that the proposed introduction of charges to local authorities will result in increased fly-tipping in the same way as people seek to avoid vehicle disposal costs, (Mrs Cannell: Hear, hear.) and that it is and is going to be very unfair to pass those costs, which will result in local authorities having to find that money?

The President: Minister.

Mrs Crowe: We have irresponsible people at the present time fly-tipping all over the Isle of Man when the current charge for tipping is nil. Irresponsible people will continue to fly-tip. We are working with the local authorities to identify anyone that fly-tips on the Isle of Man. They are far closer to the problem than central government, and prosecutions will follow for anyone that is seen fly-tipping on the Isle of Man. I would say that the level of fine of £5,000 should be an adequate deterrent to anyone who is caught fly-tipping.

Glass Deposited for Recycling – Question by Mr Singer

Question 21. The hon. member for Ramsey (Mr Singer) to ask the Minister for Local Government and the Environment:

- (1) *How many tonnes of glass have been collected and delivered for recycling at Corlett's Sandpit, Ballaharra, during the past 12 months;*
- (2) *can you confirm that all glass deposited for recycling is recycled and that no glass has been disposed of to landfill at Ballaharra or elsewhere for any reason?*

The President: Hon. member for Ramsey.

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

The President: Again the reply is in the hands of the Minister for Local Government and the Environment.

Mrs Crowe: Thank you, Mr President. In answer to part (1) of the hon. member's question, during the year 2000 1,463 tonnes of glass, including

contaminates, were delivered by the department to Corlett's for recycling.

Turning to part (2) of the question, the glass delivered to Corlett's is ground down in order that it can be used as a replacement for coarse sand, and Corlett's use this in the production of pavers and it is also used as drainage material and sometimes in general aggregate, but on average only 60 per cent of the delivered material is recycled for these uses.

The major obstacle is that the percentage of collected material is containing a high level of contaminants, which are deposited with the glass.

We do recognise that we do have to inform and encourage the public and, indeed, the commercial users of our service to reduce the amount of non-glass waste that is going into the glass recycling bins. The material is not only corks but labels, jar lids, plastic, metal, and at the present time, in fact, 40 per cent of the collected material is not recycled because of the waste element that is in it.

All of this non-recycled material is disposed of at Corlett's site in Ballaharra and they do have a current waste disposal licence for this purpose. Staff from the department do make periodic visits to the site to monitor the recycling activities and compliance with the licence. If we can reduce the contamination of the glass we could dramatically increase the percentage of material that is being recycled, and we are currently putting in place an education scheme to encourage the public not to put anything other than glass in the glass recycling bins.

The President: Hon. member for Peel.

Mrs Hannan: Thank you. With regard to the education, how does the minister propose to get to people and to convince them that they should be responsible in relation to recycling? This is an area which will reduce the amount of waste – presuming that this is kept free – that people can dispose of, and therefore they cut down not only their costs but also the amount of rubbish that is going into landfill and also to keep it out of the incinerator stream when it comes on because (**Mrs Crowe:** Absolutely.) you will not want that in an incinerator. So what sort of education is the department proposing to use?

The President: Minister.

Mrs Crowe: We have done some publicity and I am sure you will all remember 'The day in the life of a bottle' which I followed around to its end use as a paver but we are doing more and more to make people aware that the recycled materials are a valuable asset to the Island and in fact we are now number one in the north-west for the recycling of glass, and this information is from the glass industry itself. We are number five in the British Isles for the recycling of glass per head of the population -

Mrs Hannan: We are not recycling it!

Mrs Crowe: - and we are aiming to be number one.

The President: Hon. member for Ramsey.

Mr Singer: I am very pleased to hear that the minister accepts that there needs to be education, but does the minister not feel that we need to educate before seeking to implement the waste management initiative? If we do not educate first then the waste management initiatives will not be worthwhile.

The President: Minister.

Mrs Crowe: Mr President, for as long as I have been in this House I have heard the words, 'Reduce, reuse, recycle.' I think that the department has made numerous and many efforts to try and bring it to the attention of the people of the Isle of Man that we have to recycle. The imposition of charges which were recently announced has, indeed, been the driver for the vast majority of initiatives that are now springing up all around the Isle of Man regarding recycling.

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

Mrs Cannell: Thank you, Mr President. Will the hon. minister agree with me that it is all very well going round the Island saying, 'You must recycle' but the public need to know *how* to recycle, and that any literature or information on educating the public should emphasis how they can effectively recycle and save costs? And further, am I understanding from her response this morning that 40 per cent of glass is in fact going to landfill? (**Mrs Hannan:** Yes.) And further, would she agree with me that what might help reduce the 40 per cent going to landfill is if the community recycling glass bins were actually locked so one could not lift it up and the exits on the top are left free for inserting the bottles? That would help stop people putting other than glass, clean glass preferably, into those bins and would go a long way to reducing this 40 per cent going to landfill.

The President: Minister.

Mrs Crowe: Thank you, Mr President. There are 500 recycling bins around the Isle of Man for the population of the Isle of Man to deposit their glass in. We did identify, in fact 12 months ago, that one of the problems was that people were lifting the lid of the bin and putting in the whole wine box complete with cardboard et cetera. We then made it quite clear to the operators that all bins were to be locked so that - indeed, the point the hon. member for East Douglas made - only glass bottles can be put in through the lid, but we are going to be making sure, by placing stickers

on the bins, that corks and jam jar lids and the rest of the contaminants are not acceptable in the glass recycling bins.

The President: Hon. member of Council, Mr Lowey.

Mr Lowey: Thank you, Mr President. Would the minister not agree that the officer that we have part-time at the moment who is doing this job of education and who has been instrumental in it will be augmented if we have our way? Beamans have already been in and overseen - would the minister not agree? - the staffing levels for the division, and high on the list of priority is education, not just on glass and not just for local councils, and not just for children but for the general public, and part of the aim of the review is to get the proper people, full-time in a job meeting a full-time need.

The President: I think you will probably agree, minister.

Mrs Crowe: Yes, I think I probably would, Mr President. The fact of the matter is that the waste management operation has been totally under-resourced. There has been identified a need for five more members of staff, one of which will be a full-time education officer and, indeed, that part-time education officer at the present time is drawing up a number of schemes. There are a number of schemes that are available worldwide that we are drawing upon to make effective education part of the whole of the system for the Isle of Man.

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

Mr Singer: Thank you. The hon. minister says - and quite rightly it flips off her tongue - that since she has been in this hon. Court and I have been in the hon. Court, and before that, we have heard the terms, 'Reduce, reuse and recycle,' but would the minister not agree that the department has not, in the last few years, really taken this in a serious way to ensure that the minimum of waste is disposed of? And would she like to outline to us, now she says there is going to be an education programme: is there going to be a specific programme? How is it going to work? What is it going to do and how long will she expect it to take to work?

The President: Minister.

Mrs Crowe: No, indeed, I would not agree with the hon. member that nothing has been done by the department and, in fact, the newly opened green waste facility in the south of the Island has currently cut the amount of waste that is going to the landfill site by half. We used to send 18 huge skips from that area. Now all the green waste is being composted in that

area and we are sending between seven and nine per week to the landfill site. So it is untrue to say that nothing is being done. More needs to be done, I would agree, and, as I have said, once the full-time officer is in place and with the help of the plans that are being laid at the present time I hope a great deal more can be done about the education of people regarding recycling.

It is not something that only appertains to this Island, of course; I think worldwide we see a great many initiatives to recycle in every country to make sure that our resources are sustainable.

The President: A final supplementary, I think. Mrs Hannan.

Mrs Hannan: Yes. Could I ask the minister if she would make it clear that, from what I understand, if there is a label left on anything that goes to recycling, it is designated contaminated? And could I also ask the minister to confirm that the education process will be up and running long before 1st July?

The President: Minister.

Mrs Crowe: The education programme is up and running now, and indeed we are continually advertising, making it known through local authorities, speaking in schools about the whole issue of recycling.

Regarding the specific question about labelling, labels on bottles are quite acceptable; they go into the mincing process, but lids on jam jars and corks on bottles are definitely contaminates, as is also the practice of people just putting things like newspapers in our glass recycling bins. So the glass recycling bins are purely for the acceptance of glass.

Waste Disposal Charges – Local Authorities' Letter – Question by Mr Quayle

Question 22. The hon. member for Middle (Mr Quayle) to ask the Minister for Local Government and the Environment:

With reference to the introduction of refuse disposal charges, will you make a statement concerning the letter dated 5th February 2003, received by you from all 24 local authorities, in which they state that they 'are of the view that the current position has been reached without adequate information or consultation, and regard to the effect on ratepayers, local authorities and the business community of the Island', and that 'the time scale announced is unrealistic in the light of the many issues which are at present unresolved', and that the introduction of charges should be deferred until

agreement can be reached on the implementation thereof?

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

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

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

Mrs Crowe: Thank you, Mr President. I am grateful to the hon. member for Middle, Mr Quayle, for raising this question, because it gives me an opportunity to comment on a growing practice which I find quite regrettable, and that is the practice of open letters being sent to the media instead of being directly addressed to the responsible department.

The letter dated 5th February to which the hon. member refers was not sent directly to me. I did receive a copy of it subsequently and to date eight local authorities have addressed that letter to me. I have made it clear on numerous occasions to all local authorities that I am perfectly prepared to enter into dialogue with any local authority, alone or as a group, that wish to meet with me. Indeed, had I been invited to the meeting convened, I believe, by the Clerk to Lonan Commissioners, I would have been pleased to attend. It would have given me and the waste management team a perfect opportunity to address their concerns, and it is a matter that I feel very upset about, that I was not invited to that meeting, neither was anyone from the waste management team.

All the questions raised in the open letter have been addressed at various meetings of groups of individual commissioners, addressed either by myself or by my hon. colleague, Mr Lowey, and the waste management team. It came as a surprise to me, in view of the visible progress of the energy-from-waste plant, which will be accepting waste very early next year, that local authorities had made little or no provision for the delivery of the waste to that new facility, which was always going to attract a gate charge and, indeed, in February 1999, as I keep reiterating, the charge was identified as £85 per tonne.

I find it hard to believe that local authorities knew nothing of the department's progress towards managing waste prior to the election of a new administration, so I suppose I was quite taken aback at the furore the letter caused that Mr Lowey sent from the waste management team, the letter of October 2002. It was a simple identification that the expected charge of £85 per tonne had risen to £100 per tonne, which is not unsurprising over that four-year period. The department has always stated that these charges would be phased in over three or four years, and that is why the department recommended to the Council of Ministers a 90 per cent rebate for household waste. I feel certain that the department had assumed that the

collection authorities were making their plans for the delivery of waste and were looking at charging mechanisms to be put in place prior to the new facility coming on stream, and it is particularly surprising in view of the fact that I think three local authorities are members of the Richmond Hill consultative committee so know exactly the progress that the energy-from-waste facility is making - one can hardly miss the phoenix rising from the base of Richmond Hill.

One could say having many fingers in one pie has not been helpful in this regard. There are 24 local statutory collection authorities on the Isle of Man, and central government is the statutory all-Island waste disposal authority. So I know it has been difficult; there are problems. The problems are being addressed and, indeed, I only last night met with Port Erin Commissioners. I am meeting with another set of commissioners tonight and on Friday I am meeting with Peel Commissioners. So it is quite untrue to say there has been no dialogue. On each occasion either members of my waste management team come with me or indeed my hon. colleague, Mr Lowey.

The energy-from-waste facility comes on stream, as I have said, early next year, so whilst I will continue to meet with any local authority that wishes to do so it is quite unrealistic to ask for a further delay. Rates have now been set for the forthcoming year and those rates include a charge for the collection of waste.

The President: Mr Delaney.

Mr Delaney: Thank you, Mr President. Could I ask the minister that in the question she has referred to 24 local authorities for a population of less than 80,000 people and at the moment, even this morning, it has been talked about weighing refuse in the bin outside the houses of this population of 80,000 people. Would she not at this time please try to get it clear that it is impractical to weight the bins outside the door without creating a new society of plastic bin liners walking at midnight who are going to dump their rubbish in other people's bins unless we put locks on them, as they are going to have to pay for the weight in their bin otherwise? And would she please get the message across to the 24 local authorities that that is not acceptable in this small society?

The President: Minister.

Mrs Crowe: Thank you, Mr President. Indeed, the hon. member of Council is quite correct, and I have at no time said that this was the method that had to be employed. (**Two Members:** Hear, hear.) The local authorities are the statutory collection agency. They can choose to address this problem in whichever way they choose. We will offer as much help as we possibly can, but I totally agree with the member of Council that to have 24 different authorities with different weighing schemes with perhaps different

computer systems all trying to match up with the central disposal authority would be a nonsense.

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

Mr Karran: Eaghtyrane, will the hon. shirveishagh not accept that a reply to the original question was really quite disgraceful (**Mrs Cannell:** Hear, hear.) and full of misinformation, and that the policy of her department in relation to the introduction of these waste charges is a total shambles partly as a result of the fact there has been a total lack of consultation with local authorities and businesses alike? And will the hon. shirveishagh consider, with the Council of Ministers, that she should now withdraw this ill-conceived proposal as the alternative is almost certainly going to be, in this hon. House, a motion of no confidence in herself or in the policy that she is pursuing at the present time? Would it not be better to save face and come back with something that is more realistic and has more common sense?

The President: The minister can reply, but in all honesty that was not really a supplementary question, hon. member. It was a series of opinions. Minister, if you wish to comment?

Mrs Crowe: Well, what I would say is that what may have been considered ill-conceived has been in the planning for many, many years. As I have said, the energy-from-waste facility is nothing new to this government. It has been coming online; it has been talked about – ‘reduce, reuse and recycle.’ Now, what I would say is that central government do have some statutory functions, and one of those is the disposal of waste. What has created the problem - and I fully recognise that there are problems and we are working with a number of local authorities to address these - is the fact that we have numerous statutory authorities for the collection of waste, and that has made it quite difficult to get an integrated system in place.

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

Mrs Cannell: Thank you, Mr President. Is the hon. minister aware that the Minister for the Environment and Local Government, Mr Cullen, in Ireland, at a debate this month said when considering the Protection of the Environment Bill, that it was wrong that one person with a wheelie bin full to the brim should pay only the same amount as a neighbour who might have very little refuse; however, the necessary facilities must be in place on the recycling front before we could move to charging by weight? Now, in view of that, can she further enlighten us on how she felt the trip to Ireland, recently undertaken by her designate waste management board and local

authority members, had anything to offer when the minister in Ireland has a view such as that?

The President: The minister in Ireland has no jurisdiction here but our minister will reply.

Mrs Crowe: Yes, indeed, I will, and what I would say to that question is that no member of the waste management board or indeed myself went on the trip to Ireland. We offered all the places that were available to local authorities. The local authorities have now seen a system which is in operation and which is very simple, and they are all looking now at introducing bin weighing. But what I would say is that we need economies of scale built into this whole system. The system in Ireland means that separation takes place with the collection of the waste. Now, I know for a fact that numerous bin wagons have been purchased on the Isle of Man in the last four years. I do not think any one of those bin wagons has been capable of waste separation and weighing -

Mrs Hannan: No, they will not be.

Mrs Crowe: - to bring forward the ‘polluter pays’ policy. What I am saying at the present time is that we have seen a system in Ireland that is operating whereby waste is separated, not only green waste but other waste, and the remaining putrescible waste is weighed, and for that amount only the householder is charged. I think the local authorities have been impressed with the system that they have seen, and indeed, that is why you are hearing on the radio and in the media a lot of talk about the introduction of bin-weighing schemes, but I would agree with the hon. member of Council: would it be practical for have 24 of such schemes?

The President: We will have the hon. member for Michael, Mr Cannan. Hon. members, let us be fair, we are not going down a debate on refuse here again. (**Members:** Hear, hear.) Hon. member, Mr Cannan.

Mr Cannan: Is the minister still determined to pursue this policy, notwithstanding that there is almost total opposition throughout the Island and its local authorities to the system and the costs involved in kerbside weighing of wheelie bins and the associated disadvantages that will take place? Is the minister determined to continue notwithstanding all the opposition that is mounting throughout the Island?

The President: Minister.

Mrs Crowe: Mr President, I do recognise, as I have said, that the local authorities are having problems.

Mr Cannan: And the people.

Mrs Crowe: Well, the local authorities are having problems introducing –

Mr Corkill: It is £10 per household per year.

Mrs Crowe: - an equitable system. We are working with the local authorities constantly. As I have said only last evening, I was with a local authority who now seem to have accepted that there is a way forward and it is a simple way forward. I think the point has been made, do we need to have bin weighing for the whole of the Isle of Man by so many different authorities?

The President: Mr Speaker.

The Speaker: Yes, thank you, Mr President. Whilst the minister has indicated that everyone has known that the energy-from-waste facility has been coming for some time, could I ask the minister if she is satisfied that the basis of this new charging régime is, in fact, contrary to the policy that has previously been there, in that it has been a long-standing policy of the government not to pass on to the ratepayers and householders the loan charges associated with the capital costs relating to the waste disposal facilities? Why and when was this determined to be changed and why was it not brought before Tynwald as it is such a major shift in policy with substantial financial implications on the people we represent, and could the minister please advise why the loan charges are now being included?

The President: Now, hon. members, we are going down a separate debate to the question. Hon. member for Peel, Mrs Hannan.

Mrs Hannan: Thank you, Eaghtyrane. I wonder if the Minister for Local Government and the Environment could explain to this hon. Court: between February 1999, when there was this afternoon tea with local authorities and also the Eddie Lowey letter to local authorities, how many discussions were held during that time about charging, about the ‘user pays’ principle? I think this is the important issue. Was it explained to them? It was certainly not brought to this hon. Court.

The President: Minister.

Mrs Crowe: Thank you, Mr President. What I would say is that it was in a previous administration, but I am assured that the newly-appointed waste manager at that time, which was a new appointment to the department, was talking with all local authorities about the way forward towards the bringing on stream of the new facility. Now, I can most probably get details of minuted meetings with local authorities if the hon. member wishes.

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

Mr Rimington: Thank you, Mr President. Would the minister agree with me that, in relation to the original letter, which talks about 24 local authorities, the Isle of Man as an entity is equivalent to one of the smallest local authorities in the adjacent isle, and then to subdivide it by 24 and try and get a practical and working system from that is total and utter economic nonsense?

The President: And so is the question. *(Laughter)*

Members: Hear, hear.

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

Mr Quayle: Thank you, Mr President. In congratulating the hon. minister for her energy and enthusiasm in tackling this issue, would she not agree, in fact, that the local authorities were exasperated with the minister for her apparent reluctance to listen to the local authorities and deal satisfactorily with the issues and problems which still remain unresolved despite her saying that they are resolved? And further, as it has been mentioned about the reform of authorities, could I ask if she will indicate as to what consultation, if indeed any consultation, has been conducted with the local authorities and indicate any proposed timescale for plans that she has in mind?

The President: Minister.

Mrs Crowe: No, I would not agree. In fact, I had a most successful meeting with the whole of the Municipal Association, a great many ideas came out of that and the way forward for three authorities, I think, was identified at that meeting. So, no, I would not agree. I have certainly made plans to visit every single local authority on the Isle of Man. It would seem that perhaps the joint discussions have not been as useful as we had thought. So I have personally said now that I will go to every local authority on the Island. As I have said, I am seeing three of them this week. So I will most probably be out every night of the week for the next month (**Several Members:** Ah!) to make sure that every single authority is visited. I do not ask for a degree of sympathy; what I am trying to do is address the problems of the local authorities that they seem to be facing at this time. *(Interjections)*

Mrs Hannan: They were caused by you.

The President: Hon. members, that brings to conclusion our question paper this morning and I think it is an appropriate time at which we adjourn for lunch.

**Departmental Meetings – Attendance –
Question by Mr Gill for Written Answer**

Question 23. The hon. member for Rushen (Mr Gill) to ask the Chief Minister:

- (1) *How many departmental meetings has each department held during the year January 2002 to December 2002 inclusive, and what has been the attendance of each member, including the minister, during the said period at the departmental meetings, and what is the percentage of attendance by each member, including the minister; and*
- (2) *how many divisional meetings has each department held during the year January 2002 to December 2002 inclusive, and what has been the attendance of each member, including the minister, during the said period at the divisional meetings, and what is the percentage of attendance by each member, including the minister?*

Answer

The following table has been prepared in response to the hon. member's question:
(See TQ 217 Table 1)

**Civil Service – Chief Officers Group –
Membership, Meetings etc. –
Question by Mr Karran
for Written Answer**

Question 24. The hon. member for Onchan (Mr Karran) to ask the Chief Minister:

- (1) *With regard to the Chief Officers Group, will you please confirm:*
 - (a) *the current individual members;*
 - (b) *the fact that the Chief Officers group meets on a monthly basis in private session;*
 - (c) *the fact that minutes of its meetings are available, on request, to the Chief Minister or the Council of Ministers, but are not otherwise released;*
 - (d) *whether, in the interests of greater transparency, you will request the Chief Secretary to forward all future minutes automatically to members of Tynwald (and, if not, why not); and*

- (2) *with regard to the performance of members of the Chief Officers Group, will you please advise whether (and, if so, how) the performance of each member of the chief officers group (including the Chief Secretary) is currently subject to independent assessment and scrutiny?*

Answer

- (1) (a) The Chief Officers Group comprises the chief executive officers of the nine departments of government plus the chief officer of the Personnel Office;
 - (b) No. The Chief Officers Group meets bi-monthly;
 - (c) Yes;
 - (d) No. As I have stated in answer to the oral question of the hon. member at the February 2003 sitting, the Chief Officers Group works on policy initiatives for the Council of Ministers. It is the prerogative of the Council of Ministers to accept or reject that advice. The minutes of Chief Officers Group have the same status as the minutes of departments or divisional or other meetings within government which are not circulated to all members and I can see no reason to treat chief officers group minutes any differently.
- (2) The performance of each member of the Chief Officers Group is subject to annual appraisal by the Chief Secretary. In formulating this appraisal the Chief Secretary seeks and takes account of the views of each chief officer's minister and senior managers thereby subjecting each chief officer to 360-degree approval. The Chief Secretary is not currently subject to annual appraisal. I can however inform the hon. member that the Civil Service Commission has recently commissioned a piece of work looking at alternative means of measuring the performance of chief officers, and the Chief Secretary has determined that her own performance should be included as far as possible in any new system.

**Budget – Capital Expenditure –
Question by Mrs Hannan
for Written Answer**

Question 25. The hon. member for Peel (Mrs Hannan) to ask the Minister for the Treasury:

(1) *What was the total amount allocated within the budget for the following financial years in relation to capital projects:*

- (a) 2001-2
(b) 2002-3

(2) *what was the total capital expenditure for the year 2001-2;*

(3) *what was the total capital expenditure for the year 2002 up to the month ending 31st December 2002; and*

(4) *in relation to the moneys allocated within the budget for capital projects in the year 2001-2 and 2002-3, what was the actual percentage of the total expenditure against the allocation for the financial years-*

- (a) 2001-2;
(b) 2002 up to the month ending 31st December 2002?

Answer

(1) I can confirm that the amounts allocated to capital projects for the financial years 2001-2 and 2002-3 are as follows:

- (a) 2001-2 £110,983,500; and
(b) 2002-3 £145,728,770.

(2) The total capital expenditure for 2001-2 was £72,816,054.

(3) The total capital expenditure for the calendar year ended the 31st December 2002 was £78,239,684.

(4) In terms of the actual percentage of capital expenditure against the allocation for the financial years, I can confirm:

Year	Allocated	Expended	%
2001-2	£110,983,500	£72,816,054	66
2002-3	£145,728,770	£61,486,221	42

I would, however, stress that the amount expended to the 31st December 2002 represents only nine months of capital expenditure against a full year's budget. If one were to profile the budget for 2002-3 by taking 9/12ths of the annual budget, then the percentage of capital expenditure expended against the apportioned budget would be:

Year	Proportioned budget	Expended	%
2002-3	£109,296,578	£61,486,221	56

Government Departments – Rented Premises – Question by Mrs Hannan for Written Answer

Question 26. The hon. member for Peel (Mrs Hannan) to ask the Minister for the Treasury:

What rents and charges are paid annually for:

- (1) *HM Attorney-General's Chambers;*
(2) *Social Services, Hillary House;*
(3) *Department of Trade and Industry, Prospect House;*
(4) *Financial Supervision Commission, Finch House; and*
(5) *Department of Trade and Industry, Hamilton House?*

Answer

In relation to the annual rents and charges payable, I am able to confirm the following:

Location	Rent	Charges
HM Attorney-General's Chambers	£75,955	£20,000
Social Services, Hillary House	£254,768	£50,000
Prospect House (see note 1)	£169,000	£20,995
Financial Supervision Commission, Finch House (see note 2)	£425,844	£24,966
Department of Trade and Industry, Hamilton House (see note 3)	£185,512.50	

Note 1

Prospect House is not occupied by the Department of Trade and Industry, but is occupied by:

- (1) Probation Division of the Department of Home affairs;
- (2) Passports Office;
- (3) Income Tax Training;
- (4) Drugs and Alcohol Co-ordinator; and
- (5) Director of E-Commerce

Note 2

Finch House is occupied by the Financial Supervision Commission and the Financial Crimes Unit.

Note 3

Payments due under the lease totalled £185,512.50. There are no separate charges payable on the property to the landlord as the DTI is responsible for meeting any cleaning, maintenance and other charges.

During the year ended 31st December 2002, two floors of Hamilton House and the cottage in the grounds of the property were sub-let. Payments due to the department under the subleases totalled £126,047.20 thus the net cost to the department for the year was £59,465.30.

Budget 2002-3 – Capital Schemes not Implemented – Question by The Speaker for Written Answer

Question 27. The hon. member for Castletown (Mr Speaker) to ask the Minister for Treasury:

Whereas in the 2002-3 budget book, at page 12, it lists the government's capital schemes requiring Tynwald approval at a total estimated cost of £98,026,518, please advise which of these schemes have not to date been implemented, and the total estimated costs of those schemes not implemented?

Answer

The following table identifies the schemes appearing on page 12 of the 2002-3 budget book, which have not to date been implemented, together with the amounts originally estimated to be spent in 2002-3 and the total estimated cost of such schemes shown within the 2002-3 budget.

(See TQ 218 Table 2)

Budget 2002-03 – Media Development Fund – Question by The Speaker for Written Answer

Question 28. The hon. member for Castletown (Mr Speaker) to ask the Minister for Treasury:

How much of the £25 million allocated to the new Media Development Fund as announced by you in the Budget 2002-3 has to date been expended?

Answer

I can confirm that net expenditure of £3.1 million of the £25 million has been expended to date.

A further £3.7 million has been committed in respect of guarantees relating to films already produced.

Budget 2002-3 – Housing Reserve Fund – Question by Mr Speaker for Written Answer

Question 29. The hon. member for Castletown (Mr Speaker) to ask the Minister for the Treasury:

How much of the £20 million allocated to the new Housing Reserve Fund as announced by you in the Budget 2002-3:

- (1) *has to date been expended for additional housing projects;*
- (2) *for which projects have any monies allocated from the fund been utilised; and*
- (3) *if there is a balance, how much has already been allocated?*

Answer

- (1) £502,044 has been expended to date.
- (2) The projects on which monies from the fund have been utilised for pre-contract design fees are as follows:

Housing at Ballacubbon, Colby	£5,620
Housing on unzoned land site A	£22,700
Housing on unzoned land site B	£31,200
Disposal of sites for housing	£10,250
Crossag Farm Development	£20,000
Housing at Red Gap, Castletown	£247,228
Queen St./Lord St, Douglas	£100,658
Housing at Westmoreland Road, Douglas	£62,088
Plots for sale, Jurby	£2,300

- (3) Of the remaining balance, £16,939,000 has been allocated for projects in either 2002-3 or 2003-4.

**Government's Reserve Fund –
Book Value –
Question by the Speaker
for Written Answer**

Question 30. The hon. member for Castletown (Mr Speaker) to ask the Minister for the Treasury:

As at 31st December 2002 what was the book value of government's reserve fund?

Answer

As at 31st December 2002 the book cost of government's reserve fund was £229.2 million.

**Tourism Development Fund –
Question by Mr Henderson
for Written Answer**

Question 31. The hon. member for Douglas North (Mr Henderson) to ask the Minister for Tourism and Leisure:

Whereas the government established a tourism development fund in the financial year 2000-1:

- (1) *how much of the £2 million allocated was expended in that financial year and for what purposes; and*
- (2) *since the inception of the fund:*
- (a) *what is the total amount that has been allocated to the fund; and*
- (b) *what is the total amount expended from the fund and for what purposes?*

Answer

- (1) Although the fund was established in the 2000-1 financial year there was no expenditure during that year. This was due to the fact that it can often take 12 months or more from the initial enquiry and assessment of the application to completion of the works and payment of the grant.
- (2) Since the inception of the fund:

- (a) £5.75 million in total has been allocated to the fund and, in addition, considerable interest has accrued on this amount; and

- (b) the total amount expended from the fund to date is £74,471.39 for accommodation development including new rural tourism premises and visitor facilities. At present £892,215.83 has been approved for work that is currently in progress and due for completion in time for the 2003 season. This expenditure is for improvements to tourist accommodation, amalgamation of tourism premises, improvement for the disabled visitor, and approved visitor facilities;

- (c) We would welcome further applications from the tourism and leisure industry. Initial contact should be made with Derek Mulhern, marketing development manager on 686848.

**DTI – Mountain Road Closure –
Question by Mrs Hannan
for Written Answer**

Question 32. The hon. member for Peel (Mrs Hannan) to ask the Minister for Transport:

Will you review your department's response to the closure of the Mountain Road due to inclement weather?

Answer

The Mountain Road was closed on three occasions this year.

The first closure was from 22:20 hours on Thursday, 2nd January 2003 to 16:30 hours on Wednesday, 8th January 2003. Various attempts were made to open the road after extensive gritting; however, overnight sub-zero temperatures made this impossible, because the road had refrozen overnight. Temperatures were recorded at minus 3 to minus 5. Road gritting salt is ineffective at temperatures of minus 2 and below. When temperatures later lifted, there was a further delay with blowing snow causing drifting along the Brandywell section.

On the second occasion the road was closed from 18:35 hrs on Friday, 31st January 2003 until 14:00 hrs Monday, 3rd February 2003. Again, very low temperatures meant the road remained closed, for safety reasons.

On the third occasion the road was closed from 20:00 hrs on Tuesday, 4th February 2003 until 16:30 hrs Wednesday, 5th February 2003. During the evening heavy hail/snow showers caused widespread

severe problems in Douglas/Onchan/Laxey Coast Road/Cronk-y-Voddy. These areas were given priority with seven gritters working right through the night.

The department's policy is to keep the Mountain Road open by the use of gritters and snowploughs, whenever weather conditions permit and resources allow. Sub-zero temperatures are common at this altitude. Pre-salting is undertaken on a regular basis if a Met. Office warning is given. To date gritter crews conducted pre-salting operations on 28 occasions this winter.

Usually, it is the police who take the decision to close the road and this is for safety reasons. The average speed of vehicles is relatively high on this route. Indeed, there have been numerous occasions where gritter drivers report being overtaken by irresponsible or inexperienced drivers travelling too fast. Road traffic accidents in icy conditions are commonplace on this route.

Once the road is closed, and if weather conditions permit, the department assigns appropriate resources for road clearance. This work is treated as a priority, as are other primary routes, but if snow or ice is widespread, the safer alternative coastal routes are given a higher priority.

This winter, with delays on the coast road more likely due to roadworks, notably the IRIS pipe laying at Ballure, additional resources, if available, are mobilised in an attempt to re-open the Mountain Road as soon as possible.

I must emphasise safety is the first concern. The road is only reopened when officers believe that traffic using the route can do so safely.

**Redundancy Payments Act –
Emendation – Question by Mr Henderson
for Written Answer**

Question 33. The hon. member for Douglas North East (Mr Henderson) to ask the Minister for Trade and Industry:

Will you amend the Redundancy Pay Act 1990, through the forthcoming Employment Amendment Act, so that there are regular reviews of the maximum pay awards eligible under this legislation?

Answer

- (1) The limit of a week's pay, which can be varied by order of the department, is used not only for calculating a redundancy payment but also for calculating the basic award for compensation which may be made by the Employment Tribunal on a complaint of unfair dismissal. Because of this, the powers to vary the limit of a week's pay are contained in paragraph 8 of schedule 8 to the

Employment Act 1991. In order that the limit of a week's pay can be applied also for the purpose of calculating redundancy payments, section 43 (2) of the Redundancy Payments Act 1990 applies schedule 8 of the Employment Act 1991 to the Redundancy Payments Act subject to certain modifications which are set out in part II of schedule 7 to the Act.

- (2) The department does not consider it necessary to amend the Employment Act 1991 to create a statutory obligation to review the maximum amount of a week's pay, and points out that it has maintained a consistently higher limit than the amount provided for in the equivalent United Kingdom legislation. The department considers it appropriate that there should be a broad correlation between the limit of a week's pay and average or median earnings and, as confirmed in reply to a question from the hon. member last month, regularly reviews the limit of a week's pay (as well as other limits, such as the maximum amount of compensatory award). The current differential between the Isle of Man and the United Kingdom maxima is £125 per week, as our limit stands at £385 whilst the present United Kingdom limit stands at £260.

**Refuse Disposal –
Improvement of Private Landfill Sites –
Question by Capt. Douglas
for Written Answer**

Question 34. The hon. member for Malew and Santon (Capt. Douglas) to ask the Minister for Local Government and the Environment:

- (1) *Can you confirm if any scheme exists whereby the proprietor of a private landfill site may obtain loans and grants from your department to assist in the improvement of such site, or support for the purchase of specialist machinery or buildings; and*
- (2) *If no such scheme exists, would your department consider implementing one?*

Answer

- (1) At present no such scheme exists within the department under which it would be possible to offer financial assistance to the proprietor of a private landfill. I do believe, however, that it is not the rôle of central government to meet every need on waste management and

that the private sector should play its part. As it is, the very considerable cost of my department establishing a landfill borne by Island residents is one of the main reasons why the costs of waste disposal are as high as they are.

- (2) The department believes the private sector should regard the creation of a landfill as a business opportunity. Certainly, the department has received no approaches for financial assistance. If any proposals were submitted, they would be considered if they were seen to assist with the implementation of the Island's waste strategy and 'user pays' principle.

**Housing – First-Time Buyer Schemes –
Moneys Allocated, Expenditure etc. –
Question by Mrs Hannan
for Written Answer**

Question 35. The hon. member for Peel (Mrs Hannan) to ask the Minister for Local Government and the Environment:

- (1) *What was the total amount of capital moneys allocated for first time buyer housing schemes –*
- (a) *within the 2001-2 budget; and*
- (b) *within the 2002-3 budget?*
- (2) *What was the actual capital expenditure undertaken for new first time buyer units during each of the financial years –*
- (a) *2001-2;*
- (b) *2002 to 31st December 2002; and*
- (c) *what was the percentage of that actual expenditure in relation to the total allocation made in the budget during each of those financial years?*
- (3) *How many schemes for new first time buyer units were:*
- (a) *actually implemented during the financial years 2001-2 and 2002 to 31st December 2002;*
- (b) *what are the locations where these schemes have been implemented; and*

(c) *how many units are included for construction in each scheme in each location?*

- (4) *In relation to the provision by government of new first time buyer units, since the year 2000 by area and site –*

(a) *what is the location of each scheme;*

(b) *how many units are there in relation to each scheme; and*

(c) *how many units have been completed?*

Answer

The main way that capital funding is used for first-time buyer housing is through support for the House Purchase Assistance Scheme 2002. This scheme was introduced in July 2002 and allows purchasers to obtain a grant and a 30 per cent top up loan if they are buying a new approved property up to a maximum value of £130,000. Prior to July 2002 the scheme only gave grants for properties purchased on the open market up to a value of £85,000.

The HPAS 2002 has helped to stimulate the supply of new 'approved' houses priced between £100,000 and £130,000. It also gives flexibility, i.e.

- developers can build on their own land;
- developers can tender to build on government land;
- the department can build on its own land and sell directly to purchasers;
- purchasers can still look for existing open market properties up to £90,000 in value.

Developers have stated that they can build and make a profit within the price ranges of £100,000 to £130,000.

The above points have been made to illustrate that capital expenditure is committed mainly through the HPAS 2002, not usually through building contracts. On several developments the government actually receives a capital payment for the value of the land.

The common theme on all the first-time buyer developments since July 2002 is that the purchaser pays the full price for the property directly to the developer. The government gives the grant and top up loan directly to the purchasers. The average grant plus top up loan for each property is £45,000. This is met through the capital programme (HPAS Budget).

Trying to compare 2001-2 with 2002-3 is difficult because of the major change to the House Purchase Assistance Scheme. The following information may not therefore relate directly to the questions as raised

but it does cover progress being made for the provision of first-time buyer homes.

(See TQ 219 Table 3)

**Housing – Public Sector Units –
Moneys Allocated, Expenditure etc. –
Question by Mrs Hannan
for Written Answer**

Question 36. The hon. Member for Peel (Mrs Hannan) to ask the Minister for Local Government and the Environment:

(1) *What was the total amount of capital moneys allocated for new public sector housing projects (including for local authorities) –*

(a) *within the 2001-2 budget;*

(b) *within the 2002-3 budget?*

(2) *What was the actual capital expenditure undertaken (including for local authorities) for new public sector units during each of the financial years –*

(a) *2001-2;*

(b) *2002 to 31st December 2002; and*

what was the percentage of that actual expenditure in relation to the total allocation made in the budget during each of those financial years?

(3) *How many schemes for new public sector units (including for local authorities) were –*

(a) *actually implemented during the financial years 2001-2 and 2002 to 31st December 2002;*

(b) *what are the locations where these schemes have been implemented; and*

(c) *how many units are included for construction in each scheme in each location?*

(4) *Since the year 2000 how many new public sector units (including for local authorities) –*

(a) *have been completed;*

(b) *where are the completed units located in relation to each scheme; and*

(c) *how many completed units are there in relation to each scheme?*

(See TQ 220 Table 4)

**Housing – Reductions of Funds Allocated –
Question by the Speaker
for Written Answer**

Question 37. The hon. member for Castletown (Mr Speaker) to ask the Minister for Local Government and the Environment:

In the last 12 months has your department had any of the funds which have been allocated for housing – both in public sector and first time buyer – reduced due to other government schemes?

Answer

During the year 2002-3 my department's capital budget for affordable housing has actually increased because of transfers from the housing reserve fund. The local authority budget for new and replacement public sector housing and planned maintenance has remained the same.

The total housing budget is £2.58 million and we also have the housing reserve fund of £20 million, which is helping to expedite the provision of affordable housing.

TYNWALD COURT, WEDNESDAY, 19TH FEBRUARY 2003

Table 1

Departmental and Divisional Meetings January 2002 – December 2002 incl							
		Departmental			Divisional		
Department	Minister/Member	Number of Meetings	Number Attended	% attendance	Number of Meetings	Number Attended	% attendance
DAFF	Hon J Rimington MHK	10	10	100	12	12	100
	Mr P Karran MHK		10	100	19	18	95
EDUCATION	Hon S Rodan MHK	18	17	94	3	3	100
	Mr Q Gill MHK		15	83	30	22	73
	Dr E Mann MLC		17	94	4	3	75
DHSS	Hon C Christian MLC	10	10	100			
	Mr D Anderson MHK		9	90	17	17	100
	Mr A Earnshaw MHK		9	90	22	22	100
	Mrs H Hannan MHK		9	90	34	34	100
HOME AFFAIRS	Hon P Braidwood	13	13	100	No divisional meetings		
	Mr D Cannan MHK		13	100			
	Mr Q Gill MHK		13	100			
DOLGE	Hon P Crowe MHK	16	16	100	11	11	100
	Mr A Earnshaw MHK		15	94	10	10	100
	Mr W Henderson		14	88	5	5	100
	Mr J Houghton MHK		13	81	11	11	100
	Mr E Lowey MLC		4	67	6	6	100
TOURISM & LEISURE	Hon D Cretney MHK	12	10	83	30	29	97
	Mr D Delaney MLC		8	67	11	7	64
	Mr E Lowey MLC		12	100		10	91
	Mr M Quayle MHK		9	75		11	100
TRADE & INDUSTRY	Hon A Downie MHK	12	12	100	No divisional meetings		
	Mr A Duggan MHK		9	75			
	Mr M Quayle MHK		9	75			
	Mr L Singer MHK		12	100			
TRANSPORT	Hon J Shimmin MHK	10	10	100	22	18	82
	Mrs B Cannell MHK		3	30	5	5	100
	Mr R Kniveton MLC		9	90	23	23	100
	[Mr R E Quine MHK		7	70	9	9	100
	Capt. A Douglas MHK		-	-	2	2	100
TREASURY	Hon A Bell MHK	35	30	86	No divisional meetings		
	Mr A Crowe MLC		22	63			
	Mr D J Gelling MLC		29	83			

Notes:

These statistics should be interpreted cautiously for the following reasons:-

- (1) This covers departments only and not statutory boards
- (2) Departments can and do categorise departmental and divisional meetings differently to other departments.
- (3) Some departments categorise meetings between members and senior managers as divisional meetings

Table 2

The following table identifies the schemes appearing on page 12 of the 2002-03 Budget Book, which have not to date been implemented, together with the amounts originally estimated to be spent in 2002-03 and the total estimated cost of such schemes shown within the 2002-03 Budget.

<u>Dept</u>	<u>Scheme</u>	Estimated Submission to Tynwald	Total Estimated Cost	2002-03 Estimated Expenditure
DLGE	Refurbishment Old Government Office	Jun 02	8,639,568	1,913,190
DLGE	Civic Amenity Sites - East	Jul 02	302,500	302,500
DHSS	EMI Unit (Central) - Construction	Oct 02	2,980,000	1,500,000
DLGE	Landfill Site - Inert/Emergency/Ash	Oct 02	3,113,250	3,018,750
DoT	Off-Street Car Parking	Oct 02	5,700,000	400,000
DTI	Training Centre - Construction	Nov 02	2,100,000	1,000,000
D.Ed	IOM College Refurbishment - Construction	Dec 02	709,400	246,000
DLGE	EPH Housing	Dec 02	1,334,000	667,000
DoT	Cummal Moar Sewer Diversion - Construction	Dec 02	330,000	305,000
DoT	Clifton Park Sewer Replacement - Construction	Dec 02	450,000	425,000
DoT	Storm Water Diversion Ramsey - Construction	Dec 02	630,000	450,000
DLGE	Reinstatement of Ayres p2/3/4	Jan 03	1,417,000	500,000
DoT	Pumping Stations Refurbishment	Feb 03	502,000	502,000
DHA	Prison Redevelopment Programme - Construction	to be determined	26,648,000	115,000
TOTAL			54,855,718	11,344,440

The purpose of the schedule on page 12 of the budget book is to highlight the amounts for which Tynwald approval will be sought in the current year, and the estimated date on which such approval will be sought.

The figures in the left hand column of that schedule, headed 'Total Estimated Cost' are not necessarily the figures for which approval will be sought, as it can include expenditure for which approval has previously been given by Tynwald.

Table 3

FIRST-TIME BUYER HOMES

Questions 1 and 2 Expenditure

	Budget	At 31/3/02	At 31/2/02	
2001/02	£1,500,000	£2,273,000	-	Spent
				Spent
2002/03	£700,000	-	£695,000	Spent
Lonan	£420,000	-	£420,000	Committed
Housing Fund	£3,000,000	-	£638,000	Committed

Note 1:

The housing fund allocation is not an annual budget

Note 2:

Committed means contractually (Lonan) or conveyance progressing.

Questions 3 and 4 Developments Implemented

2001-2	55	Harcroft, Douglas (DLGE)	Completed
	+ 70	Private Purchasers	
2002-3	14	Andreas (DLGE)	Completed
	14	Lonan (Private)	Part Complete
	16	Peel (Private)	Completed
	14	Willaston (Private)	On site
	16	Foxdale (Private)	On site
	40	Cronk Grianagh (DLGE)	On site
	<u>114</u>		
	+ 31	Private Purchasers	
2003-4	137	Programmed Starts (DLGE)	
	113	Programmed Starts (Private)	
	25	Private Purchasers (Estimated)	
	<u>275</u>	Total Pipeline for Starts in 2003-4	

Table 4

Questions 1 and 2

NEW PUBLIC SECTOR HOUSING EXPENDITURE

		2001-2 (Spend to 31/3/02)	2002-3 (Spend to 31/12/02)
Budget	DLGE	£968,000	£2,570,000
Spend	DLGE	£42,000	£992,000
Committed	DLGE	*	£1,903,000
Budget	Local Authority	£7,917,000	£8,448,000
Spend	Local Authority	**	**
Committed	Local Authority	£7,497,000	£6,753,000

Note: Committed means contractual commitment

* Balance for one project moved to 2002-3.

** Local authority spend is monitored through deficiency payment returns. Information not available in short time required to respond to the question.

Questions 3 and 4

**NEW PUBLIC SECTOR HOUSING COMPLETIONS AND STARTS
SINCE 2000**

	Units	Start	Complete
St. Johns, Bungalows	12	11/98	05/00
Douglas, Donkey Fields B	29	11/98	07/00
Ramsey, Tower Road	18	8/01	1/03
Braddan, Snugborough Bungalows	12	10/00	12/01
Port St. Mary, Sheltered	12	10/00	12/02
Port Erin, Flats at Ballakilly	4	5/00	2/01
Onchan, Bemahague Sheltered	32	2/01	12/02
Castletown, Mill Street/Malew Street	4	08/01	06/02
Braddan, Cronk Grianagh II	9	06/02	On site
Andreas, Bungalows	20	09/02	On site
Ballasalla, Clagh Vane Flats	8	08/02	On site
Douglas, Lower Pulrose I	40	10/00	08/02
Braddan, Cronkbourne Phase 4	6	11/01	12/02
Braddan, Snugborough	17	2/02	2/03
Port Erin, Ballakilly Bungalows	2	02/03	On site
Douglas, Lower Pulrose II	56	01/03	On site
Castletown, Red Gap	31	3/03	-
Douglas, Westmoreland Road	18	3/03	-
Total	330		

- Commenced in 2001-2 4 Projects totalling 45 units
- Commenced in 2002-3 7 Projects totalling 144 units