



**LEGISLATIVE COUNCIL
OFFICIAL REPORT**

**RECORTYS OIKOIL
Y CHOONCEIL SLATTYSSAGH**

P R O C E E D I N G S

D A A L T Y N

(HANSARD)

Douglas, Tuesday, 6th March 2007

Present:**The Hon. President of the Council (The Hon. N Q Cringle)**

The Lord Bishop of Sodor and Man (The Rt. Rev. Graeme Knowles), The Attorney General (Mr W J H Corlett QC), Mr D Butt, Mrs. C M Christian, Mr E A Crowe, Mrs. P M Crowe, Mr. A F Downie, Mr E G Lowey and Mr G H Waft, with Mrs M Cullen, Clerk of the Council.

Business transacted

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The Council sat in private.

Legislative Council

The Council met at 10.30 a.m.

[MR PRESIDENT *in the Chair*]

PRAYERS

The Lord Bishop

Almighty God, humbly acknowledging our need for thy guidance in all things and laying aside all private and personal interests, we beseech thee to grant that we may conduct the affairs of this Legislative Council and of our Island, to the glory of thy Holy Name, the maintenance of true religion and justice, the honour of our Queen and Lord, and the public welfare, peace and tranquillity of the Isle of Man. This we beg through Jesus Christ, our Lord.

Members: Amen.

WELCOME TO MR CROWE

The President: Good morning, Hon. Members.

We have but a short Order Paper before us this morning, but before we turn to our business, can I welcome to Legislative Council to our first gathering around this table of Legislative Council, the Hon. Member, Mr Crowe. Good to have you back in the Council, sir.

I am sure that your deliberations will be of value to us, as we plough our way sometimes through difficult legislation and sometimes through quite easy legislation. It is nice to see a familiar face back with us. Thank you very much for allowing your name, in the first place, to go forward as a nominee into the bit of a race which is currently being operated by the other place.

Nevertheless, it is a very sincere welcome to our colleague, Alan Crowe.

Members: Hear, hear.

Mr Crowe: Thank you, Mr President. It is nice to be back.

Orders of the Day

Road Races (Temporary Modification) Bill First Reading approved

1. Mr Downie to move:

That this Bill be now read a first time.

The President: We turn, then, Hon. Members, as I said, just to the one Item on our Order Paper, which is the Road

Races (Temporary Modification) Bill. Now, it is for First Reading, Mr Downie.

Mr Downie: Thank you, Mr President.

In moving the First Reading of the Road Races (Temporary Modification) Bill 2007, I would like to take this opportunity to explain the reasoning behind this piece of legislation, which I see has gone through the House of Keys very, very rapidly. There is some urgency regarding this piece of legislation, and there has been concern expressed about the time it may take to get Royal Assent, should we approve it.

The Road Races (Temporary Modification) Bill is concerned with providing a temporary exception to the provisions of the Road Races Act 1982 to enable a road race order to authorise motor cycle racing on the Billown circuit on 27th May 2007.

We do have legislation at the present which enables racing to take place on a Sunday, but it only comes into operation when there has been a cancellation.

This particular issue that we are trying to progress now really does not suit itself well to the existing legislation. The main reason for this is that the TT Races are celebrating their centenary this year and a re-enactment event has been scheduled for 10 o'clock on the 28th May, over the old St John's circuit, to coincide exactly with the first TT Race held in 1907.

Unfortunately, the 28th May falls on the late May bank holiday Monday, which is the traditional race date for the pre-TT Classic Races held on the Billown circuit.

When the re-enactment was originally envisaged, it was thought that there would only be quite a modest few people interested, as there are not many machines available of that sort of an era. However, there has been an overwhelming response.

As a way to try and deal with this in a proper manner and not have resources over-stretched, the idea came forward that perhaps if the Southern 100 event – the Classic Races – could be run on the Sunday, subject to certain conditions, it would allow the resources to police that event properly and to be properly marshalled.

Then, on the Monday, when the re-enactment event takes place, all the resources could be available on the old TT course, for proper marshalling, and so on. Also, on the Monday evening, there is a practice session, when the roads start again at six o'clock.

So, it is really putting some balance in to what is going to be the start of a very busy period for the marshals, the Police and everybody else involved with the Races. So, that is the main reason for it.

Within the Bill, there is provision for this road closing order to come in at one o'clock but then it is extinguished at six o'clock when the races... (*Interjection*) Is it five o'clock or six o'clock?

The President: Eight o'clock, sir.

The Lord Bishop: Eight o'clock.

The President: You are in charge of the Bill.

Mr Downie: Eight o'clock. Right.

But it is thought that everything should be finished and over and done with by five or six o'clock. That would enable

Prayers

Welcome to Mr Crowe

Road Races (Temporary Modification) Bill – First Reading approved

anybody who wanted to go to evensong on the Sunday... it would not cause any problems for them, and it would also allow people to go to their place of worship on the Sunday morning. It is an afternoon event, really, that we are actually looking for.

To deal with the clauses, clause 1 deals with the –

The President: We are dealing with First Reading yet, Mr Downie.

Mr Downie: I was just going to explain a bit more –

The President: Okay, fine.

Mr Downie: – Mr President, because there is only a couple of...

Clause 1 deals with the temporary exception in section 2 of the Road Races Act. It enables a road race order to authorise a motor cycle race on the Billown circuit on Sunday, 27th May 2007, and clause 2 deals with the short title which means that the Bill will expire at midnight on 27th May.

So, there is no worry about years to come. This is really a one-off and the reason for bringing it in is to provide for a better mechanism to deal with crowd control, with safety and to have a more balanced approach, rather than having all, or a number of, events on one day and having resources stretched.

I am advised by the Minister for Tourism, who asked me to take the Bill through, that there has been quite a lot of consultation on this particular issue with all the organisations that would be involved: I know that there has been a TT Steering Committee; the residents who live on the Billown circuit; the Bishop and the Island's churches, the Southern 100 Motor Cycle Club; the Vintage Motor Cycle Club; the Department of Transport; the Police; and also the Fire and Ambulance Services; and I note, in our correspondence over the weekend, we have had a letter from Malew Commissioners.

Reading the letter, I get the feeling that they actually agree with the principle in having this event run on its own, so that it will cut down on the amount of impact that there will be around the Malew circuit area. There will not be to-ing and fro-ing of people trying to see two events taking place at the same time.

I wholeheartedly support their comments about the way that this little road which links, I think it is, the Phildraw Road, Mr President, and the Silverdale Road. It is a very well known bottleneck, and I would think that if this legislation goes ahead, given the very high importance that the Tourist Department and the Police have given to safety this year, there would be a really good opportunity to get the Malew Commissioners and the authorities together, to come up with a traffic management formula that would cover this particular event down in the south of the Isle of Man.

The problems have been there for a long time, but I think, in fairness, this could be the catalyst to get something progressed and bring a much more sensible aspect back, because it is virtually a no-go area when the races are on at present and, with modern technology and with the communications system that the emergency services and the marshals have, it should not be a problem any more.

That is the background to the Bill, Mr President. Obviously, I am willing to deal with any questions that any

of the Hon. Members may have on it.

The President: Mr Waft.

Mr Waft: I beg to second and reserve my remarks.

Mrs Christian: Mr President, I am happy to support the principle. The mover has indicated that there are certain circumstances where the races can be held there on a Sunday, subject to cancellation of something which would normally have taken place at an earlier date.

But when we come to the detail, I hope that the mover will be able to tell us what the normal hours of racing would be under those circumstances, because I do think that we need to consider the impact on the southern community.

The mover may expand on the consultation process. In saying consultation has taken place, it does not always tell you what the consultees said.

I would also ask: what is the proposal if this event cannot be run on the Sunday due to weather or other circumstances?

The President: The Lord Bishop.

The Lord Bishop: Thank you, Mr President.

I will be willing to support this particular piece of legislation, on the understanding that it is not the thin edge of the wedge.

The thing that strikes me about it is that it is a one-off occasion for a centenary, but I would want to put on record, as far as I am concerned, that is precisely what it is and it is not a way of then arguing, 'Well, we have done it once. Let's do it again.' I think it is very important for us to hang on to the fact that, on Sunday, people do move around the Island to go to divine worship, whether it is to church or to chapel, and that they should have the freedom to do so.

I was fascinated by the use of the mover's word 'consultation'. I had a letter telling me that it was going to happen, which is a very interesting notion of what consultation is. I was pleased to have that letter, but I do not think that I would have used the word 'consultation' in describing the way in which that letter came to me.

Obviously, I was in a position to be able to respond to it, but it is an interesting interpretation of the word 'consultation'. As I said, I will not stand in the way of this and I shall vote for it, but I shall be interested to hear the answers, too, to the Hon. Member, Mrs Christian's questions.

The President: Mr Lowey.

Mr Lowey: Yes, Mr President.

I come from two angles really. If you shout 'author, author', I suppose I should really stand up, because I was on the Road Racing Committee organising the TT Centenary until November. So, I know a bit about the background of the reasons for it.

As the mover of the Bill says, it is the unprecedented demand for people to race, as you know, on the Monday. Jumping ahead, not dealing with this, but with one of the reasons why they want to try and separate, it is the unprecedented number of people who actually want to race on the Monday in the reconstruction of the historic event.

So, I think it is a wise move, in public safety, to move them to one side – separate them. That did mean getting the

local organisers to agree in the first place – the Southern 100 – so we went to them and it took some persuading for them to decide to agree to it.

The idea that, somehow, it is a last minute thing is not really correct. It has been ongoing for a while, but then a decision had to be made.

I have to say that, again, my view on consultation: I was told, on Saturday, that there was nobody from Castletown... A commissioner in Castletown has reported to one of my village people who phoned me up to say that they knew nothing about it until they read it in the paper.

The President: That's right.

Mr Lowey: So, there is the consultation. Maybe they did get a letter, but they never received any notification of it.

There are three local authorities in the area that are affected: Malew, Arbory and Castletown. So, if we take Castletown out of the equation, they were not – or a member certainly was not. Arbory is, I suspect, like my own local authority, which actually is concerned about the impact that these races do have on the locality.

As someone who was embroiled in the worst snarl-up on the Silverdale Road, I was two and a half hours, along with others, of course, stuck in the traffic. There is a narrow bridge – you all know Ballasalla, you all know Silverdale. There is a little narrow bridge and it was blocked out, and it took two and a half hours to recover.

Anyway, cutting a long story short, I think it is in everybody's interests to make sure that that does not happen again. I am sure the mover of the Bill will tell us that that is in the detail of what I would call... if you make the decision, then it will actually happen.

Coming to the question of Sunday racing, I think the principle of Sunday racing, in emergency, and for the TT Races, has been accepted, only to be used in... It has been cited if there is a cancellation. I cannot remember, my Lord Bishop, it ever being enacted. So, the principle is there but –

The President: Yes, it was.

Mr Lowey: It has been. Well, Mr President corrects me, and I would certainly bow to his superior knowledge. But it is a rare event, and the point the Lord Bishop was making is that it is not the thin edge of the wedge.

But, on this particular piece of legislation, it ends. It goes defunct at midnight, so it cannot be taken off the shelf. But I understand the Lord Bishop's point of view in saying that.

I do think that what we are proposing will impact on the local community, as Mrs Christian said. Inevitably, it will impact. I think it is incumbent upon the organisers to make sure that whatever is put in place before the event, the people *know*. You have got to get this information out to people, so that they actually know how it is operating, for it to be a success. I think we are all interested in both these events – both the re-enactment of the historic event and the Southern 100 event – to be a success.

But it does come back, at the end of the day, to a further erosion of the Sabbath and, whether we like it or not, I think there are a lot of people who are not comfortable with the inroads that are being made.

I am using this occasion really to express the points of view that have been expressed to me over the weekend. I

think it is right and proper that we should. I would like, like Mrs Christian, to be reassured, in the light of the Bishop's view on consultation.

I think it is a trait in Government. This is not a reflection on any individual, and certainly not the mover of the Bill, but I do think there is a trait in Government that their idea of consultation is to say, 'Well, it is happening. It is up to you to tell me why it should not happen', instead of being the reverse – 'I want it to happen. Can you help us, can you...?' That way, I think there is a better chance of getting real consensus and not a diktat from the centre down.

It may seem to be a simple Bill, but I do believe it will have ramifications on a lot of people's lives. Having said that, I have put enough caveats in. I, too, want to say that I would be supporting it on the historic occasion for the TT. It is on the same day. It is on the same course, and I think everything lends itself to making an exception for this event.

The President: Mr Waft.

Mr Waft: Yes, Mr President.

I will not go into the machinations of the consultancy process that we went through. I was not involved in that.

I just know from my position with the Department of Home Affairs, with regard to the emergency services and how they are going to have to cope with the increases – Police, Fire Brigade, Ambulances, etc. The dangers are inherent every year, but this particular year, they will be tested to the extremes. There have been a lot of meetings between various different Departments to try to bring together a cohesive piece of information that everybody will be aware of, to cope with the crowds – we know not what numbers at the moment; nevertheless, there will be a considerable increase. We have had considerable numbers in the past, but the amount of traffic on the roads these days, it is a different story altogether.

So, if this Bill will help in any way to alleviate some of the bottlenecks of that fortnight or week, I think we should support it, sir.

The President: Mrs Crowe.

Mrs Crowe: Thank you, Mr President.

I will, like my colleague, not repeat all that has gone before. I will say that I do think having this race on a Sunday will make it slightly easier for access for the south.

It is something that does need to be addressed by the Department of Transport – the access roads when racing is taking place on this particular circuit – because monumental snarl-ups do cause difficulties. The emergency services that will be based in the south do need to have some access, at that time.

It is on the emergency services, really, that I wanted to comment because, once again, in the consultation process, I just want to ensure that the St John Ambulance, who actually facilitate the running of the TT and many of these other motor sport races, have been informed and not just the Ambulance Service. It is absolutely essential.

They are stretched to the limit at the present time to fulfil all the duties that need to be fulfilled by this totally volunteer organisation and I just hope that someone, somewhere, has thought to tell them that there is going to be yet another race for which they will have to supply personnel, because if they are not able to do so, then I am afraid to say that I do not

believe the race could take place.

So, I would just like to make that one point, to make sure that the consultation has included that particular body.

Thank you, Mr President.

The President: Mr Crowe.

Mr Crowe: Thank you, Mr President.

Yes, just on the specific issue of the letter from the Malew Parish Commissioners, I did meet up with Mr Hannay this morning and asked him about the traffic management around the circuit on the Sunday. He told me that the TT Traffic Management Committee, which consists of the Department of Transport, the Department of Tourism and Leisure and the Police are meeting tomorrow to specifically look at this issue.

The President: Hon. Members, dealing then with the First Reading, can I say that now you have raised the business of consultation, Mr Downie did say that the residents around the course had been notified. Certainly, as one who has livestock on all four corners of this course, I was certainly not notified in any regard.

Your comment earlier, sir – perhaps we can deal with it at Second Reading – when you said there is some urgency: perhaps you could tell us where the urgency comes from, in the light of Mr Lowey's comments that, last November or prior to November, it was being considered.

Right, would you like to reply to the debate, sir?

Mr Downie: Yes, dealing with the last point first, and the point you raised, I had been advised that there is a group within the Department of Tourism and Leisure who are tasked with keeping people on board. One of the reasons that we have so many motor sport events on the Isle of Man now, and we are allowed to close roads and things, is because they are supposed to have this good dialogue.

Now, if that is not taking place, I will be delivering the message to the Minister for Transport that he needs to get his act together and get people on board and make sure that –

Mr Lowey: The Race Committee.

Mr Downie: – people are supportive in what they are doing.

The reason for the urgency, Mr President, is not that there is any opposition from our end; it is the fact that this Bill, if and when it is passed, has to go away and get Royal Assent. Like a lot of other Bills lately, it can take time, and time is something, at the present time, that we really have not got a lot of.

So, that was the reason, I think, for the urgency, so that all those who are making travel arrangements, preparing machines and trying to organise the logistics of actually coming to the TT, know with some certainty that that event is taking place. We have not got that at the moment, with respect.

To deal with the other issues, I would just like to thank my hon. friend in Council, Mr Waft, for seconding the First Reading.

I also thank my hon. colleague, Mrs Christian, who asked me to explain what the circumstances would be if there was a *force majeure* or weather or so on. The Road Races Act 1982 does set down the guidelines and, on a Sunday, the

rules for running the races are quite clear.

As I understand it, the races can only take place:

'between the hours of 1.30 p.m. and 6 p.m. in the event of the postponement of any race from the preceding week, if the road is authorised, by that or any other road race order, to be used for a race or races on a weekday in the preceding week and on a weekday in the following week.'

So, to put that into clearer context, if you have a disastrous TT week and you cannot run your races on the Wednesday or the Senior Race on the Friday, there is provision to get the races finally held on the Sunday afternoon between 1.30 p.m. and 6.00 p.m. and get everybody back home to the UK. It is a one-off situation.

That, I understand, is the same criterion that will be used on the Billown circuit.

The President: Not according to the Bill, sir.

Mr Lowey: The Bill will finish at midnight.

The President: We will deal with that at that time.

Mr Downie: Yes. Now, I have lost my train of thought.

Mrs Christian also asked what happens if, due to weather, there is a postponement or a cancellation. I understand, in the Bill, there is a cut-off time and if that time comes, the event will have to be abandoned.

The only time I have ever known a race meeting abandoned on the Southern 100 course was, I think, the year before last when they had a series of very, very bad foggy weather, and then they had a tragic accident, and races were abandoned from that particular time.

I think Hon. Members have to view this in the context that it is coming forward in, that we are trying not to tie up resources all over the Isle of Man. We are trying to pace ourselves, and by having this particular event run on the Sunday, it will provide not only for our emergency services, and St John Ambulance and everybody else, a much more flexible approach, where they will not be spread at different events on the Isle of Man; they will be properly targeted.

The same for the people who are coming to look at the events. You will not have people having an hour at one place and riding 15 or 20 miles and having to find parking to look at some other thing that is going on. It is trying to focus properly and use what precious resources we have got on the Isle of Man, to make sure that things are properly policed and the public safety is of the uttermost importance.

If I can move on to the Lord Bishop, he said he was prepared to support the event, provided it was a one-off and to vote for it. As far as I am concerned, Hon. Members, this is a one-off event.

As a Manxman and somebody who has been proud of the way the TT has developed over the years, we have not gone the route of a lot of other European countries, including the main Catholic countries like Italy, where they run their racing events on a Sunday. We have always made a decision here that Sunday is a special day.

I thank him for his support and I would give him my commitment that I would not be supporting having racing on a Sunday on a permanent basis.

Mr Lowey: I am grateful for his support. I understand that the Southern Club had a meeting to discuss all these issues

and there was a lot of dialogue between the Southern Club membership, most of whom are in Castletown. I would have thought that, as the Castletown Commissioners are actually funding part of these races and supporting these races, there needs to be better dialogue. (**Mr Lowey:** Yes.)

So, I am prepared to give a commitment that I will be meeting, after we have discussed this Bill, with the Tourism Minister and perhaps with someone from the Southern Club, and saying, 'Come on, boys, you need to be getting people on board.' It is going to inconvenience one or two people, so we have got to get our act together.

I agree with him about Silverdale Road, having gone up and down that road during Southern 100 week for years. It is not a problem that has just been with us in the last two or three years; it has been there since the races started and it is no different from the other road from Scout's Glen that goes over to Ballabeg. There are a lot of snarl-ups happen there.

As the Hon. Member of Council, Mr Waft, said, we really need to sort these issues out and make sure that the logistics are used properly, and the Police and the other people they have now to do traffic management can do this job properly, and make sure that these snarl-ups do not happen again. At the end of the day, if there is a snarl-up and there is a requirement for emergency services, they need to get through as a matter of urgency, so good traffic management is a real priority.

I think the other thing Mr Lowey referred to was this need for consultation. In the paper that has been given to me by the Department of Tourism, they are saying that when the Bill is progressed, they intend to notify every resident on the Billown circuit and every resident on the old TT course, from St John's through to Douglas Corner and back through Peel, and give them a proper programme and an understanding of what is likely to take place.

I do not think there is the same emphasis on the re-enactment as there is on the Billown circuit, because in the re-enactment, a lot of the machines will need to have pushers to get over Creg Willey's Hill. I do not think there will be many people there actually getting above 45 or 50 miles an hour, downhill with the wind behind them! So it is not the same emphasis. It is not a speed event; it is more of a leisurely outing.

To move on to Mr Waft, I am grateful for his support. He has given us the perspective from the Department of Home Affairs, where it is obvious that they want to make the best use of their resources and that safety is of paramount importance. I think we all agree with that.

Mrs Crowe made reference to the St John Ambulance Association. I understand that they have been involved in all the discussions. They really do outstanding work in the Isle of Man and without their involvement we could not run anywhere near the number of events – particularly motorsport and athletics events – that we run. In fact, as another feather in their cap they have been very busy this winter and they have been running training programmes for the TT marshals, as well, so that there is that level of expertise now, right through the whole group of people who run the races. A lot of them have up-to-date first aid certificates.

I am thankful to Mr Crowe for his comment. He is obviously getting well into his new job within the Department of Transport and taking an active interest in these events. I am sure he will relay the comments that have been expressed in Council to Mr Hannay and the rest of the people in the DoT.

So, with that, Mr President, I beg to move the First Reading of the Road Races (Temporary Modification) Bill 2007.

The President: Hon. Members, I formally put to Council that the Road Races (Temporary Modification) Bill be read for a first time. Those in favour, please say aye; and against, no. The ayes have it. The ayes have it.

Road Races (Temporary Modification) Bill Standing Order 22(2) suspended to take Second Reading

The President: Mr Downie.

Mr Downie: With your approval, or support, Mr President, I would like to suspend Standing Orders and take the Second Reading. I move:

That Standing Order 22(2) be suspended to enable the Second Reading of this Bill to be taken.

The President: It is up to Council.

Mr Waft: I would like to second that proposal, Mr President.

Mr Lowey: I will support the suspension for the Second Reading, Mr President. I will, I think, resist the Third Reading, on the strength of what the Member has said to us: that for Transport, there is a meeting tomorrow.

On the question of dialogue with people, to be told that you are going to get a note telling you what is going to be, that is a monologue; that is being told and that is not dialogue. I think there could be more reassurance for the people, if we can have maybe the results of that meeting tomorrow or whenever, with Mr Hannay and his colleagues and the Police.

I know these meetings are taking place and I am reassured by that, so to that extent...

Could I just ask – I know it is really nothing to do with the suspension of Standing Orders – would you just, on a constitutional matter... Is it not possible for this particular Act, which is purely local, to be signed by the Governor on the Island, without it going to London for Royal Assent?

The President: I should imagine that is practical in this instance. I do not know, but I would think it is practical that it would be locally signed. Mr Attorney? I would almost guarantee that.

The Attorney General: I think that must be right.

Mr Lowey: I just use the thing, if we are going to have a local Act, this is a local affair, so the urgency to that extent is not –

The President: I would anticipate that that would be it.

Mr Lowey: But anyway, I would certainly support the

Second, because there is a need to get it on and a certainty to get the thing around, but I do not think leaving it another week would really have much effect on the passage of the Bill. In other words, if we pass it all today, I do not think it would speed it up that much.

Anyway, I would certainly support the Second Reading.

The President: Lord Bishop.

The Lord Bishop: I will support the Second Reading, but not the third.

I would note that in Mr Downie's speech, 'consultation' suddenly became 'notification'. I think that is a very interesting element in this particular way that this is working.

I found my letter of consultation, which turns out to be the letter that every Member of Tynwald got – in fact, not just every Member of Tynwald, but it was in fact addressed to the House of Keys and not to us. So, the process of consultation becomes slimmer and slimmer as the Bill goes further on.

Mr Lowey: The Isle of Man Civil Service.

The President: In that case, Hon. Members, I put to Council that we suspend Standing Orders to enable the Second Reading of the Road Races (Temporary Modification) Bill to take place this morning. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Road Races (Temporary Modification) Bill Second Reading approved

The President: Mr Downie, then, we will deal with the Second Reading, sir.

Mr Downie: Yes, thank you, Mr President.

I have nothing really further to add, other than I will take on board all the points that have been raised today.

I will get an opportunity to talk to the mover of the Bill in the House of Keys and the Minister for Tourism and Leisure, Mr Earnshaw, and I will be telling him that we need, really, when we come to the next Reading, we want to see some evidence of some meaningful discussion and dialogue. We need to see how his Department is going to work much more closely with the residents around the circuit and those people, like the churches and the local authorities, who may have to deal with ancillary problems or who may be adversely affected by the running of the races. I think it is most important.

I would just like to say that I am only the person who is taking the Bill in here and, from my point of view, my perspective, if I were in the Department, I would have dealt with things in a slightly different way.

I beg to move:

That this Bill be now read a second time.

Mr Waft: I beg to second, Mr President.

The President: Seconded by Mr Waft. Mr Lowey.

Mr Lowey: Yes, I can understand. I take on point what

the Member was saying. All I can say is there are conflicting aspirations, aren't there?

This event will be at the very start of what I would call a memorable, hopefully, TT fortnight. The St John Ambulance, whom I would like publicly to thank for their services, not just at the TT circuit but at all events round the Isle of Man during that week, whether it is sand racing, whether it is scrambles, whether it is down on the promenades – you name it, you will always see St John Ambulance personnel there. So, again I think it is important to bring people along with us.

But I do think that we have to bring the local community along with us. That includes people who earn their living round these circuits. The farming community: they have to move animals and all the rest of it, and we do impinge.

But there is a willingness, I think, on most people's part to play their part, and I think people play their part better when they see Government has been listening to them and taking their views on board, prior to the event being finalised.

So, I would support the Second Reading of this particular Bill.

The President: I think, Hon. Members, we have dealt with the urgency business and the consultation, probably. Could I just, in relation to the actual Bill, now we get to the Second Reading stage, raise with Mr Downie: does he know the period of time that the Classic Races themselves normally take during any particular year, and what period of time is anticipated that the Classic Races...?

I want the time that the Classic Race normally takes place on the Billown circuit, but also the length of time which is anticipated for the re-enactment race at St John's. If you have the timescale of that and the Classic, we would see then whether or not it would fit into the one May Day bank holiday.

I particularly want to know the Classic timing in relation to this Bill, as this Bill is totally against the Act which closes the road on a Sunday between the hours of 1.30 p.m. and 6.00 p.m. in the event of a closure for weather. This Bill is actually specifying 1.00 p.m. to 8.00 p.m..

So, I think that we have a timescale, or if we could, it would be...

Mr Downie: To deal with that one first of all, I can tell you that the re-enactment is due to start at 10.00 a.m. on the bank holiday Monday, and that is the same time that the original event started back in 1907.

The duration of that event, as I understand it, on the closed road... They are going to have what they call a rolling road closure, where they let all the bikes go and what happens is there is a vehicle comes round behind them, quite slowly, and when they have moved through, the road is open again. It is merely for safety reasons.

It is not dissimilar from what happens sometimes with cycle racing, where there has to be a car goes out to close the circuit off and then the rolling programme comes in.

The thing is with all of these historic events, it is not just the vehicles running round on the circuit – and I understand it is only going to be one lap – it is afterwards, when they all get together and they talk and they kick the tyres and have a good look round and see what makes what work. So, there will be a lot of congestion in the St John's area, I would think, well up to one o'clock, and then people will start to disperse from there.

Going back to the other side of the events, the normal time for the Southern 100 circuit races has always been the Saturday afternoon and into the evening. That is the way the old formula has worked. They practised from about 12 o'clock, had some preliminary races and then they had the collection of the best towards the end of the day. That is what the form has been in the past, and they have had provisions where they can go on until it almost gets dark, in the past.

I will get some more information on that, because what is confusing is when we have the Southern 100 Races themselves in July, that is a different format again. That takes place over two or three days, and I do not know whether they still have morning practices, but they used to have morning practices, evening practices and then they had things called preens, where they picked the best groups and they all finished up with the various races on the Thursday afternoon.

So, rather than give any misleading information out, I will find out exactly what the format is.

The reason behind this is that these Classic Races, which are quite special, could be run within the afternoon period.

Mr Lowey: Could I just say, in effect, what the Member in charge of the Bill was saying earlier about the local commissioners meeting and helping. The local commissioners, of course, for Castletown, actually last year withdrew support, as you know, from the Southern 100. It was my own local authority, Malew Parish Commissioners, that stepped into the breach and did a lot of the clearing-up work. This is the bank holiday and Sundays, but again it will be needs driven. It has got to be seen to be tidied up after they have gone.

This is where I would think it is *imperative* that people adjoining the course are taken on board at an early stage, and work with the organisers, because, as the Hon. Member knows better than I do, with events, it is the preparation before and it is the clearing up afterwards that people do not see, but which are vitally important to the local people.

Mr Downie: Yes.

The President: Mr Butt.

Mr Butt: Yes, could I ask a question, Mr President, as to why the races could not be held on the Saturday? Is there a reason for that and, if they were, would that be less or more convenient than running it on the Sunday?

The President: Mr Crowe.

Mr Crowe: Thank you, Mr President.

Just adding to the actual centenary, the race is being held, as Mr Downie says, on the Monday, exactly 100 years after the event, which started at 10.00 a.m.. As well as the race, or the parade lap, which is going to take place on the old St John's circuit, there is going to be a period when the bikes are all lined up and you will have a lot of people wanting to examine and study the bikes when they are parked at Tynwald Hill at St John's, after the race, so there will be quite a period after the lap when many people are wanting to see the bikes.

So, the problem of those spectators wanting to get to the Southern 100 course, along the Ballamodha, was the big problem and also the marshalling. If you have the two events

separately, you can have your same marshals marshalling the two separate events. (**Mr Lowey:** Practical.) so splitting the days makes a lot of sense.

The President: Mr Waft.

Mr Waft: Mr President, I do not think we should lose sight of the fact that we are purported to be – and I am sure we are – the road-racing capital of the world. I would not like Members to underestimate the planning that has to go into this fortnight and how they have to compress certain races at certain times to fit in, obviously with the community, but also with the Police, the Fire... as I said before, everybody else involved.

So it is no easy task to try and get all these races to fit in with the week's entertainment, as well. I would just like to compliment the people who have the wit and sense to get this all sorted within two weeks, because that is the only chance we have. After that, we revert to normal, so I think we should go that extra mile to help them to provide the entertainment and facilities that they expect when they come to the Island, hopefully to have a safe stay on the Island.

Thank you, Mr President.

The President: Mrs Christian.

Mrs Christian: Yes, Mr President.

I am happy to support the Second Reading. Am I right in deducing from the comments that are made that we are not going to be moving to clauses today?

The President: It will be entirely up to the Council.

Mrs Christian: I do think it is important that we –

The Clerk: We go straight into clauses.

The President: We do go straight on.

The Clerk: According to Standing Orders.

Mrs Christian: We go straight on? (**The President:** Yes.) In that case, I will have some concerns about the hours that are proposed for the Sunday racing. I think that I will need convincing that those hours need to be longer than are normally provided for racing on a Sunday.

At the same time, I think it is incumbent on us to assist everybody this year, because there will be so many logistical problems. Indeed, as it says in the memorandum, there may be competitors at St John's who would want to compete on the Billown circuit and, clearly, if we had them both on the same day, that is going to present some considerable problems for those people, as well as the spectators and all the services.

So, I think that, certainly, there is a justification for the Bill. The devil will be in the detail and the explanations that we are given for the precise wording in the clause.

The President: Mr Downie, reply to Second Reading, please.

Mr Downie: Yes, thank you, Mr President.

On the comments made by the Hon. Member of Council, Mr Lowey, I entirely agree. This is right at the very start of the

TT fortnight, and to have the logistics in place, to have teams of people there picking up litter, clearing up, making sure the place is left tidy, I think that is of the utmost importance. I think that has got to be repeated right throughout the whole two weeks, and people on the mountain picking plastic bags up and so on.

I think other Government agencies have got to get involved early on this year and make skips available and areas where people can deposit things, particularly if they have been camping. You do not want people's personal effects and rubbish getting mixed up with livestock and causing problems in the countryside. So, I think we have got to really get the message across.

I am not sure whether there is a race on the Saturday on the Southern 100 course or not, whether they might be practising on the Saturday, but I will check up on that and make sure I know what the programme is about. The races that we are talking about on the Sunday are classic motorcycles: they will be motorcycles built in the 1930s, 1940s, 1950s, 1960s, that era. They are quite special, really. So we will look at that.

The Hon. Member of Council, Mr Crowe, mentioned a little bit more about St John's. I think that, although the races themselves are important, the world's media will be at St John's, because this is a unique event in motorcycling history. There will be a lot of people down there and, as was stated, we want to make sure that we can control these events and make sure that we have not got two major things going on at the same time and maximise the potential while people are here.

I thank Mr Waft again for his comments.

Mr Butt made a comment about... If you would refresh me?

Mr Butt: Why could they not be held on Saturday? Would it be less convenient?

Mr Downie: I think they could not be on a Saturday, because there will be other races taking place on the Billown circuit, the pre-TT. These were introduced to try and give people who had to come here early, because they could not come on the day they wanted to come, something to do. In years gone by, we have also had the post-TT and the Steam Packet Races where we tried to capitalise on the following weekend, because people just physically could not get off the Island.

I am sure we will all agree it is much safer to have people gainfully employed and entertained watching races than riding round the circuit and maybe having one or two drinks, or something like that. If they are kept busy, the temptation is not there.

I accept the comment made by the Member of Council, Mrs Christian. I would not be seeking to move the clauses today. I think you have given me a task to do now to find out a bit more about the event and who has been involved in the consultation and so on.

I will also find out why we are looking for extra time within the Bill, going out to eight o'clock, rather than the traditional time referred to in the other piece of legislation. I would assume it is if there is a catastrophe somewhere or a *force majeure* or a –

Mr Lowey: Insurance, is it?

Mr Downie: But we will find out about it and we will make sure that we get back to you with that at the next meeting.

The President: Hon. Members, the motion that I put to Council is that the Road Races (Temporary Modification) Bill 2007 be read for a second time. Those in favour, please say aye; and against, no. The ayes have it. The ayes have it.

Procedural

The President: I think, Hon. Members, that will probably draw us to a conclusion. In normal circumstances, we would go on to clauses. As there are only two clauses on this particular measure, and with the queries which Members have raised and the undertaking that the Hon. Member in charge has given that he will come back to us – Mrs Christian says the detail is the devil – perhaps the logics are that we should deal with the clauses and the Third Reading at our sitting next week.

That draws to a conclusion our Order Paper for today, Hon. Members, and Council will now sit in private.

The Council sat in private.