

TYNWALD

Tinvaal



QUESTION PAPER

Pabyr Feyshtyn

DOUGLAS
20th June 2006
at 10.30 am

FOR ORAL ANSWER

1. The Hon Member for Onchan (Mr Corkill) to ask the Chief Minister -
 - (1) Are "Manxmen", as defined in Protocol 3 of the UK accession to the EEC, entitled to free movement within all EU States and do they have the right to establish themselves in any of those States; and
 - (2) what rights of establishment within the Isle of Man do EU citizens have?

2. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -
 - (1) How do you reconcile your support for the Island's new slogan, "Freedom to Flourish", when headteachers of the Island's schools are denied the human right of freedom of speech to express either publicly or through their elected Members of Tynwald, concerns they have with regard to policies imposed on their schools by the Department of Education; and
 - (2) will you support the removal of clause 5.2(h) in the Conditions of Tenure and sick pay for the employment of teachers?

3. The Hon Member for Rushen (Mr Gill) to ask the Chief Minister -

Will you give a categoric assurance before progressing the Human Rights Act that your Government is completely satisfied that it will not lead to the sorts of situations which are currently causing the UK Government to review such legislation?

4. The Hon Member for Rushen (Mr Gill) to ask the Chief Minister -
- (1) Are you aware of any European regionalisation plans to incorporate the Isle of Man into such a region at some time in the future; and
 - (2) if so, do you wish to make a statement in relation to such plans to the people of the Island?
5. The Hon Member for Rushen (Mr Gill) to ask the Chief Minister -
- Do you believe the interests of transparency and fairness are served by a department of your Government maintaining the right to consider the results of public consultation only after the results are known?
6. The Hon Member for Rushen (Mr Gill) to ask the Chief Minister -
- Is it Government policy that a civil servant should not provide or should withhold information about the statutory responsibilities of their department to Members of Tynwald with no interest in that department's statutory responsibilities?
7. The Hon Member for Middle (Mr Quayle) to ask the Chief Minister -
- When will action be taken to bring to an end new entrants joining the Final Salary Pension Scheme?
8. The Hon Member for Onchan (Mr Corkill) to ask the Minister for the Treasury -
- (1) Why has the Coroners' Bill not been progressed; and
 - (2) is it Government policy to establish an Official Receiver's Office?
9. The Hon Member for Onchan (Mr Karran) to ask the Minister for the Treasury -
- (1) Has the Treasury received accounts for the MEA for 2003/04, 2004/05 and 2005/06; and
 - (2) if so, when are they to be available to the public?
10. The Hon Member for Douglas North (Mr Houghton) to ask HM Attorney General -
- Will you take action to remedy the lenient sentence handed down in a recent conviction for causing death by dangerous driving?

11. The Hon Member for Michael (Mr Cannan) to ask the Minister for Trade and Industry -
 - (1) Is your Department aware that Bord Gais Eireann has applied to the Energy Regulator for a big rise in the price of gas from October;
 - (2) will this proposed price rise have any effect on the price of gas brought to the Island through the gas pipe line; and
 - (3) does your Department have contingency plans to manage this proposed rise in the price of gas?

12. The Hon Member for Michael (Mr Cannan) to ask the Minister for Transport -

Does your Department expect to make further middle management appointments with persons from off-Island?

13. The Hon Member for Douglas West (Mr Delaney) to ask the Minister for Transport -
 - (1) Why were the mechanical sweepers removed from service in Strand Street and Castle Street, Douglas;
 - (2) on what date were they removed;
 - (3) when were you informed; and
 - (4) what provision was made in terms of manual staff to compensate for their removal?

14. The Hon Member for Rushen (Mr Gill) to ask the Minister for Transport -
 - (1) How much did the fuel tank and pump at the end of the Albert Pier, Port St Mary cost to install;
 - (2) who agreed the design; and
 - (3) what prior consultation had taken place with local harbour users?

15. The Hon Member for Rushen (Mr Gill) to ask the Minister for Transport -
 - (1) Are you entirely satisfied that the pump and/or tank at the end of Albert Pier, Port St Mary are capable of withstanding the weather conditions their design has left them exposed to;
 - (2) who would be responsible for the replacement of these facilities should they fail owing to a design fault or inappropriate location; and
 - (3) who would be responsible for any collateral or environmental damage caused in such a scenario?

16. The Hon Member for Rushen (Mr Gill) to ask the Minister for Transport -
 - (1) What is the total cost of the new "railway sleeper" 30 mph sign on the Old Castletown Road;
 - (2) can you confirm that this location and design is compliant with necessary regulations covering such signs; and
 - (3) does not present a visual obstruction to drivers exiting nearby driveways?

17. The Hon Member for Douglas East (Mrs Cannell) to ask the Minister for Transport -
 - (1) Can you advise why your Department's planned "Herringbone" parking scheme for the end of Queen's Promenade, Douglas has not been progressed; and
 - (2) why the advertised disc parking area for Strathallan Crescent has not been progressed?

18. The Hon Member of the Council, Mr Lowey, to ask the Minister for Transport -
 - (1) How much revenue has been raised from the £5.00 "surcharge" on Road Fund Licences;
 - (2) how has it been spent;
 - (3) will you itemise this into broad headings; and
 - (4) can this revenue be carried over from one financial year to the next?

19. The Hon Member for Onchan (Mr Karran) to ask the Minister for Transport -
 - (1) Was there a problem with the Meary Veg outflow pipe; and
 - (2) if so, has the consultant responsible been held to account?

20. The Hon Member for Onchan (Mr Karran) to ask the Minister for Transport -
 - (1) Who were the three firms tendering for the Peel Harbour Water Retention Scheme;
 - (2) which firm was successful with their tender and what was the price for this project;
 - (3) what is the completion time for the project; and
 - (4) what is the total overall cost of the Scheme to completion?

21. The Hon Member for Middle (Mr Quayle) to ask the Minister for Transport -
Will you give an update on the IRIS Scheme in relation to White Hoe and the properties affected there?
22. The Hon Member for Onchan (Mr Corkill) to ask the Minister for Health and Social Security -
- (1) Are you aware that Isle of Man residents intending to take up residence in an EU State are being advised by the United Kingdom DHSS that they are entitled to a European Health Insurance Card (EHIC) if they have made 10 years of National Insurance contributions within the United Kingdom during their working life; and
 - (2) how does your Department reconcile this fact with your previous answers regarding Isle of Man residents being barred from EHIC's?
23. The Hon Member for Onchan (Mr Corkill) to ask the Minister for Health and Social Security -
Will your Department consider promoting an amendment to the Children and Young Persons Act 2001 so that unmarried fathers can elect to attend the registration of their child's birth and have their name included on the birth certificate, thereby acquiring the right of parental responsibility as defined in the Act bringing Island law into line with UK law?
24. The Hon Member for Douglas North (Mr Houghton) to ask the Minister for Health and Social Security -
Why is an intensive therapy bed being used for kidney dialysis purposes?
25. The Hon Member for Middle (Mr Quayle) to ask the Minister for Health and Social Security -
Will you make a statement concerning recent developments in the United Kingdom relating to pension provision and retirement ages for the future, and how this will be considered by your Department, and the impact that this will have on the Isle of Man?
26. The Hon Member for Michael (Mr Cannan) to ask the Minister for Education -
- (1) Will you permit the Headteacher of Jurby Primary School to comment freely on your decision to close the Special Needs Unit at Jurby School; and
 - (2) will you give an unequivocal guarantee that any comment by the Headteacher will not subject the Headteacher to any form of reprisal?

27. The Hon Member for Michael (Mr Cannan) to ask the Minister for Education -
Which political Member of your Department has delegated responsibility for Schools' Special Needs Units?
28. The Hon Member for Michael (Mr Cannan) to ask the Minister for Local Government and the Environment -
- (1) Do you intend to assist the fulfilment of the Treasury Minister's policy of attracting seriously wealthy residents to reside in the Isle of Man by a tax-capping scheme with the reversal of current planning policy of prohibiting construction of large houses in the countryside; and
 - (2) can you justify the current planning policy of being restrictive and nitpicking when processing the bulk of planning applications?
29. The Hon Member for Peel (Mrs Hannan) to ask the Minister for Local Government and the Environment -
When is building control legislation being updated to improve the environmental impact of the built environment?
30. The Hon Member for Peel (Mrs Hannan) to ask the Minister for Local Government and the Environment -
- (1) What action is your Department taking to address climate change;
 - (2) have any areas been identified for special protection; and
 - (3) what planning measures are being taken now to mitigate any concerns?
31. The Hon Member for Middle (Mr Quayle) to ask the Minister for Local Government and the Environment -
- (1) Will you outline your Department's efforts to date for giving consideration to the recycling of bottom ash and explain why your Department has apparently abandoned any attempt at recycling; and
 - (2) what is the estimated annual cost of depositing 18,000 tonnes per year of bottom ash to the proposed landfill facility at Archallagan, taking into account capital costs, loan charges and operating/revenue costs?
32. The Hon Member for Middle (Mr Quayle) to ask the Minister for Local Government and the Environment -
Could you state your Department's criteria for the need of a Government-owned landfill site?

33. The Hon Member for Douglas East (Mrs Cannell) to ask the Minister for Tourism and Leisure -

Can you give a progress report on how negotiations and discussion with the retailers at the Villa Marina Arcade and Colonnade have proceeded?

34. The Hon Member for Peel (Mrs Hannan) to ask the Chair of the Communications Commission -

Are you satisfied that Manx Radio covers enough community events to warrant the subvention by Government?

35. The Hon Member for Onchan (Mr Karran) to ask the Chief Minister -

Can you give an update over the court case dealing with the MEA scandal?

FOR WRITTEN ANSWER

36. The Hon Member for Rushen (Mr Gill) to ask the Chief Minister -

Does your Government have any guidance criteria for organising, holding and assessing a consultation process?

37. The Hon Member for Onchan (Mr Corkill) to ask the Minister for the Treasury -

- (1) What is the purpose of filing 9N forms with the Companies Registry;
- (2) in the light of recent judgments and comment in the High Court -
 - (a) have any prosecutions taken place against individuals who deliberately abuse the submission of 9N forms which contain false information;
 - (b) have complaints been followed up;
- (3) in the absence of prosecutions, is the Island's reputation at risk; and
- (4) will the Treasury, Financial Supervision Commission and the Attorney General's Chambers consider the 9N filing procedure in order to improve its truthfulness?

38. The Hon Member for Onchan (Mr Corkill) to ask the Minister for the Treasury -

As part of your budget preparations will you consider the issue of "Old Age Tax Allowance" so that widowers over the age of 80 years are equal to their UK counterparts as regards any requirement to pay Income Tax?

39. The Hon Member for Onchan (Mr Corkill) to ask the Minister for the Treasury -
- (1) What protection is there for UK inexperienced investors who invest with Life Assurance Companies on the Island and whose funds are subsequently placed in Experienced Investor Funds (EIFS) by those companies;
 - (2) was the EIF product devised with the intention of allowing Life Insurance Companies to invest in this way; and
 - (3) will you consider amendments to close this loophole, so as to protect small inexperienced investors?
40. The Hon Member for Douglas North (Mr Houghton) to ask HM Attorney General -
- (1) Has anyone in your Chambers entered into dialogue with any local advocate with regard to matters pertaining to any Cheshire Constabulary investigations recently and, if so, what was the purpose;
 - (2) has that legal firm been instructed; and
 - (3) what are the estimated costs and report back?
41. The Hon Member for Rushen (Mr Gill) to ask the Minister for Transport -
- (1) How many speed restriction signs has your Department put up in
 - (a) 2005;
 - (b) 2006 (to date); and
 - (2) what is the average total cost of placing such a sign?
42. The Hon Member for Rushen (Mr Gill) to ask the Minister for Transport -
- (1) Will you explain the 85 percentile guidance systems;
 - (2) do you regard this system as largely informative and persuasive when considering whether to introduce speed restriction; and
 - (3) how many speed restrictions have been introduced into Manx roads since January 2005 that have fallen outside of the "85 percentile" by more than 5 mph?
43. The Hon Member for Ramsey (Mrs Craine) to ask the Minister for Transport -
Since the 1993 Working Party Report on Queen's Pier -
- (a) how much of the £40,000 estimated annual cost of "mothballing" has been expended in each subsequent year to date; and
 - (b) how much has been spent in total by your Department on the Pier since its closure to the public in 1991?

44. The Hon Member for Onchan (Mr Karran) to ask the Minister for Transport -
- (1) Who were the consultants for the Meary Veg project and what role did they play; and
 - (2) what was the cost for each consultant?
45. The Hon Member for Rushen (Mr Gill) to ask the Minister for Health and Social Security -
- Further to your very welcome notice of the provision of much needed additional beds at Southlands will you please advise what specific resources are to be provided and when?
46. The Hon Member for Onchan (Mr Corkill) to ask the Minister for Education -
- (1) What progress has your Department made in relation to providing secondary education at the Bemahague, Onchan site; and
 - (2) what strategy is in place for secondary school provision in the East of the Island into the future?
47. The Hon Member for Michael (Mr Cannan) to ask the Minister for Education -
- In respect of the Jurby School Special Needs Unit -
- (a) what are the real cost savings if the Unit is closed;
 - (b) if there is a cost saving what percentage is it of the Department's overall budget;
 - (c) will the loss of previous investment into Jurby School Special Needs Unit be factored into the answers at (a) and (b); and
 - (d) at what point if any, does economic benefit to the Department take precedence over the welfare and happiness of the children presently at the Special Needs Unit at Jurby?
48. The Hon Member for Michael (Mr Cannan) to ask the Minister for Education -
- In each year from 1996 - 2006 please state -
- (a) the names of schools that had a Special Needs Unit;
 - (b) the number of children in each Special Needs Unit in each year; and
 - (c) the number of teachers in each Special Needs Unit in each year?

49. The Hon Member for Malew and Santon (Capt Douglas) to ask the Minister for Local Government and the Environment -

Will you explain why a critically important letter from Graham Ferguson-Lacey, dated 24th March 2003, suggesting he enter into a Section 18 Agreement to protect an area adjacent to Castletown Golf Links detailed in Planning Application 02/02553/A is missing from the Planning Department's files?

50. The Hon Member for Malew and Santon (Capt Douglas) to ask the Minister for Local Government and the Environment -

Why did your Chief Executive appear reluctant to investigate the missing letter from Graham Ferguson-Lacey, dated 24th March 2003, when asked to by the Derbyhaven Residents Society?

51. The Hon Member for Malew and Santon (Capt Douglas) to ask the Minister for Local Government and the Environment -

Given that the assurances provided by Graham Ferguson-Lacey to the residents of Derbyhaven over the implementation of a Section 18/19 Agreement persuaded the majority of residents not to object to Planning Application 02/02553/A, and that the Department of Agriculture, Fisheries and Forestry and Manx National Heritage expressed a desire that a Section 18/19 Agreement should be a condition of any planning approvals - can you confirm that the Planning Committee were given full information and received Mr Ferguson-Lacey's letter of 24th March 2003, and those of Manx National Heritage and the Department of Agriculture, Fisheries and Forestry when considering this Application?

52. The Hon Member for Malew and Santon (Capt Douglas) to ask the Minister for Local Government and the Environment -

Could you explain why, when considering Mr Ferguson-Lacey's master plan for the Golf Links Hotel and Derbyhaven area, your Department should selectively opt for a Section 18 Agreement on the consents given for the development of the Golf Links Hotel but not apply the same criteria on the Application for development on the perimeter of the golf course or on the site of the old Haunted House on the Langness peninsular?

53. The Hon Member for Malew and Santon (Capt Douglas) to ask the Minister for Local Government and the Environment -

Can you explain why your Department feels that the planning in principle approval for a single dwelling house can subsequently be considered as an appropriate basis to grant outline planning for 21 houses on a significantly larger area of ground?

54. The Hon Member for Malew and Santon (Capt Douglas) to ask the Minister for Local Government and the Environment -

Would you explain why your Department supports an applicant's plan to develop 21 houses on primarily a greenfield site by an ASSI, when in August 1996 an independent Inspector found an application for seven houses in close proximity to this site on an infill area to be unacceptable?

55. The Hon Member for Onchan (Mr Corkill) to ask the Minister for Local Government and the Environment -

(1) How many domestic dwelling units, both public and private, have been completed for each of the years 2000 to 2005; and

(2) are you able to estimate the figures for 2006 and 2007?

56. The Hon Member for Castletown (Mr Speaker) to ask the Minister for Local Government and the Environment -

When do you expect a new Local Plan for the town of Castletown to be brought into effect to replace the present 1991 Local Plan?

57. The Hon Member for Castletown (Mr Speaker) to ask the Minister for Local Government and the Environment -

With regard to the Civic Amenity sites around the Island can you advise -

(a) how many sites are there, and where are they located;

(b) who operates each site;

(c) what are the present opening hours of each site, providing public access to the sites;

(d) what is the financial contribution, both in rateable value and actual financial costs, to each Local Authority for each relevant site and to what does that funding relate;

(e) has your Department any plans to provide further sites and, if so, where;

(f) what have been the total capital costs to date of providing the sites;

(g) what are the present annual loan charges;

(h) based on the last financial year, what is the present level of annual revenue costs to your Department; and

(i) what are the present annual operational costs to your Department in relation to each site?

58. The Hon Member for Castletown (Mr Speaker) to ask the Minister for Local Government and the Environment -

With regard to the recycling bins sites around the Island can you advise -

- (a) how many sites are there and where are they located;
- (b) who operates each site;
- (c) what are the present opening hours of each site, providing public access to the sites;
- (d) what is the financial contribution, both in rateable value and actual financial costs to each Local Authority for each relevant site and to what does that funding relate;
- (e) has the Department any plans to provide further sites and, if so, where;
- (f) what have been the total capital costs to date of providing the sites;
- (g) what are the present annual loan charges;
- (h) based on the last financial year, what is the present level of annual revenue costs to your Department; and
- (i) what are the present annual operational costs to your Department in relation to each site?

59. The Hon Member for Middle (Mr Quayle) to ask the Minister for Local Government and the Environment -

Since the closure of the Government-owned landfill site at Wright's Pit at the end of December 2005, can you advise as to how non-incinerable and hazardous wastes are currently being disposed of, and state the relevant tonnages per month up to 31st May 2006?

60. The Hon Member for Douglas North (Mr Houghton) to ask the Minister for Tourism and Leisure -

- (1) Why is it so expensive to advertise in the Isle of Man Holiday Guide compared to UK publications;
- (2) why do contributors have to pay so far in advance and submit their copy so early;
- (3) is the preparation of the Guide open to competition and does your Department consider the matter to be a monopoly;
- (4) what total advertising revenue is within the Guide and what is the profit made; and
- (5) how and why does your Department intend to spend £1M promoting the 2007 Guide?

61. The Hon Member for Rushen (Mr Gill) to ask the Chairman of the Civil Service Commission -

(1) Are there any -

(a) civil servants;

(b) public employees

who have had unauthorised deductions from their pay in respect of Superannuation contributions deducted from their Incapacity Benefit;

(2) how many individuals are thus affected;

(3) what is the total amount involved;

(4) what actions are being taken to amend the situation; and

(5) will you undertake to issue a statement before the July sitting of Tynwald to update Members about progress to resolve any such issues?

62. The Hon Member for Ramsey (Mrs Craine) to ask the Vice-Chairman of Manx National Heritage -

What are the numbers of paying visitors, total number of visitors and the total entrance receipts for the 2005/06 financial year for the following attractions -

(a) Castle Rushen;

(b) Cregneash Fork Museum;

(c) Laxey Wheel;

(d) House of Manannan;

(e) Nautical Museum;

(f) Old Grammar School;

(g) Old House of Keys;

(h) Peel Castle;

(i) Rushen Abbey; and

(j) Grove Museum?