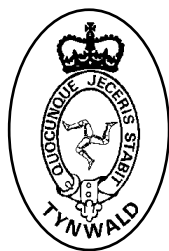


TYNWALD

Tinvaal



QUESTION PAPER

Pabyr Feyshtyn

DOUGLAS
16th October 2006
at 10.30 am

FOR ORAL ANSWER

1. The Hon Member for Douglas West (Mr Delaney) to ask the President of Tynwald -

Will you please explain why you have disallowed the following question which I wished to ask the Minister for Home Affairs -

“If you are successful in your attempt to be the next Chief Minister will you, at an early stage in the term of office of the new House of Keys, bring forward a Bill to have the Legislative Council elected by a public democratic vote?”

2. The Hon Member for Douglas West (Mr Delaney) to ask the Chief Minister -
 - (1) Has the Isle of Man Government any plans to change the Charities Registration Act 1989;
 - (2) have you considered the establishment of an Isle of Man Charities Commission; and
 - (3) how many charities are now registered under the relevant Acts?

3. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -

Has the Council of Ministers made any progress in introducing a special entry scheme for graduates into the Civil Service?

4. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -

Can you confirm that the Council of Ministers have been discussing the possible expenditure of £7M for the construction of a motorcycle museum at the Bungalow, Snaefell?
5. The Hon Member for Douglas West (Mr Delaney) to ask the Chief Minister –

Why does the Isle of Man Government insist on placing job advertisements requiring two years' administrative office experience which could easily and ideally be filled by Manx graduates who wish to return to their homes in the Isle of Man?
6. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -
 - (1) Does the Council of Ministers support the expenditure of public monies by the Department of Education to engage United Kingdom Counsel to oppose the justified demand of the parents of children at the Special Needs Unit at Jurby School for the Special Needs Unit to remain open; and, if so
 - (2) what is the justification for the expenditure of public monies allocated for expenditure on education now being diverted to engage expensive lawyers from the United Kingdom to fight court battles against distressed parents of handicapped children?
7. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -

Will you request the Council of Ministers to make available to all Members of Tynwald the PricewaterhouseCoopers' Report in full, of its review of the Department of Health and Social Security financial management?
8. The Hon Member for Ramsey (Mrs Craine) to ask the Chief Minister -

Are you satisfied with the progress of the Legal Services Commission Report which was delivered to the Council of Ministers in 2003?
9. The Hon Member of the Council, Mr Lowey, to ask the Chief Minister -
 - (a) Would you itemise the "good ideas" allegedly included in the Review of the Scope and Structure of the Isle of Man Government; and
 - (b) how could that Committee be described as "balanced"?
10. The Hon Member of the Council, Mr Lowey, to ask the Chief Minister -
 - (a) What progress has been made towards resolving the rights of way around Langness; and
 - (b) how many meetings have taken place in the last six months, if none, why not?

11. The Hon Member for Douglas North (Mr Henderson) to ask the Chief Minister -

What policies and procedures are in place throughout Government to ensure that any applicants for Government positions who are not qualified local residents and who are successful at the job interview, in all cases apply for personally, or their employer applies for a Work Permit?

12. The Hon Member for Middle (Mr Quayle) to ask the Chief Minister -

(1) Will you arrange to provide an information pack to all Candidates standing for election to the House of Keys on matters relating to Immigration, Asylum, Work Permits (and a summary of benefits which may or may not be claimed by a person holding a permit and the eligibility, if any, of dependants or members of the extended family of the individual concerned to come to the Island to reside and claim any benefits), the Residency Act and Proposed Draft Regulations; and

(2) would you not agree that this would allow for a mature and responsible debate between Candidates and the General Public on many serious issues, in the run-up to the General Election, based on the facts rather than speculation, and that this would be beneficial to the Island?

13. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for the Treasury -

Can you confirm, or otherwise, if there have been other such occasions where unauthorised borrowings such as the Manx Electricity Authority case have taken place in the United Kingdom or Europe where such borrowings have been deemed unauthorised and lenders have had to write those amounts off?

14. The Hon Member for Douglas West (Mr Delaney) to ask the Minister for the Treasury -

As persons over 60 years of age may claim Isle of Man Tax relief on payments to such organisations as BUPA, will the Treasury give the same consideration to persons of the same age who pay for necessary medical treatment such as operations which save costs for our Health Service?

15. The Hon Member for Michael (Mr Cannan) to ask the Minister for the Treasury -

(1) As at 30th September 2006 have the necessary papers been filed at the General Registry for proceedings to commence in respect of the legality of the £120M loans from Barclays Bank to the Manx Cable Company and onward transfer to the Manx Electricity Authority; and

(2) as at 30th September 2006 what are the total actual or estimated legal costs (inclusive of all fees and charges) in respect of the above?

16. The Hon Member for Ramsey (Mrs Craine) to ask the Minister for the Treasury -

What was the domain name of the organisation that carried the phishing exercise which resulted in adverse publicity for the Isle of Man and it being de-registered?

17. The Hon Member for Onchan (Mr Karran) to ask the Minister for the Treasury -

- (1) is the Financial Supervision Commission aware that the company annual return for the Sefton Group plc is over 7 months overdue, and if so, what is being done about it;
- (2) would you agree that it reflects badly on the reputation of the Isle of Man as a premier offshore financial centre when a major Manx public company is allowed to be so lax about filing statutory documents;
- (3) do you think that the company should be prosecuted over this matter to demonstrate the Government's commitment to the rule of company law, and if not, why not;
- (4) bearing in mind that Sefton Group Executive Chairman, Graham Ferguson-Lacey, was prosecuted in the USA by their Securities and Exchange Commission (file no 3-9512) for repeated failure to file public company documents on time, do you think that Mr Lacey's conduct in the Isle of Man is being adequately supervised by the Financial Supervision Commission; and
- (5) is the Financial Supervision Commission satisfied that the statutory duties of the Sefton Group directors in relation to their shareholders have been complied with in respect of related party transactions between companies owned and controlled by Graham Ferguson-Lacey and the Sefton Group, including its subsidiaries, such as those relating to Leslie Vondy House, Ronaldsway, Ballasalla and Atlantic House, Circular Road, Douglas?

18. The Hon Member for Onchan (Mr Karran) to ask the Minister for the Treasury -

In view of the state of the voters list with so many people being absent from it in an Election year, will anyone be held responsible for undermining the democratic process of the Island because so many people were not entered on the list?

19. The Hon Member for Middle (Mr Quayle) to ask the Minister for the Treasury -

When did the Head of Division, Financial Services Division/Isle of Man Finance leave Treasury, has a replacement been appointed and are you satisfied that enough is being done to promote the Island in relation to its Finance Sector?

20. The Hon Member for Onchan (Mr Karran) to ask the Minister for the Treasury -

Are you satisfied that the enforcement by the Financial Supervision Commission of Fund Administrators is satisfactory?

21. The Hon Member for Douglas North (Mr Henderson) to ask HM Attorney General -

(1) Can you confirm, or otherwise, if your Chambers have been in discussion or negotiation with the former Chief Executive of the Manx Electricity Authority;

(2) if so, what they were regarding; and

(3) can you also confirm, or otherwise, if there is any Police involvement as a result, directly or indirectly?

22. The Hon Member for Douglas West (Mr Delaney) to ask HM Attorney General -

Are there any rules that require a registered charity to ensure that a guaranteed percentage of monies donated to that charity is spent to benefit the cause other than on wages of the organiser or on expenses such as travel and administration?

23. The Hon Member for Michael (Mr Cannan) to ask HM Attorney General -

Is it right and proper for the Planning Committee to ignore the terms of Government Circular No 1/06, Department of Local Government and the Environment - The Town and Country Planning Act 1999, The Town and Country (Development Procedure) Order 2006 - Determination of Interested Party Status - and grant Interested Party Status to persons contrary to the criteria as detailed in the above Order?

24. The Hon Member for Peel (Mrs Hannan) to ask HM Attorney General -

When advising Manx National Heritage on potential treasure trove finds do you use the Treasure Act 1996 (England and Wales) Code of Practice for guidance or do you use Manx law as the basis of your advice?

25. The Hon Member for Onchan (Mr Karran) to ask HM Attorney General -

In the light of the legislation which has recently been brought in by the EU regarding age discrimination, will this legislation come in to force in the Island, and, if so, when?

26. The Hon Member for Rushen (Mr Gill) to ask the Minister for Education -
- Can you advise what actions are being taken within the Island's Secondary Schools to ensure that all students eligible to vote are fully aware of the mechanics of the voting process in advance of this year's General Election?
27. The Hon Member for Michael (Mr Cannan) to ask the Minister for Education -
- (1) Why is your Department currently in negotiation for the sale of the Kirk Michael Primary School playing field at Douglas Road Corner, Kirk Michael to a property developer when -
 - (a) the playing field is in a statutory conservation area;
 - (b) at a public meeting in Kirk Michael on 27th February 2006 attended by approximately 120 persons the motion that the school playing field must be retained was almost unanimously passed; and
 - (2) do you and your Department have no regard for democracy and the will of the people?
28. The Hon Member for Michael (Mr Cannan) to ask the Minister for Education -
- (1) Can you confirm that the previous Special Needs Teacher at Jurby Primary School sent her application for the post of Special Needs Teacher at St Ninian's High School on 9th May 2006; and, if so
 - (2) why did you make the statement to Tynwald on Wednesday 21st June 2006 during the debate on Jurby School Special Needs Unit that, "One other inaccuracy in that statement I feel I should correct is that the Special Needs Teacher at Jurby had applied for the job on 27th April before they were communicated about the closure of the Jurby Unit"?
29. The Hon Member for Peel (Mrs Hannan) to ask the Minister for Education -
- Is the "way forward" for education support staff being introduced to reduce the pay of all support staff?
30. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security -
- (1) What are the current numbers of DHSS beds available to care for older people with mental health problems such as dementia; and
 - (2) what is the break-down of these beds for the various sections of the Island?

31. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security –

Will you make the contents of the Broadsley Institute Inquiry public given that any personal details referring to children are removed, and if not, why not?

32. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security –

- (1) Can you inform this Hon Court if the inquiry by the Office of Fair Trading into pricing of nursing and residential homes is complete; and,
- (2) if so, have you and the Council of Ministers discussed its contents and will they be made public?

33. The Hon Member for Ayre (Mr Teare) to ask the Minister for Health and Social Security -

What arrangements have been made for the provision of educational facilities for young persons in your Department's care at the Children's Secure Home following withdrawal of the contract from Include?

34. The Hon Member for Onchan (Mr Karran) to ask the Minister for Health and Social Security -

- (1) How much money has been spent on the Strategic Information Project and what has the money been spent on;
- (2) was there an evaluation prior to the project commencing and will there be one at the end of the project, if not why not;
- (3) has there been a feasibility study and if so what were the results; and
- (4) does this project represent value for money?

35. The Hon Member for Douglas North (Mr Houghton) to ask the Minister for Health and Social Security -

- (1) How many foster carers are employed by your Department;
- (2) how many foster carers have resigned over the last 12 months; and
- (3) what were the reasons for these resignations?

36. The Hon Member for Douglas North (Mr Houghton) to ask the Minister for Health and Social Security -
- (1) What are the annual costs to your Department for engaging the “foster plus” agency; and
 - (2) why does your Department need to employ this agency?
37. The Hon Member for Middle (Mr Quayle) to ask the Minister for Home Affairs -
- Notwithstanding the apparent success of Operation Centurion, which was recognised by the achievement of a top award, are you aware of concerns from Members of the Public about alleged increasing crime in Douglas, and will you please give an update to reassure the Public that appropriate measures are being taken?
38. The Hon Member for Michael (Mr Cannan) to ask the Minister for Local Government and the Environment -
- (1) Are you fully satisfied with the financial management of the responsibilities of the Peel and Western District Housing Committee and, if not, why not; and
 - (2) what arrangements are you making to ensure there is proper financial management and accountability?
39. The Hon Member for Onchan (Mr Karran) to ask the Minister for Local Government and the Environment -
- (1) Until the issues of conflict concerning the Braddan Clerk’s private business dealing with Dandara have been properly investigated, can the credibility of future planning representations by Braddan Parish Commissioners be relied on;
 - (2) was the Clerk to Braddan Parish Commissioners privy to private and confidential documentation from your Planning Department at and around the time of his sale of 4 acres of agricultural land to Dandara for £278,250; and
 - (3) as your Department invited and encouraged third parties to make representations and provide evidence to the Braddan Plan Inquiry, should it not be the responsibility of your Department to take steps to recover these costs on their behalf?
40. The Hon Member for Onchan (Mr Karran) to ask the Minister for Local Government and the Environment -
- (1) As mitigation to the loss of expenditure in 2.9.5 “private Co and Individuals” of the Braddan Inquiry Chairman’s Report could your Department produce a circular as a planning statement as to which parts of the Inspector’s report they could support; and

- (2) because of the unacceptable conduct of the Clerk, can your Department take steps to suspend or remove the Clerk from his position, or, in the alternative, conduct a report or implement an inquiry so that justice can be seen to be done?

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

- (1) When will your Department have ready its revised Waste Management Plan, and is it not premature to proceed with a Major Capital Scheme for the provision of a Landfill facility, until the new Administration and Tynwald has had an opportunity to receive, debate and approve such a Plan;
- (2) with regards to your commitment to the House of Keys on 30th May, 2006, not to proceed with a Planning Application in respect of the Archallagan facility until it had been submitted to the Capital Projects Unit within Treasury and for it to have received concurrence from Treasury to the revised scheme, why has a spokesperson from your Department intimated for the last few months to the Public, that a Planning Application was 'imminent', when your Department had clearly not complied with your commitment; and
- (3) will you now divulge the Capital Costs and annual operational costs of the revised Archallagan scheme?

42. The Hon Member for Ramsey (Mrs Craine) to ask the Minister for Tourism and Leisure -

What activities and sponsorship are being attracted by your Department to promote Ramsey in the overall centenary celebrations of our TT 2007?

43. The Hon Member for Onchan (Mr Karran) to ask the Minister for Tourism and Leisure -

- (1) As 2007 is the centenary of the TT races will the Villa Marina Arcade be closed during this period; and, if so
- (2) will it affect the rest of the Villa Marina complex?

44. The Hon Member for Douglas West (Mr Delaney) to ask the Minister for Trade and Industry -

Is there a requirement under the Control of Employment Acts 1975, 1978, 1983 and 1990 Part 2, that your Department should be informed if there is a change in the details of employees' families which were listed in Questions 13, 14 and 15 of the Work Permit Application Form, after the Work Permit is issued?

45. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Trade and Industry -
- (1) What policies and procedures are in place throughout Government to ensure that when an application is received for a Work Permit from a non-qualified Island resident to take up a Government position, that the Work Permit Secretariat and Committee are furnished with all the details, especially if there were Work Permit qualified applicants; and
 - (2) can you confirm that the employers (Government) have to disclose if there were local applicants for any such positions?
46. The Hon Member for Douglas West (Mr Delaney) to ask the Minister for Transport -
- With such a chronic shortage of parking spaces around Government Buildings, Buck's Road, why was the major space at the rear of the building paved over?
47. The Hon Member for Michael (Mr Cannan) to ask the Minister for Transport -
- In respect of the IRIS Scheme what is the total amount (consultancy and fees; travelling; expenses etc) paid to Burroughs Stewart Consultants from the first concept of the Scheme to 30th September 2006?
48. The Hon Member of the Council, Mr Lowey, to ask the Minister for Transport -
- (1) Why was Tynwald told in July that the "Silverburn River Report" would be available within 2 weeks and that it would be given to the Local Authority; and
 - (2) what has happened to the said Report, and why was this Court apparently misled?
49. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Transport -
- (1) Has there been any period this year where following the retirement of the Airport Operations Manager in November 2005 that the post was taken by a temporary contract holder, subsequently changed to Airport Projects Manager, where the post holder of either did not hold an Isle of Man Work Permit and, if so, how long were any such periods; and
 - (2) if there were periods as described above, where no Work Permit was sought, was that person or persons remunerated by public funds?

50. The Hon Member for Onchan (Mr Karran) to ask the Minister for Transport -
- (1) Does your Department have a policy to pass over the cost of street cleaning to local authorities; and
 - (2) what would the costs be which would have to be added to the rates each year?
51. The Hon Member for Onchan (Mr Karran) to ask the Minister for Transport -
What is the up to date position over the White Hoe Pumping Station?
52. The Hon Member for Peel (Mrs Hannan) to ask the Minister for Transport -
What is the timescale for the continuing development of Peel Harbour?
53. The Hon Member for Peel (Mrs Hannan) to ask the Minister for Transport -
Are you satisfied that all public rights of way are open, of a satisfactory condition and usable?
54. The Hon Member for Middle (Mr Quayle) to ask the Minister for Transport -
In relation to the IRIS scheme, and the affected properties at White Hoe, when were the problems first brought to your Department's attention, and will you please provide an update on the situation?
55. The Hon Member for Douglas West (Mr Delaney) to ask the Chairman of the Tynwald Management Committee –
What steps are the architects and builders taking to rectify the water and damp that is evident in the refurbished Legislative Buildings?
56. The Hon Member for Michael (Mr Cannan) to ask the Chairman of Isle of Man Post -
In respect of the electrical refurbishment works at the Post Office Premises, Gladstone Avenue, Ramsey -
- (a) will you provide Members of Tynwald with a copy of the tender specification;
 - (b) was the successful tenderer Government registered and NIC registered; and
 - (c) was the award of the electrical contract in accordance with Government Financial Regulations?

57. The Hon Member for Douglas West (Mr Delaney) to ask the Chairman of the Communications Commission –
- (1) How are you able to strictly ensure that each Member of Tynwald and every other candidate standing for election have equal broadcasting time on Manx Radio to allow them to comment on current affairs; and
 - (2) how are you able to ensure that there is a balance between comments and statements of Ministers, Members of Tynwald and other candidates expressing their views?
58. The Hon Member for Onchan (Mr Karran) to ask the Chair of the Manx Electricity Authority -
- On 1st April 2001, the Manx Electricity Authority acquired National Grid Company (Isle of Man) Limited's share of the Manx Cable Company, in accordance with FRS 7 "Fair Values in Acquisition Accounting" (as reported in the Manx Electricity Authority Annual Report to 31st March 2003) can you ask the Manx Electricity Authority's Auditors -
- (a) what was the fair value of the Manx Cable Company at the time of this purchase;
 - (b) how was the fair value of the Manx Cable Company calculated;
 - (c) to confirm that they are in agreement with this valuation and give details of the projected revenues and discount factors used;
 - (d) whether the revenues used in the valuation have been achieved, and if not, why not; and
 - (e) what was the profit of the National Grid Company (Isle of Man) Limited, on its initial 1998 investment of £4.5M, and was it justified?
59. The Hon Member for Onchan (Mr Karran) to ask the Chair of the Manx Electricity Authority -
- According to the PKF Report the "cross island gas pipeline" cost £23.519M: can you ask the Manx Electricity Authority's Auditors to confirm that -
- (a) in accordance with standard contracting procedures, the Manx Electricity Authority's intention to invite tenders for the pipeline was properly advertised in the technical press;
 - (b) all suitably qualified contractors, expressing an interest in submitting tenders for the work, were invited to submit tenders;
 - (c) in accordance with standard contracting procedures, sealed bids were invited for the work;
 - (d) in accordance with standard contracting procedures, the contractor with the lowest bid (or bids) was awarded the contract (or contracts); and
 - (e) if all the above procedures were followed why the costs were so high?

60. The Hon Member for Onchan (Mr Karran) to ask the Chair of the Manx Electricity Authority -
- Why does the cross-Island pipeline from Glen Moore to Pulrose zig zag across prime farmland rather than take the more conventional route ie following a railway line or road?
61. The Hon Member for Onchan (Mr Karran) to ask the Vice-Chair of Manx National Heritage (Mr Speaker) -
- Will you advise this Court if the Manx Museum and National Trust, since it appears to have abandoned the use of the name given to it by this Hon Court, in favour of "MNH", still upholds the principles behind its establishment by preserving the heritage of this Island and displaying to the best advantage of the public the pieces of art and artefacts placed in its care by the Manx people for the Manx people?
62. The Hon Member for Douglas West (Mr Delaney) to ask the Chief Minister –
- What substantial and genuine connection did –
- (1) Pieter van Rooyen;
 - (2) Sonya van Rooyen; and
 - (3) Robert Maasbach
- have with the Isle of Man to entitle them to register a charity in the Isle of Man other than a work permit?
63. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -
- Are the Council of Ministers fully satisfied -
- (a) all the persons eligible to be included on the electoral registers, have now been included;
 - (b) with the performance of the Electoral Registration Officer and his staff in compiling the electoral rolls; and
 - (c) what is the annual salary of the Electoral Registration Officer?
64. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -
- Are the Council of Ministers fully satisfied that the Department of Tourism and Leisure has made the necessary arrangements in respect of the provision of extra sea and air travel facilities and accommodation availability for the many thousands of persons wishing to attend the Centenary TT 2007?
65. The Hon Member for Onchan (Mr Karran) to ask the Chief Minister -
- Who will be responsible for the increased cost of the work on the new Legislative Buildings?

66. The Hon Member for Onchan (Mr Karran) to ask the Minister for the Treasury -
- (1) Given the recent review of the Department of Health and Social Security Finances and support systems, can you quantify how much has been invested in financial accounting systems and in particular how much, in total, was invested in the Oracle HRFS Project before it was finally scrapped;
 - (2) how long was the project in terms of time - 3, 4 or 5 years;
 - (3) what system has been implemented to replace it; and
 - (4) at what additional cost to the taxpayer?

FOR WRITTEN ANSWER

67. The Hon Member for Rushen (Mr Gill) to ask the Chief Minister -
- (1) Do you agree with the practice of “joined-up Government”;
 - (2) do you have influence over the administration of the Department of Transport and HM Attorney General’s Chambers;
 - (3) are you aware that currently the Department of Transport claim to be waiting for “clarification” from the Attorney General’s Chambers in relation to the status of the footpath which is presently obstructed at Langness;
 - (4) the Attorney General’s Chambers currently claim to be waiting for “instructions” from the Department of Transport in this matter;
 - (5) do you accept such prevarication and delay is contrary to public interests; and
 - (6) will you ensure that you will use your position to resolve this internal delay and direct the relevant public bodies to fulfil their duties in this matter as a priority?
68. The Hon Member for Rushen (Mr Gill) to ask the Chief Minister -
- (1) Can you confirm that;
 - (a) the footpath around Langness (which partly passes to the seaward of the lighthouse) has been in continuous use as such for more than twenty-one years; and
 - (b) the path is therefore rendered a highway under section 88 of the Highways Act or similar legislation;

- (2) what actions do you propose taking to declare this highway to be a public right of way; and
- (3) when will you ensure that the landowner removes the current obstructions in order that Manx people and their visitors can once again enjoy their traditional access around this spectacular coast area?
69. The Hon Member for Rushen (Mr Gill) to ask the Chief Minister -
- When can the public expect to be able to access the path at Langness which is currently obstructed?
70. The Hon Member for Douglas South (Mr Duggan) to ask the Chief Minister –
- Is it Government policy to continue to allow the Douglas Promenade to be converted into blocks of apartments to the detriment of the Tourist Industry?
71. The Hon Member for Douglas South (Mr Duggan) to ask the Chief Minister -
- Is it Government policy to ensure local firms have top priority on Government contracts and not to encourage the use of non Isle of Man contractors?
72. The Hon Member for Rushen (Mr Gill) to ask the Chief Minister -
- (1) What area are you describing when you wrote to my constituent on 26th September 2006 stating that the ‘whole peninsular has been fenced off at least twice a year’; and
- (2) can you confirm the times and dates when this ‘whole peninsular’ has seemingly been ‘fenced off’ since 1980?
73. The Hon Member for Malew and Santon (Capt Douglas) to ask the Chief Minister -
- (1) At what level in the Chief Secretary’s Office and/or Government was advice sought or given to allow a time extension to Redford Limited, a company owned by Mr Graham Ferguson-Lacey, which failed to submit a statement of case within the deadline in respect of a planning appeal relating to the construction of 17 houses and 4 apartments on the golf course in Derbyhaven;
- (2) are you aware that the request for the extension of time by Redford Limited to the Appeal Secretariat, to allow it to submit documents, was only made about two weeks after the original deadline had expired;
- (3) are you also aware that no substantial reason was given for the extension request or why it was made well after the closing date;

- (4) from your extensive experience of Government business, is it usual for time extensions for submission of documents to be granted retrospectively, when requested by a single party without giving good reasons - examples such as Government tender documents, job applications and tax returns spring to mind;
- (5) would you be suspicious of the circumstance when a time extension is requested by a single party well after the closing date and without giving good reasons after all parties on the opposing side have already made submissions;
- (6) are you aware that the Government "Guide to Planning Appeals" (October 2002) states that, "If a submission is not received within the time limit, the Inspector will not normally take it into account in his consideration of the Appeal;
- (7) bearing in mind the foregoing, why was it decided that the "normal" practice should not be followed and that the late submission from Redford Limited should be accepted;
- (8) are you aware that the Department of Local Government and the Environment disqualified submissions from 22 households from the Appeal hearing on the basis that they failed to object to the original planning application submitted by Redford Limited before the expiry of the deadline;
- (9) would you agree that in the interests of equity, these 22 households should be afforded the same relaxation of the rules as were given to Redford Limited;
- (10) would you agree, also, that the independent Inspector would be in a better position to judge the merits of the planning appeal if the views of these 22 households are heard; and
- (11) do you agree with the Department of Local Government and the Environment that the Derbyhaven Residents' Society, a society formed in 1974 "to protect the interests of Derbyhaven and to preserve its character and amenities" and viewed by the residents of Derbyhaven as their representative body, should not be granted interested party status on the basis that "residents' associations are not generally considered to be directly affected by development proposals", if so, why?

74. The Hon Member for Malew and Santon (Capt Douglas) to ask the Chief Minister -

- (1) Can you give an updated report on the Mount Murray Residual Affairs Committee; and
- (2) when do you expect it to complete its work?

75. The Hon Member for Middle (Mr Quayle) to ask the Chief Minister -
- Are you aware that the Isle of Man remains very close to fulfilling the criteria to become a Fairtrade Island, and that if your Government would commit to making Fairtrade tea and coffee available in official meetings (eg meetings involving Members of Tynwald), then Fairtrade Island status for the Island could be achieved, and will you therefore now give that Government commitment required?
76. The Hon Member for Rushen (Mr Gill) to ask the Chief Minister -
- (1) What plans does your Government have for the former Port Erin Laboratory site/buildings on completion of the agreed planned demolition works;
 - (2) do you agree that it is unwise to leave such exposed premises to the mercy of the elements unless there is no alternative;
 - (3) what measures have been taken by Government to ascertain any declarations of interest from outside groups;
 - (4) have you received any enquiries from outside groups who may be interested in utilising the premises, if so, how many such enquiries have you received; and
 - (5) can the people in the South expect to see the former Port Erin Marine Laboratory site/buildings put to some use in the near future or do you intend boarding up the buildings and putting its possible re-use off once more?
77. The Hon Member for Middle (Mr Quayle) to ask the Chief Minister -
- With regards to Tynwald Hill and the declaration by Tynwald that it should if at all possible, achieve World Heritage Site Status, will you please give an update of all measures taken since the Tynwald Resolution, to pursue and achieve the stated objective?
78. The Hon Member for Middle (Mr Quayle) to ask the Chief Minister -
- Will you please provide for an update to be given on the Mount Murray Recommendations, and the Mount Murray Residual Issues Committee?
79. The Hon Member for Middle (Mr Quayle) to ask the Chief Minister -
- Will you provide an update in relation to the Manx Electricity Authority, in respect of the borrowings and any Court Action?

80. The Hon Member for Middle (Mr Quayle) to ask the Minister for the Treasury -

- (1) In relation to the Electoral Rolls for the Constituencies, were you satisfied with the arrangements ahead of this year's General Election and if not, why not;
- (2) why were there, apparently large numbers of people across the Island who had completed Electoral Registration Forms, but had then not been included on the Voters lists published at the end of August/early September; and
- (3) will you review the arrangements and consider the possibility of utilising the names and addresses submitted as part of the Census?

81. The Hon Member for Onchan (Mr Karran) to ask the Minister for the Treasury -

What is the hourly rate charged by Securicor charged to Government and what is the hourly rate paid to their workforce?

82. The Hon Member for Malew and Santon (Capt Douglas) to ask the Minister for Agriculture, Fisheries and Forestry -

You may be aware that planning consent (ref 02/02554/A) was granted and subsequently extended for a property development on the ruins of the old Langness farmhouse buildings (commonly known as "the Haunted House") even though the whole area was made the subject of an ASSI Order in 2000 -

- (a) do you consider that this planning consent is so compatible with the ASSI Order;
- (b) as the Government's statutory body for the protection of the environment, why did your Department not vigorously object to the planning application, including taking it to appeal, so as to defend the ASSI Order;
- (c) what action, if any, will your Department take if any of the prohibitions in the ASSI Order are breached by anyone carrying out activities in connection with the planning consent;
- (d) which, in your opinion, takes precedence - the planning consent or the ASSI Order;
- (e) if it is the planning consent that takes precedence, what, in your opinion is the purpose of the ASSI Order;
- (f) what is your Department's policy with regard to objecting to planning applications on environmental grounds, including taking them to appeal; and
- (g) could you give details of any planning consents that your Department has taken to appeal on environmental grounds in the last five years?

83. The Hon Member for Malew and Santon (Capt Douglas) to ask HM Attorney General -

Planning consent (ref 02/02554/A) was granted and subsequently extended for a property development on the ruins of the old Langness farmhouse buildings (commonly known as "the Haunted House") even though the whole area was made the subject of an ASSI Order in 2000; the proposed property development would appear to be incompatible with the ASSI Order -

- (a) which takes legal precedence - the planning consent or the ASSI Order; and
- (b) could (and in practice would) anyone be prosecuted for breaching the terms of the ASSI Order by carrying out activities covered by the planning consent?

84. The Hon Member for Malew and Santon (Capt Douglas) to ask HM Attorney General -

- (1) Is it true that your office was recently approached by the Appeal Secretariat for legal advice as to whether they should accept a late submission of documents from Redford Limited, a company owned by Mr Graham Ferguson-Lacey, which failed to submit a statement of case within the deadline in respect of a planning appeal relating to the construction of 17 houses and 4 apartments on the golf course in Derbyhaven;
- (2) were you aware that the request for the extension of the time by Redford Limited to the Appeal Secretariat to allow it to submit documents, was only made about two weeks after the original deadline had expired;
- (3) were you also aware that no substantial reason was given for the extension request or why it was made well after the closing date;
- (4) are you aware that the Government "Guide to Planning Appeals" (October 2002) states that, "If a submission is not received within the time limit, the Inspector will not normally take it into account in his consideration of the Appeal";
- (5) bearing in mind the foregoing, on what legal grounds did you decide that the "normal" practice should not be followed and that the late submission from Redford Limited should be accepted;
- (6) are you aware that the Department of Local Government and the Environment disqualified submissions from 22 households from the Appeal hearing on the basis that they failed to object to the original planning application submitted by Redford Limited before the expiry of the deadline;

- (7) would you agree that legally and in the interests of equity, these 22 households should be afforded the same relaxation of the rules as were given to Redford Limited;
- (8) would you agree, also, that the independent Inspector would be in a better position to judge the merits of the planning appeal if the views of these 22 households are heard; and
- (9) do you agree with the Department of Local Government and the Environment that, legally, the Derbyhaven Residents' Society, a society formed in 1974 "to protect the interest of Derbyhaven and to preserve its character and amenities" and viewed by the residents of Derbyhaven as their representative body should not be granted interested party status on the basis that "residents' associations are not generally considered to be directly affected by development proposals?"

85. The Hon Member for Michael (Mr Cannan) to ask the Minister for Education -

In respect of the Petition of Doleance and other legal action against the closure of the Special Needs Unit at Jurby School please state -

- (a) why has your Department engaged United Kingdom counsel;
- (b) what is the name of the UK law firm and the barrister designated to attend to the case;
- (c) the total amount of all travel, accommodation and incidental expenses incurred by officials of the Attorney General's Chambers and your Department visiting the United Kingdom law firm to discuss the case;
- (d) the estimated total legal costs and expenses that will be incurred by United Kingdom counsel; and
- (e) the justification for the expenditure of public monies allocated for expenditure on education being diverted to engage expensive lawyers to fight court battles against distressed parents of handicapped children?

86. The Hon Member for Rushen (Mr Gill) to ask the Minister for Health and Social Security -

How many people are currently assessed as needing permanent accommodation in Southlands but cannot be accommodated?

87. The Hon Member for Rushen (Mr Gill) to ask the Minister for Health and Social Security -

What is your current timetable for the location of services into Thie Rosien?

88. The Hon Member for Douglas South (Mr Duggan) to ask the Minister for Health and Social Security -

What percentage of Old Nobles Hospital is being utilised –

- (a) by who;
- (b) which parts are presently not being used, and does your Department intend to put them into use; and
- (c) what is the total cost of heating and repairs for the last 12 months?

89. The Hon Member for Douglas South (Mr Duggan) to ask the Minister for Health and Social Security –

What is the present situation regarding dental treatment for patients under the NHS?

90. The Hon Member for Douglas North (Mr Houghton) to ask the Minister for Health and Social Services -

Is your Department prepared to consider amending the Aids and Adaptations Financial Criteria to permit applicants who are disqualified from claiming financial support on the grounds of personal capital holdings to be eligible to claim a maximum of £2,000 towards their costs of providing an approved adaptation to their private premises?

91. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security -

- (1) How much did the recent Health Care Commission Report cost;
- (2) which Civil Servant authorised it;
- (3) can you confirm that you endorsed the proposal;
- (4) how many people did the Health Care Commission have in their team;
- (5) were each and every one of them eligible for expenses whilst on the Island; and, if so
- (6) what was the total cost of all the expenses?

92. The Hon Member for Middle (Mr Quayle) to ask the Minister for Health and Social Security -
- (1) Will you confirm when an additional Orthopaedic Consultant was employed, and will you provide a comparison as to waiting lists for hip/knee replacements etc before his arrival and currently;
 - (2) what would be the average number of hip/knee replacements done each year per Consultant and how does this compare with a Consultant in a UK District General Hospital; and
 - (3) are you satisfied about the length of waiting lists, and if not, what action if any, is proposed to remedy the situation?
93. The Hon Member for Middle (Mr Quayle) to ask the Minister for Health and Social Security -
- (1) What action is being undertaken by your Department to assist those on Incapacity Benefit/Disability Benefit/Long term unemployed to return to work;
 - (2) would you not agree that if they are assisted to return to work, it would;
 - (a) improve a person's self-esteem and financial circumstances.
 - (b) make a positive contribution to the Manx economy;
 - (c) reduce the need for importation of labour; and
 - (d) reduce your Department's benefits payable, so that the money saved could be diverted to investment in healthcare?
94. The Hon Member for Ayre (Mr Teare) to ask the Minister for Local Government and the Environment -
- Are licensing and planning regulations for waste disposal enforced on an even-handed basis for all licensed and unlicensed operations, including your Department's own operations?
95. The Hon Member for Douglas South (Mr Duggan) to ask the Minister for Local Government and the Environment -
- Are you now in a position to answer my Questions to you on the 11th July 2006 regarding the incinerator?

96. The Hon Member for Malew and Santon (Capt Douglas) to ask the Minister for Local Government and the Environment -
- (1) Why, and on what basis, was planning consent (ref 02/02554/A) granted and subsequently extended for a property development on the ruins of the old Langness farmhouse buildings (commonly known as "the Haunted House") even though the whole area had been made the subject of an ASSI Order in 2000;
 - (2) can you explain how the planning consent is compatible with the ASSI Order;
 - (3) can you also explain how the proposed development could be carried out within the terms of the ASSI Order which places very stringent prohibitions on activities in relation to the land;
 - (4) which, in your opinion, take precedence - the planning consent or the ASSI Order; and
 - (5) if it is the planning consent that takes precedence, what, in your opinion is the purpose of the ASSI Order?
97. The Hon Member for Malew and Santon (Capt Douglas) to ask the Minister for Local Government and the Environment -
- (1) Are you aware that your Department disqualified submissions from 22 households from the Appeal hearing in respect of the planning approval granted to Redford Limited, a company owned by Mr Graham Ferguson-Lacey, for the construction of 17 houses and 4 apartments in Derbyhaven, on the basis that the residents failed to object to the original planning application before the expiry of the deadline;
 - (2) would you agree that the independent Inspector would be in a better position to judge the merits of the planning appeal if the views of these 22 households are also heard;
 - (3) do you agree with your Department that the Derbyhaven Residents' Society, a society formed in 1974 "to protect the interests of Derbyhaven and to preserve its character and amenities" and viewed by the residents of Derbyhaven as their representative body, should not be granted interested party status on the basis that "residents' associations are not generally considered to be directly affected by development proposals", if so, why;
 - (4) in terms of what law does your Department have the authority to deprive the Derbyhaven Residents' Society of interested party status;
 - (5) if the authority is not written in law would you agree that the subjective and/or selective decision by your Department to disallow the Derbyhaven Residents' Society interested party status could be interpreted as an attempt by your Department to silence objections against unpopular decisions made by it; and

- (6) would you agree that, given the decision making authority of your Department to decide who has interested party status or not and your authority to override the recommendation by the independent Inspector that the current planning system is heavily biased in your Department's favour and that the voice of the citizens has limited effect?
98. The Hon Member for Malew and Santon (Capt Douglas) to ask the Minister for Local Government and the Environment -
- (1) Why were your answers in the June Tynwald so vague in relation to the Section 18 Agreement promised in connection with planning application 02/02553/A when much more comprehensive information was available in your Department as evidenced by Clause 29 of your Department's appeal statement in connection with PA 04/02044/A;
 - (2) why is there a difference between your June Tynwald answers and the information given in Clause 29 of your Department's appeal statement for PA 04/02044/A;
 - (3) why does your Department consider that Section 18 agreements are "inappropriate" on the grounds that it is "unreasonable to fetter future owners or decision-makers in so arbitrary a fashion"; and
 - (4) would you not agree that the purpose of a Section 18 agreement is indeed to constrain the future use of land for a particular reason and that Tynwald enacted the legislation because it was considered to be a useful instrument?
99. The Hon Member for Middle (Mr Quayle) to ask the Minister for Local Government and the Environment -
- (1) With regards to the Energy from Waste Plant, will you give an assessment of its overall operational efficiency and performance, including the usage of any oil; and
 - (2) will you provide details of any emissions and whether or not any have exceeded set limits, and if so, any actions or penalties taken?
100. The Hon Member for Middle (Mr Quayle) to ask the Minister for Local Government and the Environment -

In relation to your comments to Tynwald Court in July 2006 concerning the Braddan Plan -

- (a) as you advised the Hon Court that an investigation was being carried out in relation to certain matter appertaining to the Braddan Local Plan, can you advise if this investigation has now been concluded and, if so, has your Department accepted the outcome of the investigation;

- (b) if the investigation has been concluded, have the authors of the Report provided any recommendation in the Report that any Party or Parties under investigation be prosecuted for breach of any Legislation; and
- (c) if the investigation has now been concluded, will you provide a copy of the Report to all Members of Tynwald and to any of those people who were subject to such investigation?

101. The Hon Member for Douglas South (Mr Duggan) to ask the Minister for Tourism and Leisure -

Does your Department have any plans to ensure the Villa Marina operates at a profit?

102. The Hon Member for Malew and Santon (Capt Douglas) to ask the Minister for Tourism and Leisure -

- (1) What is your opinion on the damage to or destruction of sports and tourist facilities on the Island by property developers, specifically -
 - (a) the golf course, sports hall and tennis court at Mount Murray;
 - (b) the Castetown Golf Links Hotel and Golf Course, if the plans to build 21 properties on the 7th Hole in Derbyhaven or the conversion of the hotel to timeshare apartments are allowed to proceed;
- (2) would you agree that sports and tourist facilities are an important resource on the Island for the health of the Nation and are, especially the golf courses, an important tourist facility; and
- (3) how have you and/or your Department been involved in the planning applications relating to the proposed developments mentioned in item (1) above as they clearly have a material impact upon your Department's strategy?

103. The Hon Member for Douglas South (Mr Duggan) to ask the Minister for Transport -

Is it the intention of your Department to close the North Quay to all traffic, if so, are you aware of the concern of local business and the detrimental effect it will have on their trade as well as St Matthew's Church being affected?

104. The Hon Member for Douglas South (Mr Duggan) to ask the Minister for Transport -

Since my Question to you on 16th May 2006, have you taken any action with the Authority responsible to ensure that the steps on the sea wall in your constituency on Loch Promenade, Douglas are being repaired?

105. The Hon Member for Douglas North (Mr Henderson) to ask the Chairman of the Office of Fair Trading -
- (1) Will you investigate why the Isle of Man Steam Packet Company have apparently been surcharging passengers who book on the Internet with a £3.00 charge for the use of credit/debit cards; and
 - (2) if so, why is this occurring given that they advertise to the public to use this service, and, if so, is the £3.00 surcharge justifiable?
106. The Hon Member for Rushen (Mr Gill) to ask the Chairman of Isle of Man Post -
- (1) Will you confirm that the Royal Mail charges for British Forces Postal Services have recently been increased; and
 - (2) will you advise if Isle of Man Post intend to increase their prices for postage to HM Forces?
107. The Hon Member for Middle (Mr Quayle) to ask the Chairman of the Communications Commission -
- (1) Are you aware of concerns expressed by the General Public/Businesses in relation to occasional lack of Internet Access, particularly at weekends, and will you take any appropriate action; and
 - (2) are you aware of concerns expressed by Visitors/Business people that they are unable to utilise their Mobile telephones whilst on the Island, unless they purchase a SIM Card, and will you discuss the issue with Manx Telecom?
108. The Hon Member for Peel (Mrs Hannan) to ask the Vice-Chair of Manx National Heritage (Mr Speaker) -
- (1) Are there Standing Orders for the conduct of meetings of the Trustees of the Manx Museum and National Trust;
 - (2) if so, are these Standing Orders a public document;
 - (3) do they contain (in Section 2.a) a provision requiring a Trustee to declare a "conflict of interest" on a matter under discussion and remove themselves from debate on that matter; and
 - (4) how many declarations of a "conflict of interest", other than on constituency grounds by a political member, have been minuted for meetings of the Trustees in 2006 to date?

109. The Hon Member for Peel (Mrs Hannan) to ask the Vice-Chair of Manx National Heritage (Mr Speaker) -

- (1) Has any firm of advocates offered to work for the Manx Museum and National Trust on a "pro bono" basis in 2006;
- (2) if so, was the offer to work on a "pro bono" basis made at the outset of their engagement and, if not, when did the offer arise;
- (3) can you provide an explanation why a firm of advocates might choose to work for the Manx Museum and National Trust, which is funded by Government and is part of Government, on a "pro bono" basis; and
- (4) can you explain how the advocates would be serving "the public interest" by working for the Manx Museum and National Trust on a "pro bono" basis?

110. The Hon Member for Peel (Mrs Hannan) to ask the Vice-Chair of Manx National Heritage (Mr Speaker) -

In relation to the T E Brown room in the Museum -

- (a) why was it necessary to remove it;
- (b) what has happened to the panelling in the room;
- (c) who is the professional stained glass window conservator engaged to conserve the window; and
- (d) why is this display which has been in this position for some 70 years going in to a corridor?