

# **TYNWALD**

## **Tinvaal**



# **QUESTION PAPER**

## **Pabyr Feyshtyn**

DOUGLAS  
16<sup>th</sup> December 2008  
at 10.30 am

### **FOR ORAL ANSWER**

1. The Hon Member for Onchan (Mr Karran) to ask the Chief Minister -  
  
What powers are available to the Isle of Man Government to withdraw from the agreement whereby residents of the Isle of Man pay the Television Licence Fee?
2. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for the Treasury -  
  
Why he did not brief Tynwald Members before 4<sup>th</sup> December of his meeting in London with United Kingdom officials about the United Kingdom's forthcoming review into British offshore finance centres; and if he will arrange a presentation to inform Members of the substance and length of that meeting?
3. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for the Treasury -  
  
If he will make a statement on the United Kingdom's Independent Review into British Offshore Finance Centres; what factors are driving the United Kingdom to these measures; and what the implications are for the Isle of Man?

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

Whether the United Kingdom's Independent Review into British Offshore Financial Centres was at the behest of the United Kingdom Treasury; and what contribution the Isle of Man has been invited to make?

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

What briefing he has received from the United Kingdom Treasury about the scope and timing of the independent review with special reference to -

- (a) withstanding the current economic climate; and
- (b) playing a responsible role in the global financial system?

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

If he will make a statement on the extent to which the Isle of Man and other offshore financial centres are perceived as a fiscal and economic threat to the United Kingdom and the United States of America?

7. The Hon Member for Rushen (Mr Watterson) to ask the Minister for the Treasury -

Whether the Isle of Man is bound by reciprocal agreement to charge the new higher rate of air passenger duty; where this is stated in the agreements; and what efforts are being made to ensure that air travel to the United Kingdom and Ireland remains affordable for people on the Island?

8. The Hon Member for Rushen (Mr Watterson) to ask the Minister for the Treasury -

When he intends to bring forward a revised tax strategy?

9. The Hon Member for Michael (Mr Cannan) to ask the Minister for Health and Social Security -

Whether the Royal College of Ophthalmologist's External Clinical Advice Team visited the Island on 4<sup>th</sup> and 5<sup>th</sup> September 2008 to review the consultant and specialist ophthalmic service; and if he will provide Members of Tynwald with a copy of the report of the Clinical Advice Team?

10. The Hon Member for Douglas East (Mrs Cannell) to ask the Minister for Health and Social Security -

What proportion of the £1.4M allocated for the Ophthalmology waiting list initiative was expended on the Ramsey project, and what money is left over?

11. The Hon Member for Douglas East (Mrs Cannell) to ask the Minister for Health and Social Security -

Why the Coolings Report was commissioned; what its findings were; and why this Report has not been published in the public interest?

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

What action his Department has taken over the death of Greta Campbell, who was in Glenside Resource Centre; and when he will set up an independent inquiry into this case?

13. The Hon Member for Douglas East (Mrs Cannell) to ask the Minister for Home Affairs -

Whether Police Dog Training takes place in the Imperial, Regal and Castle Mona Hotels in Douglas; and, if so, how long this has continued and at what cost to the taxpayer?

14. The Hon Member for Michael (Mr Cannan) to ask the Minister for Local Government and the Environment -

(1) What provision his Department is making for those persons in public sector housing whose coal fires have been replaced by oil central heating and who cannot now afford to fill their oil tanks; and

(2) whether persons in public sector housing -

(a) cannot order oil unless they pay upfront;

(b) cannot make monthly payments until they have paid for one fill-up;

(c) in certain cases cannot make monthly direct debit, being categorised as living in rented accommodation; and

(d) some children are coming into school frozen to the bone, due to no heating at home?

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

What the difference is between public and private minutes of Local Authorities?

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

If he would consent to the use of the new wing at the former prison, Douglas, as extra accommodation during TT and Manx Grand Prix periods when a shortage of accommodation occurs?

17. The Hon Member for Rushen (Mr Watterson) to ask the Minister for Tourism and Leisure -

Whether it is his Department's intention to pursue the development of multi-use community facilities in areas where there is demonstrated need, as was the policy of his predecessor; and what plans he has to bring forward schemes in order to assist the construction industry on the Island?

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

What plans he has to make representations to the Isle of Man Steam Packet Company in relation to their proposed revised freight charges increase of six percent in the New Year and their impact on employment in the Isle of Man?

19. The Hon Member for Douglas West (Mr Corkish) to ask the Minister for Transport -

- (1) How many security personnel are employed by his Department servicing Douglas Harbour;
- (2) what their duties are;
- (3) what their hours of employment are in winter and summer; and
- (4) what training is provided for these posts?

20. The Hon Member for Rushen (Mr Watterson) to ask the Minister for Transport -

What would be the cost to the Government of asking a planning inspector to determine the legal status of the Langness footpaths using only written representation, rather than calling an Inquiry?

21. The Hon Member of the Council, Mrs Christian, to ask the Minister for Transport -

What steps his Department takes to optimise traffic flows into and out of Douglas at times of peak traffic flow when the Mountain Road and other major roads into the town are closed?

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

If he will make a statement on the legal responsibilities and priorities of the directors of Isle of Man subsidiaries of UK or foreign parent companies with particular reference to banking licence holders such as Kaupthing Singer and Friedlander (Isle of Man) Limited, if and when the interests of the Isle of Man company of which they are a director are in conflict with the interests of or instructions from the parent company?

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

What the implications are of the Law Lords' decision on 20<sup>th</sup> June 2007 (in what is known as the Godmanchester and Drain cases) as far as the legal weight to be attached to the 127 affidavits that rights of way have been established over certain footpaths in Langness, as opposed to the single affidavit from the previous owner of the land that would attempt to suggest an alternative view?

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

What laws, rules or regulations are currently in place relating to the obligations of owners of dogs or other animals, when taking these animals into ASSI areas such as Langness; and what sanctions, if any, are available against such owners of animals if they do not comply with these laws, rules or regulations; and who has the power to enforce them?

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

Whilst the constitutional arrangements between the Isle of Man and the United Kingdom dictate that any negotiations with a foreign government should be carried out by the United Kingdom on behalf of the Isle of Man; what would happen in the situation where the interests of the Isle of Man are in conflict with the interests of the United Kingdom?

26. The Hon Member for Rushen (Mr Watterson) to ask the Chairman of the Tynwald Delegation on Langness (Mr Cannan) -

Why the Delegation decided to ignore land in the ownership of Fort Island Ltd?

27. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Tynwald Delegation on Langness (Mr Cannan) -

As the Delegation was unable to reach an agreement, despite a year of negotiation, with the landowner(s) that would be acceptable to the 127 people who have signed affidavits regarding their use of the coastal footpath, such agreement to include reopening the part to the south of the lighthouse that is currently sealed off, if he will support the motion in the name of the Minister for Transport and urge all Tynwald Members to do likewise?

28. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Tynwald Delegation on Langness (Mr Cannan) -

Why the Report of the Delegation on Langness makes no reference to the Law Lords' decision on 20<sup>th</sup> June 2007 in what is known as the Godmanchester and Drain cases?

29. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Tynwald Delegation on Langness (Mr Cannan) -

Whether some of the legal fees that the Report of the Delegation suggests should be reimbursed to a particular landowner out of public funds were incurred for sending out advocates' letters to leading members of the PRowL organisation that could be interpreted as being intimidatory and/or containing comments relating to the families of the recipients that had no bearing on the issue of the footpaths on Langness?

### **FOR WRITTEN ANSWER**

30. The Hon Member for Douglas West (Mr Corkish) to ask the Chief Minister -

In relation to on-Island public relations purposes -

- (1) how many Departments of Government employ a public relations person or an outside public relations consultant;
- (2) what the overall spend is on public relations throughout Government Departments;
- (3) who co-ordinates public relations for Government; and
- (4) who assesses if the right and conjoined message is being given and also value for money is obtained?

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

What plans he has to introduce provisions similar to those in the United Kingdom's Children and Adoption Act 2006 to enhance the Manx Court's powers in relation to contact orders?

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

Further to his written answer of 18<sup>th</sup> November 2008 in relation to parliamentary and governmental business travel, if he will list, for each Member of Tynwald named in his Answer;

- (a) the destinations visited; and
- (b) the cost to public funds of each Member's participation in each visit?

33. The Hon Member for Rushen (Mr Watterson) to ask the Minister for the Treasury -

If he will consider making credit default swaps illegal for those without an insurable interest?

34. The Hon Member for Rushen (Mr Gill) to ask the Minister for the Treasury -  
What measures he intends to introduce to protect mortgage holders who are temporarily unable to meet their repayment commitments owing to circumstances beyond their control?
35. The Hon Member for Rushen (Mr Watterson) to ask the Minister for the Treasury -  
How much would the following actions be estimated to yield in tax for the 2009/10 financial year -
- (a) freezing personal allowances;
  - (b) a 1p in the pound rise in the basic rate;
  - (c) a 1p in the pound rise in the upper rate; and
  - (d) removal of the £100,000 tax cap?
36. The Hon Member for Rushen (Mr Gill) to ask the Minister for the Treasury -  
If he will make a statement on the dispute relating to the outstanding provision of kitchens in Edremony, Port Erin; and when he expects the long overdue resolution this matter?
37. The Hon Member for Rushen (Mr Gill) to ask the Minister for Health and Social Security -  
Following the recent tragic death of “Baby P” in England if he will make a statement outlining the measures taken or intended to be introduced to guard against such a situation happening in the Isle of Man?
38. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security -  
In relation to his Department’s contract with St Christopher’s Charity -
- (a) what services they supply;
  - (b) how long the current contract is set and when it is due to finish; and
  - (c) how much the current contract has cost?
39. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Health and Social Security -  
Whether his Department is satisfied with all areas of all services supplied under contract by St Christopher’s Charity?

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

In relation to his Department's contract with St Christopher's Charity -

- (a) whether these services are delivered to "a service delivery plan" with specifications of standards required in the main contract;
- (b) what mechanisms are available to his Department to measure that the required standards are being met;
- (c) if such mechanisms are not in place, why not;
- (d) if such mechanisms are in place whether there have been any times that standards have been below the requirement; and,
- (e) if so, how many times?

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

Whether his Department has received any complaints from staff, service users or members of the public in relation to any aspect of services supplied to his Department by St Christopher Charity?

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

In relation to his Department's contract with St Christopher's Charity - whether his Department has got a right to have the contract extended if it still requires the services so provided; and, if the Charity has no right of extension, will the contract be going out to tender?

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

What the number of active cases are for each of the Social Services Division Children's Services field social workers?

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

How many active cases involving children at risk do not have an allocated qualified social worker?

45. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Local Government and the Environment -

With regard to his Department's Home Insulation Programme which is specifically targeted through Local Authorities for use in their own and Council housing -

- (a) what tendering process was used;
- (b) whether there were any local applicants for the Local Authority cavity/loft insulation contracts; and
- (c) what part his Department has played in encouraging Local Authorities to take up the Scheme?

46. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Local Government and the Environment -

In relation to his Department's Cavity Wall/Roof Insulation Programme with Local Authorities -

- (a) what the total estimated cost is for the insulation to all the Local Authority housing in Douglas and Onchan; and
- (b) what quality/standards checking his Department is undertaking to ensure all works carried out are to the required standard?

47. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Local Government and the Environment -

Who the successful tenderers for the Douglas/Onchan Local Authority Cavity Wall/Roof Insulation programme are; whether these contractors had to produce method statements on the provision of what they are going to do and also Health and Safety statements; and, if so, who is checking that these contractors are working to these statements?

48. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Local Government and the Environment -

If he will make a statement on the need for house cavity walls and loft insulation to have lofts vented to prevent possible damp problems; and how he is advising Douglas and Onchan Local Authorities about the need for this in their housing stock and about proper building control methods?

49. The Hon Member of the Council, Mr Lowey, to ask the Minister for Transport -

If he will explain what, if anything, about the footpaths at Langness makes it impossible to resolve issues relating to footpaths using current laws, and whether it is necessary to introduce wholly new legislation?

50. The Hon Member of the Council, Mr Lowey, to ask the Minister for Transport -

Whether the evidence provided by Mr and Mrs Clarkson that their privacy has been infringed, which is referred to in the report of the Langness Delegation (PP134/08), is entirely anecdotal; and whether the evidence provided by Mr and Mrs Clarkson should take precedence over the specific and comprehensive evidence (consisting of affidavits, book extracts, photographs and maps) used by Public Rights of Way Langness to make their case?

51. The Hon Member of the Council, Mr Lowey, to ask the Minister for Transport -

Whether Mr and Mrs Jeremy Clarkson have been shown the 127 affidavits provided by Public Rights of Way Langness; and whether he believes that Mr Riggall's affidavit should be published so that Public Rights of Way Langness can consider it and possibly rebut it?

52. The Hon Member for Rushen (Mr Gill) to ask the Minister for Transport -

- (1) If he will make a statement on the ruling in the United Kingdom Law Lords (*Godmanchester Town Council v Secretary of State for the Environment, Food and Rural Affairs*); and
- (2) the relevance of this case in the matter before the Court regarding Langness?

53. The Hon Member for Rushen (Mr Gill) to ask the Minister for Transport -

Whether the claims that highways have been created across and around the section of land on Langness owned by Fort Island Ltd will not be extinguished by passing the Bill proposed by the Delegation?

54. The Hon Member for Rushen (Mr Gill) to ask the Minister for Transport -

Is he satisfied that the public's interests and rights are fully served by the Tynwald Delegation's failure to make specific provision for the public to access Langness Point?

55. The Hon Member for Onchan (Mr Karran) to ask the Minister for Transport -

As the Delegation considers that they have been unable to reach a conclusion as to whether or not highways have been established at Langness, why this case is not to be referred to a qualified planning inspector, who will have extensive experience and knowledge in this area?

56. The Hon Member of the Council, Mr Lowey, to ask the Minister for Agriculture, Fisheries and Forestry -

Whether the Area of Special Scientific Interest (ASSI) at Langness covers all the land between Hango Hill, the Lighthouse and the Flyer clubhouse at Derbyhaven (apart from the Golf Links Hotel, residential properties and some industrial space); whether the ASSI citation specifically allows the passage of people (with or without dogs) through the area; and whether the legislation proposed in the report of the Langness Delegation (PP134/08) is necessary to protect the ASSI, in addition to the Wildlife Act 1990?

57. The Hon Member for Onchan (Mr Karran) to ask the Minister for Agriculture, Fisheries and Forestry -

What fencing he is responsible for on Langness for the protection of the ASSI; and if he will make a statement?

58. The Hon Member of the Council, Mr Lowey, to ask HM Attorney General -

- (1) whether planning law differentiates between the privacy of celebrities and that of members of the general public; and
- (2) what legal justification, if any, he sees for giving greater protection to the private rights of celebrities than to those of any other individual who lives next to a footpath?

59. The Hon Member for Rushen (Mr Gill) to ask HM Attorney General -

In relation to the Bill as proposed by the Langness Delegation, why this legislation will not be in breach of Article 17 of the Human Rights Act 2001?

60. The Hon Member for Onchan (Mr Karran) to ask the Chairman of the Tynwald Delegation on Langness (Mr Cannan) -

On page 5 of the Report of the Delegation on Langness, it states that Mr Malarkey had “spoken to many of the members of the public who lived locally”;

- (a) how many local residents Mr Malarkey spoke to, who they were, where they lived, the dates he met them and the outcome of the discussions; and
- (b) whether he met with official representatives of the Derbyhaven Residents’ Society, of which a large majority of local residents are paid-up members and which is generally accepted as the collective voice of the local community; and,
  - (i) if so, what date was the meeting and what was the outcome of the discussion; or,
  - (ii) if not, why not?