

TYNWALD

Tinvaal



QUESTION PAPER

Pabyr Feyshtyn

DOUGLAS
21ST APRIL 2009
at 10.30 am

FOR ORAL ANSWER

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

What plans his Government has to keep energy costs in check and to diversify the economic base of the Island to create more employment opportunities?

2. The Hon Member for Michael (Mr Cannan) to ask the Chief Minister -
 - (1) What the amount paid to date to Hymans Robinson in respect of the Civil Service Pension review is; and
 - (2) whether the Council of Ministers will consider a change of policy that the existing pension arrangements remain in place for all existing members and new members joining the Civil Service after 30th June 2009 join a new pension scheme?

3. The Hon Member for Douglas East (Mrs Cannell) to ask the Chief Minister -

Whether he is satisfied with the quality and quantity of legislation currently prepared for the Branches?

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

- (1) What initiatives the Government will be taking following the G20 Summit placing the Isle of Man on a White List with special reference to promoting business, new business and our good reputation internationally in respect of “who we are”, “what we are about” and “what we do”; and
- (2) what initiatives will also now be taken to ensure the Island is not seen as a tax haven, but an international finance jurisdiction which operates to high standards, higher than some countries?

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

If he will consider changing the wording of the four over-arching principles that the consultants Hymans Robertson are working to in their review of the Public Sector Pension Schemes so as to allow for a more flexible approach which could meet with consensus opinion and allow for different solutions to be built in?

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

What increases have been awarded to Chief Executives and Chief Officers in the last twelve months; who has benefited from such increases; who sanctioned extra payments to cover such increases; and to what extent pension schemes will be affected by increased pension benefits to each individual?

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

If he will make a statement on the impact on public finances of the expenditure on Select Committees in Tynwald in the past year?

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

If he will make a statement with regard to the implications of the court hearing on Thursday, 9th April 2009, in respect of matters relating to Kaupthing Singer and Friedlander (Isle of Man) Limited?

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

Whether the Chief Financial Officer in the Treasury offered his resignation for failing to ensure the purchase of Euros at the appropriate time therefore causing a loss to the general revenue of £2.2M?

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

What arrangements his Department has made for the payment of fines at Post Office Counters?

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

If he will make a statement in relation to pensioners being left at the Tesco bus stop and what he intends to do about this unacceptable state of affairs, given that buses are being driven past pensioners, leaving them stranded and to struggle over to Lord Street with their shopping?

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

How many survey questionnaires have been received for the review into the bus service; what the projected timetable for the review is; and if he will make a statement on its progress?

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

Whether his Department, either passively or more directly, advertises the Isle of Man in a way that encourages "off road bikes" to be brought to these shores and used in the countryside?

14. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Trade and Industry -

Whether it is the intention of Tesco IOM to enlarge their store considerably and extend the range of products they sell?

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

Who the current beneficial owners are of the Isle of Man Steam Packet Company?

16. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Transport -
- (1) If he will make a statement on -
 - (a) the number of houses within the Governor's Hill residential estate, Douglas;
 - (b) the estimated number of traffic movements at the Watterson's Lane junction and Bedstead junction during any 24 hour period;
 - (c) the use of this estate as a "cut through" by traffic to access Watterson's Lane or the Bemahague Road for onward journeys; and
 - (2) whether the only traffic calming measures for one of the Island's largest residential estates are on the main highway of the estate - Hailwood Avenue - and the other service roads have nothing?
17. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Transport -
- What representations have been made to him in relation to road safety improvements to the Governor's Hill residential estate, including phone calls, e-mails, letters and meetings; and if he will instruct his Department to have such improvements placed on the Works List?
18. The Hon Member for Rushen (Mr Gill) to ask the Minister for Transport -
- Why the European Union flag is flown outside the Sea Terminal?
19. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Agriculture, Fisheries and Forestry -
- Given the amount of destruction incurred in and around many of the Island's public footpaths, rights of way, green ways and many routes which pass through areas of high conservation significance used by motorised vehicles, if he will, in conjunction with the Department of Transport initiate a full assessment of the damage caused both from an environmental and pedestrian user point of view and work up a plan to encourage as many user groups as appropriate to respect the conservation significance of these areas and the need to protect public access and if he will put in place re-instatement programmes for now and the future?
20. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Agriculture, Fisheries and Forestry -
- Whether the Island's heather moors and blanket bogs are of such importance as to have them afforded designated protection as being of European habitat significance; and what plans he has to designate these important areas for protection?
21. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Agriculture, Fisheries and Forestry -
- What Departmental regulations are in place to regulate and control the use of motorised vehicles in the countryside?

22. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Agriculture, Fisheries and Forestry -
- (1) Whether on Manx Radio on the morning of 7th April 2009 he made a statement acknowledging that UK off-road bikers use the Island's countryside for their activities and that "They are all spoken to before they come"; what communications are made to off-road bikers prior to their arrival to the Island and what form this takes - written or verbal; and
 - (2) whether a person from off-Island has to make applications to bring an off-road bike to the Island and for its use either on or off road?
23. The Hon Member for Rushen (Mr Gill) to ask the Minister for Education -
- If she will make a statement on her previous threat to take legal action against parents who take their children out of school during term time?
24. The Hon Member for Rushen (Mr Gill) to ask the Minister for Health and Social Security -
- In the light of the signal failure of the Drug and Alcohol Strategy as reflected in the latest ESPAD results, whether he will guarantee the continued funding of drug and alcohol third sector groups who actually provide a cost effective and worthwhile service at at least the current levels?
25. The Hon Member for Rushen (Mr Gill) to ask the Minister for Health and Social Security -
- Further to Lord Laming's latest report and recommendations into child care practices in the UK what plans he has to consider this report and implement the recommendations?
26. The Hon Member for Garff (Mr Speaker) to ask the Minister for Health and Social Security -
- In respect of the termination of the Reciprocal Health Agreement from 2010 imposed on the people of the Isle of Man by the Department of Health in London -
- (a) whether the written notification is in respect of NHS Services throughout the United Kingdom, or England only;
 - (b) whether the Scottish Government, Welsh Government or Northern Ireland Executive, who have devolved powers over the NHS in their countries, have issued similar notices to the Isle of Man; and
 - (c) what steps his Department has taken with the devolved UK administrations to seek continuation of reciprocal NHS services between the Isle of Man and Scotland, Wales and Northern Ireland from 1st April 2010?

27. The Hon Member for Onchan (Mr Quirk) to ask the Minister for Home Affairs -
If he will make a statement on the objectives of Neighbourhood Watch on the Island?
28. The Hon Member for Rushen (Mr Gill) to ask the Minister for Home Affairs -
Further to the latest ESPAD results, how much has been spent on the Drug and Alcohol Strategy to date?
29. The Hon Member for Rushen (Mr Gill) to ask the Minister for Home Affairs -
What the basis is for his claims in his letter CEO/16/AE/ec dated 20th February 2009 to all Tynwald Members that the drug seizures between April - September 2008 are the consequence of the Drug and Alcohol Strategy?
30. The Hon Member for Onchan (Mr Karran) to ask the Minister for Local Government and the Environment -
- (1) If he will make a statement on the current status and progress to date of the review of the planning system; and
 - (2) whether, in the context of the review, he would consider widening the categories of persons that would qualify for interested party status, to include all persons who could be significantly and genuinely affected by a development proposal?
31. The Hon Member for Onchan (Mr Karran) to ask the Minister for Local Government and the Environment -
- (1) Whether his Department has produced a Register, as required by Regulation 16 of the Control of Advertisements Regulations, 2005;
 - (2) if so, where members of the public can inspect the Register;
 - (3) whether, in the light of the amount of apparently unauthorised advertising appearing around the Island, he will place on his Department's website either the complete Register or an extract that specifies the sites and the advertisers that currently have valid consent under those Regulations; and
 - (4) what powers his Department has to force unauthorised advertising to be removed immediately and to prosecute persons who do not immediately comply?

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

What his Department's policies are with regard to requests for time extensions to the validity of existing planning consents, with particular reference to the following -

- (a) whether requests for extensions are advertised on site and in the media; and whether persons who previously made comments on the original application are informed, as would be the case with amended plans, so that interested or affected parties would be informed and could make representations before a decision was made;
- (b) if the original planning decision was made by the Planning Committee, whether the decision on the extension should also be made by the Planning Committee as a specific item on their published agenda and not made by the Director under delegated powers;
- (c) whether the decision on the extension would be made on the basis of the planning framework at the time the original planning decision was made, or at the time when the extension request was being considered, if there had been a material change in the planning policy framework in the intervening period; and
- (d) what differences, if any, there would be to any of the above policies if the extension were to extend the validity to beyond the usual maximum of four years from original grant?

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

- (1) Whether Class 27 of The Town and Country Planning (Permitted Development) Order 2005 strikes the right balance between the needs of the Airport and the rights of neighbouring residents;
- (2) if so, whether a similar template should be adopted for all Government Departments to allow them to carry out major developments without the inconvenience of having to go through the planning system; and
- (3) if not, if he would support substantial restrictions on what would be 'Permitted Development' at the Airport in the context of the review of the Planning System?

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

With regard to his written answer to Question 29 in March 2009 Tynwald -

- (a) in relation to the first paragraph; whether the new scheme of delegation has now been approved and adopted; and if so when it will be published and when it will come into effect;
- (b) in relation to the second paragraph; how can “the level of public interest” be judged when the decision is made a week before the date for public submissions falls to be made, which is three weeks after the press publication date; and also would the decision to delegate be better informed after the planning officer’s report was produced; and
- (c) whether the new scheme of delegation is much more specific in terms of criteria and the interpretation of those criteria than the current system, and therefore will result in much greater transparency and consistency?

35. The Hon Member for Douglas North (Mr Henderson) to ask the Chairman of the Tynwald Management Committee (Mr Speaker) -

When the Tynwld Management Committee next expects to report on expenditure on Select Committees?

FOR WRITTEN ANSWER

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

On how many occasions have the following powers been utilised -

- (a) section 71 of the Alcoholic Liquor Duties Act 1986;
- (b) sections 117, 118, 124B and 124C of the Customs and Excise Management Act 1986;
- (c) section 2 of the Hypnotism Act 1988;
- (d) section 26 of the Food Act 1996;
- (e) section 18(3) of the Firearms Act 1947; and
- (f) section 12 of the Water Pollution Act 1993?

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

How much of the borrowings of £806,388,936 outstanding at 31st March 2008 was borrowing from Government reserves and how much was external borrowing; and in the case of the external borrowing, what the estimated total payments are that will need to be made to cover (i) interest and (ii) capital repayment, in each of the next 10 years?

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

- (1) If public service pensions in the Isle of Man were to be on a fully funded basis: -
 - (a) how much money would be needed to make up the current actuarial shortfall so that future public service pension liabilities would be self funding;
 - (b) what the current value is of the Public Pensions Reserve Fund;
 - (c) how much money has been paid into the Public Pension Reserve Fund by the Government over the last 12 months;
- (2) what the equivalent figures were for each of the previous five years; and
- (3) what his best estimate is for the equivalent figures for the next five years?

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

- (a) In how many of the cases heard by the Family Court have either party been funded by the Legal Aid Department and in how many of these cases did the Legal Aid Department win their costs against their opponent; and
- (b) in how many of the cases heard in the Family Court where Legal Aid was involved was the other party a litigant in person and in how many of these cases was an award for costs made in favour of Legal Aid?

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

Under each Scheme administered by Departments and approved by Tynwald, what the maximum amount is that can be authorised by a Department without Treasury concurrence?

41. The Hon Member for Rushen (Mr Watterson) to ask the Minister for Trade and Industry -

How many work permits were refused in -

- (a) the month before; and
- (b) the month after

his clampdown was announced on Budget Day, broken down by industrial sector?

42. The Hon Member for Rushen (Mr Gill) to ask the Minister for Trade and Industry -

(1) How many vessels/aircraft have been registered on -

- (a) the IOM Ship Register;
- (b) the IOM Aircraft Register

on 1st April of each year since each of the Registers inception;

- (2) if he will make a statement on his views of the value to the IOM economy of each Register; and
- (3) if he will make a statement on the professional merits or otherwise of the Directors, senior managers, technical staff and administrative worker in each Registry?

43. The Hon Member for Douglas North (Mr Henderson) to ask the Minister for Agriculture, Fisheries and Forestry -

Whether the Island's rights of ways and greenways are open for pedestrian access, but there is nothing to prevent the use of motorised vehicles on them?

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

- (1) Whether it is appropriate when a skipper and fishing boat are apprehended on suspicion of infringing fishery law and regulations that unless a skipper pleads guilty to the offence, the court hearing could be adjourned for up to 4 weeks and the retention of the fishing vessel remains in force;
- (2) whether it is natural justice that when a not guilty is upheld in court, the financial penalty for the fishing vessel remaining in port could be greater than making a guilty plea, paying the fine and immediately proceeding to sea to continue to earn a living; and
- (3) whether legislation is required to enable fishing boats to proceed to sea to earn a living pending the decision of the Court?

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

In the last five years how many complaints against Manx Advocates have been received by the Advocates Disciplinary Tribunal from the general public -

- (a) of these how many have been heard at a hearing and how many have been ruled as no *prima facie* case to answer;
- (b) how many of the cases heard by the Tribunal have been found against the advocate;
- (c) how many cases, irrespective of the outcome or whether or not the Tribunal had a hearing, have been appealed or referred by either party to His Excellency the Lieutenant Governor;
- (d) of the cases referred to His Excellency the Lieutenant Governor, in how many of these cases the decision of the Advocates Disciplinary Tribunal has been upheld;
- (e) if a complaint has been made to the Advocates Disciplinary Tribunal and has been forwarded to His Excellency the Lieutenant Governor whether there is any lawful means for the costs to be awarded against the complainant?

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

How many cases were heard in the Family Court in the last five years -

- (a) in how many of these cases were the winning parties' legal costs awarded to the losers;
- (b) in how many of the cases heard by the Family Court was one of the opponents a litigant in person; and
- (c) in the cases involving a litigant in person in how many cases were the costs of the other party awarded against the litigant in person?

47. The Hon Member for Rushen (Mr Watterson) to ask the Minister for Education -

How many nursery places there are on the Island; how many are Government funded places; and what her projections are for the number of places over the next three years?

48. The Hon Member for Rushen (Mr Gill) to ask the Minister for Home Affairs -

Who in his Department is responsible for ensuring that the continuation order required by a "sunset clause" in primary legislation is prepared and put before Tynwald in a timely manner?

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

Whether Tesco IOM have submitted a planning application to his Planning Section for store extensions/modifications; and, if so, what the main components are of this application?

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

Whether NHS staff and civil servants on the Isle of Man are receiving the correct pension amounts in the light of the announcement of poor record keeping in the UK, especially in relation to Guaranteed Minimum Pensions?