

**A Bill to amend the development plan procedure
Leave to introduce granted**

4.1. The Hon. Member for Rushen (Mr Gawne) to move:

That leave be given to introduce a Bill to amend the development plan procedure in the Town and Country Planning Act 1999; and for connected purposes.

The Speaker: We turn to Item 4, leave to introduce. I call the Hon. Member for Rushen, Mr Gawne.

Mr Gawne: Gura mie eu, Loayreyder.

Members will be pleased, I hope, to note that I believe that much of my case was made in Tynwald Court last week, so I will not go into a huge amount of depth. I hope to be briefer and much more to the point.

Section 2 of the Town and Country Planning Act 1999 requires the Department of Infrastructure to prepare the Island Development Plan. The Island Development Plan is in two parts: a Strategic Plan which was approved in July 2007; and one or more Area Plans. My view is that the process that is set out in the Town and Country Planning Act 1999 needs to be made simpler, more transparent and more democratic.

If I just explain the way in which we arrived at our Southern Area Plan, back in July 2008 an Issues and Options document was put out and responses requested. In March 2009, public consultation events took place in the south. In October 2009, the Draft Southern Area Plan was published. Then in December 2009/January 2010, submissions on the Draft Southern Area Plan were requested and submitted.

By January 2010, the public consultation event then took place in Castletown, and then a whole 12 months went by before January 2011, a Modified Draft Plan was published.

Then in April 2011, Department responses to objections on the Modified Draft Plan were published. In June 2011, this was the proposed date for a public inquiry to take place on the Modified Draft Plan. However, the inspector was taken unwell, so the actual Public Inquiry began in October 2011 into the Draft Southern Area Plan with modifications, by this stage – not to be confused with the Modified Draft Plan or the Issues and Options Draft Southern Area Plan that had been produced earlier.

The Public Inquiry formally drew to a close in January 2012; February to May 2012, publication and consideration of the Planning Inspector's report; June 2012, a Modifications Document was then published. This is not to be confused with the Modified Draft Plan or the Draft Plan with Modifications, but no this is a further document, the Modifications Document which was published.

And then finally, in December 2012, the Plan was adopted by the Department of Infrastructure and actually more finally, it was approved by Tynwald last week.

Now, bearing in mind that every single time one of these things was published, documents almost as thick as this – which was the final final Area Plan, not a modified plan or a plan with modifications or the modifications on the modified plan or any of that sort of thing... Every time, at every stage of this elaborate process, a document this thick was published and very little really of substance changed. But in certain areas and on certain issues, quite significant issues had been slipped into the different versions.

People could be forgiven – sat at home, no particular interest or knowledge on legislative or political processes – for assuming that if they had taken an interest at one or other stages of this Plan, they had a pretty good idea as to what was going to happen; but that clearly has not been the case, certainly in my experience and in the experience of the people who live in Rushen, and also in Castletown.

So I do think that the process needs to be simpler. I do not believe that the current process is penetrable by the general public. It is just about possible for elected Members of the House of Keys to follow the process, but I would say only just about possible. It requires an incredible amount of research and reading on the part of Members, and it also requires an in-depth knowledge of how legislation works and how political processes work, to be able to understand where we are going with this. Yet the outcome can affect quite dramatically people's lives.

I do think that we need to have a simpler process, a more transparent process and a more democratic process. It is not just on the point of the little old lady sat in a small cottage whose whole outlook is going to be blighted; the Commissioners of a particular area who feel they have not been listened to; the MHKs of a particular area who have not been listened to. That is one side of it, but also from the developer's side, from the landowner's side, they feel totally confused and demoralised by the process as well, because they are not entirely clear... One minute something is in the Plan, then it is out of the Plan, then it is back in again at a later stage. It is not a straightforward process. To my mind, there is at least one stage too many in this process and we do need to find a way in which this can be made simpler, more transparent and more democratic.

Members will recall that I mentioned my concerns in Tynwald last week about Strategic Reserve Site No. 3. I will just read a little bit, a little extract from an e-mail that I received from Michael Gallagher, back in

November last year, in relation to this particular site:

‘The site was being promoted by the developer, not the Department. It was not submitted at the initial call for sites stage and as such was not included in the Modified Draft Plan which was published in January 2011, as it was submitted to the Department too late to be considered at that stage.’

That is the Modified Draft Plan, not the Draft Plan with Modifications or the modified modifications to the Draft Plan with Modifications. This is the Modified Draft Plan published in 2011.

‘The Department had a policy and strategy meeting in April 2011 and was made aware that the site had been suggested for inclusion in the Plan as the developer had submitted an objection to the Modified Draft Plan...’

– not the Draft Plan with Modifications, but the Modified Draft Plan –

‘... stating that the site should be included. The Department agreed that the site should be assessed to determine if it was suitable for development...’

Later on in this e-mail, Michael Gallagher suggested:

‘... the Department felt that this proposal had been considered and is found to have some merit. The site was discussed in front of an independent inspector at the Public Inquiry by request of the developer. In his recommendations, the inspector suggests that the site should be included within the Plan but at a higher density of housing than that outlined by the developer and with a brief that would secure the community uses identified in the proposed development brief suggested by the Department...’

This is an inspector deciding that this particular site should be considerably more intensively developed than anyone had actually asked for, at the very, very last stage of the elaborate process that I have identified. So at no stage, really, did the public have the opportunity to influence an inspector’s decision on this particular point, because this was the very last stage of the whole process. The people directly affected by this had assumed that there was going to be no development on this site, because that was how it first appeared in the very first version of the Plan that had been published.

So to my mind, that is one of several examples that I could come up with where the system is too complex. It is allowing for second, third and fourth bites of the cherry from developers and landowners and likewise from people who are objecting. It makes the process complex. It makes it really difficult to understand.

Added to which, I can add my experience as Minister. I had I think it was one day to consider the Modified Draft Plan before it could be published, which I felt was wholly inappropriate as Minister. However, the process was such that if we did not get this out by this time, then such and such would be delayed, so we needed to rush this and we needed to rush that. Politically, I felt very much thwarted by the process that we have set for ourselves. That was while I was Minister, and certainly I feel as though I have been thwarted subsequent to leaving the Department.

I feel that staff in the Planning Department were effectively being tasked with trying to pin jelly to a wall. It was so complex and so elaborate that it was all but impossible for them to do their jobs properly. Then subsequently, when we got to the final final stage, where there was still the opportunity for the Department to influence the Plan – this was after the final inspector’s report and all the final enquiries – effectively the political Members of the Department were being advised on a ‘safety first’ approach, which basically meant that the democratic will in Rushen was thwarted.

So I do feel that we need to have a simpler system. I have had a brief chance to talk to the Minister about this leave to introduce and certainly my understanding is that the Department also believes that changes are required to the Town and Country Planning Act 1999. So in essence, my proposal here is that we need to modify the Act to allow for a simpler process, a more transparent process and a more democratic process.

I beg to move.

The Speaker: I call Mr Watterson.

Mr Watterson: I beg to second and reserve my remarks, sir.

The Speaker: Mr Quirk, Hon. Member for Onchan.

Mr Quirk: Thank you, Mr Speaker.

I rise just really to comment about the procedures we already have within the system. They have been tried and tested. They have been developed over a number of years. I do not have the biggest downer on the

Department regarding its procedures. They had a development plan that comes in bits and segments are there. The full story is laid out. The documentation is there. There is an obligation if local authorities want to engage to set aside some of their own funds to employ professional people to do the work, so I do not think as far as the public are concerned, or the people who represent the local authority interest, they are under a disadvantage.

Not particularly concerned about the developers or the landowners as such, because they will have in their minds... and there will be a load of them at the minute waiting to find out when the Strategic Plan is going to be rekindled, before we can get to the major one which is going to be the east, when all the potential development land will be... Never mind the west; the east will be the ones which will create growth for our economy, stimulate the development which will be needed in certain areas, and I can envisage, the way these Area Plans are so slowing up at the minute, regarding getting it to discussion or even getting it on an agenda to move along, for us to have some debate on, it is going to be a long way into the future – probably into another House, which will be very disappointing. I am sure it is not the will of this particular House to slow it down – or the current Minister, never mind the current Planning Chairman, who I hope will speak up for the Department.

After leaving the Department, myself as the former Planning Chairman... all the issues and the documentation were there. All the checks and balances were going on through, as far as I was concerned – even saying to individual Members to declare your interests. If you have got a role, declare your interests, step out, (**A Member:** Hear, hear.) and then you can do all the work freely.

I cannot accept, the Member for Rushen who is moving this, that you cannot have a full say at the beginning. You *can* have a full say at the beginning. All you have got to do is, like many Members have done previously in this particular House: jump the other side of the fence and make your views known. I would always say, do not try to... I am not saying influence the situation or move the situation along for any other benefits. I can see, the way it is developing out on this particular one, it is becoming a one-issue subject on this, on a piece of land, which is in a trust, I believe. I do not know any details about the trust, whether the owners of that land have an opportunity to sell the land on, bring some development forward. It currently has a designation, I believe, for open space, so recreation probably could take place if whoever owned the land moved it forward, got support and put a planning application together and it was tested and supported by the local authorities for that particular area. So –

The Speaker: Hon. Member, just bring us back to the actual motion, which is seeking leave to introduce, not the –

Mr Quirk: Mr Speaker, there is not much meat in the –

The Speaker: Yes, resume your seat one moment, sir.

I make the point that what we are discussing is a leave to introduce. The detail will come later. It is the principles of giving the Member permission to go ahead. Who knows what will be in the Bill when it comes back? I just make that point.

Mr Quirk: Sorry, I will just wrap it up, then, Mr Speaker, really.

Because of the detail that is not there, I am reluctantly unhappy to support the Member's leave to introduce.

The Speaker: Hon. Member for Michael.

Mr Cannan: Thank you, Madam –

Members: Ooh! (*Laughter and interjections*)

A Member: Don't let the wig fool you!

The Speaker: Carry on, Member – the name has been taken... (*Laughter and interjections*)

Mr Cannan: I am, Mr Speaker, inclined to support the Member for Rushen on this. I think the length of time it has taken to bring this particular Area Plan to fruition is of concern, and I think that would be of concern if we are going to move ahead on an orderly basis around the Island, with the east, north and then the west. If the same length of time were to take place, I think it would be at least 12 years before we saw anything coming for the west and for areas like Kirk Michael and I think that that is too long.

So if there is the opportunity to have this process both simplified and to make it slightly speedier, then I

am inclined to support the Member for Rushen on this, but I must add that I would think he needs to think carefully that he is doing this with the best intentions, rather than to bring forward something that allows him an avenue to correct specifically one perhaps perceived injustice.

So on that basis, I will support it. Thank you, Mr Speaker.

The Speaker: Hon. Member for Douglas South, Mrs Beecroft.

Mrs Beecroft: Thank you, Mr Speaker.

I am very happy to support this. I look forward to the details coming later. But the reason I am happy to support it is because it is a complicated process. It is very complicated for me trying to get my head round it as a new Member, never mind members of the public. Whilst at the end of the day, I was satisfied that from a legal perspective, everything had been done correctly in the Southern Area Plan, I felt very disturbed that I felt it was not democratic. That is why I voted against it, not because of any particular piece of land or a particular person, but because the whole thing felt undemocratic, to me. People were not being listened to and they did not realise the process.

It does need to be made simpler and definitely more democratic.

Mr Watterson: Hear, hear.

The Speaker: Hon. Member for Middle.

Mr Quayle: Thank you, Mr Speaker.

I suppose I welcome any improvements to the planning system as long as they are improvements, Mr Speaker. We will never get a utopia in this world and certainly not in planning. (**Mr Henderson:** Never!) As I have said earlier, it is a very emotive topic, and it will attract lots and lots of comments.

I think, having been the Minister with responsibility for planning during the process, (*Laughter*) (**Mr Gawne:** Really?) I am surprised that the hon. mover did not make any changes during his tenure; but I can see that in every Act that we have, there will be improvements that can be made. My only concern is that he does not come forward with a nimbyisms charter. I think intelligent changes may be addressed, some of those issues, without doing away with the fact that we use an independent inspector who held umpteen planning meetings throughout the south of the Island to address the members of the public, listen to the members of the public, and obviously did not agree with some elements of the public and on other elements, he did agree. I think that planning will always be that you either agree with a decision or you disagree and I think as long as an independent inspector – and I do think it is important that we do have an independent inspector, that he does have the final say or we would never get anything built on this Island and we would just stagnate.

So I will give my support to see what the Hon. Member comes up with, but I would urge him not to come up with something that ends up being a nibyisms charter, in which case I would not be able to support it in the future.

The Speaker: Hon. Member, Mr Cretney.

Mr Cretney: Yes, pretty much on the same grounds, really, Mr Speaker: we have the legislation which has been followed to the letter in relation to this matter, in relation to the Southern Area Plan. It is a complicated procedure – I think we all acknowledge that – but to say that it is undemocratic is not correct. (**Mr Quirk:** Hear, hear.) There are opportunities for public involvement. Now, if after independent adjudication, you are not happy with the result, that is a different matter.

However, having said that – and if I can clarify, I do not think I completely agree with the Hon. Member when he was saying what the Department's position was on this – the Department is content for an investigation, to see if there is a simpler way and a way in which more input can be acknowledged from the political class, if you like. I think that is what the principal concern is from the Hon. Member – perhaps he can clarify that when he is responding. We are content for that work to take place and for that investigation to be followed. Indeed, I believe the Council of Ministers is content for that to happen.

Can I just ask the Hon. Member, though, this is a different resolution from the one that appeared on the agenda only a couple weeks ago: is this the only one that the Hon. Member is now seeking to pursue? If it is, it does have my support for an enquiry, to see if we can improve the situation.

The Speaker: Hon. Member for Douglas East, Mrs Cannell.

Mrs Cannell: Thank you, Mr Speaker.

I do not think we should be running away with ourselves, Hon. Members. This is a procedure where a Member can come to the House and say, 'Please give me permission to put together a Green Bill, a draft Bill for your consideration.' It is very unusual for the House to refuse a Member of his or her right to seek leave to introduce a new Bill to the House. So that is all we are being asked to consider.

It is quite clear that the hon. mover is moving to introduce a Bill to amend the actual procedure that is covered in the Town and Country Planning Act 1999 with respect to development plans. So, I wish him well, because it is a complicated Act and I have gone through it on many occasions.

Clearly, when he comes back – if he comes back and he is not put off – when he comes back with the Green Bill, we then have the chance to consider whether or not what it contains in principle is amenable to us and we also have the choice, if it proceeds, when it gets to clauses to modify it or to seek amendments to clauses. Of course, I am sure the hon. mover will have greater public interest at heart.

I am happy to support him.

The Speaker: Mr Henderson.

Mr Henderson: Gura mie eu, Vainstyr Loayreyder.

It is quite obvious the Hon. Members for Rushen have a serious concern with a tiny piece of the Southern Area Plan which had driven this here today and like the remarks that the Hon. Member for Rushen, the Minister, Mr Gawne has been making with regard to that.

But I too have served on the Planning Committee as Chairman for quite a few years, and I have to say, if there is one thing that is true in planning, and if there is one certainty in life, it does not matter what system you have in place, how transparent it is, you will always make the wrong decision in the Planning Section. There is no doubt about that. (**Mr Watterson:** Always.) Somebody will always be not happy with the decision that you make.

The other thing I would like to point out, Vainstyr Loayreyder, is that I have been through quite a few of these reviews that the Hon. Member is talking about, and I have seen the effect that it has on the very small Planning Section that serves the Isle of Man. I have also seen the damage that it can do to that Section, the negative impact it will have on morale and the impact it will have on their already overflowing desks, because of the workload and the fact that is a *very* small Section and, in my view, understaffed Section... or one of the most understaffed Sections of any Government Department. I have seen what the Mount Murray review did to it, and I have seen what the Hon. Member for Rushen herself, Mrs Crowe, who made a call for a complete head to toe review at the time. So I am just putting, Members, in a word of caution here, what it is that we are agreeing to launch into the branch here, with regard to examining this.

I would also say, Vainstyr Loayreyder, that the system is the way it is, because this is the way the public over the years have wanted it to be in the first place: the calls for transparency, the calls for the different stages to be set up, the calls for the public consultation, the different segments of that, and so on. This system has evolved because of the external pressure of the way the majority of the public, anyway, would wish to see how this system operates. That is what we have got now.

I have got no problem with it, personally. I am very grateful that the system – and this is not a pro-system Government speech, if you like, Vainstyr Loayreyder – I am just saying the fact of the matter is I am quite grateful for the way the system is, because of the way I have been able to operate, certainly in the east of the Island, where there have been concerns, and the fact that I am regularly contacted, if there are going to be planning issues, and the way the flow of information backwards and forwards and the input that I have been able to have, I have got no problem with it. In fact, I can speak from the opposite angle to Mr Gawne and say that we should be quite proud, in some ways, of what we have got here, compared with some other jurisdictions. So there is another slant on things, Hon. Members.

The other thing that is bothering me is we are talking about somebody's field here, somebody's land. Have we actually got any input from the people that own the actual piece of property that we are talking about? I have not heard any detailed explanation from themselves, how they feel about their land or whatever, or themselves probably, being trawled through all the public domain, backwards and forwards. So we could do with hearing a little bit on how they feel. I respect that the Hon. Member is maybe a bit upset about this, but I am not sure what it is we are trying to do here, and launch *another* review on top of the staff in the Planning Section, Vainstyr Loayreyder.

Thank you.

The Speaker: The Hon. Member for Douglas West, Mr Shimmin.

Mr Shimmin: Thank you, Mr Speaker.

I will be supporting the leave to introduce. I am absolutely delighted, as a former Minister with responsibility for planning, to see those Members who have, or have previously, held the post of Chair of the

Planning Committee being so vocal in support of the staff. The staff get an enormous amount of criticism and that is not what this today is about, (**Several Members:** Hear, hear.) but it is heartwarming to actually see that those who work with this small group of people do recognise the talent and the efforts that they put in. We as legislators put in the rules and the officers, particularly in the Planning Section, because of legalistic nature that it can become, have to abide by those rules.

My reason predominantly is looking at the motion in front of us today, which says it is:

‘to amend the development plan procedure in the Town and Country Planning Act 1999; and for connected purposes.’

I think we lose sight of the catalyst for this motion, if we look too closely at what happened last week, it is so imminent and so recent. The fact is that, when I was Minister and we introduced and started the Southern Area Plan, it was expected to take two years. (**A Member:** Hear, hear.) It has taken well over four years, and that damages the economy of the Isle of Man and uncertainty for everybody, not least the landowners. Therefore, this is not a criticism of the planning officers; they do need our support and strengthening in numbers. However, I think even they would benefit from us as the people who make the rules, providing them with rules which are clearer, easier, and maybe more suitable for what we need going forward.

So I hope that the Member moving this takes that on board. I recognise, even if the rest of the House does not, this is not about a specific one area. That was the catalyst. This gives us a chance to do it better. Therefore I will support it.

A Member: Hear, hear.

The Speaker: Hon. Member for Castletown.

Mr Ronan: Thank you, Mr Speaker.

Firstly, I would agree with Mr Shimmin and Mrs Cannell: this is simply about permission for consideration of this. Certainly I would welcome it, as someone who is on the Department and has gone through the process and also before, in my time as a commissioner.

This, to me, I would hope is about simplification of the planning. There is no denying at the moment, the process is very complicated. I think I would agree with Mr Quayle: I do not really think Utopia is an option here. I think if that was the case, I think we could all pack up and go home. But I look forward to seeing the detail from Mr Gawne.

I hope that, going forward, it will help the planning process. There is no denying that we cannot afford the time regarding the Eastern Area Plan, the Western Area Plan or the Northern Plan. It is obviously going to take far too long. It would be a generation before the northern one would be done. We cannot afford that as Mr Shimmin has just said, it would be too damaging to our economy. So I would hope that the proposals brought forward by Mr Gawne would be helpful in that area as well.

But just to finish on, to me this is not just about one piece of land which is Ballakilly. It is far more important than that; it goes far deeper than that. So I would hope that Members today would think that – and this is from someone who sat on the Department and worked through the process, with the Minister and the Member responsible for planning. It is far deeper than that and we have got to simplify the planning process.

Just touching on what Mr Shimmin said regarding the officers: they do get a punch. I have been guilty of that. We do not want that; we want the officers to have the freedom to work and to make the planning process work.

So I will certainly be supporting this, Mr Speaker.

The Speaker: Mr Karran.

Mr Karran: I think the point is that obviously, as a person who believes in democracy, the Hon. Member should get his leave to introduce. I think Mrs Cannell is right that, at one time, it was virtually a right – it was accepted, no matter what my good friend for South Douglas, Mr Cretney says, but as we have seen the Council of Ministers’ strength growing, it has become more of a questionable position, as far as the opportunity, and I think we must have some continuity as far as wherever it comes from, unless it does some damage, or it is an affront to civil rights or whatever, then that is only when we should not support leave to introduce.

I think it is a bit unfair on the Hon. Member for Onchan, Mr Quirk: the fact is this really is the catalyst from the Ballakilly situation. It is a shame that we did not take the opportunities than some others tried to protect not just that piece of the green lung, but the piece of green lung at Douglas Head. The block vote destroyed that opportunity.

I think it is important that we do recognise – and there are not many times where I would say, take the lead from Malew and Santon! – but he did go about it the right way, he got what he wanted in the plan by doing it the right way, over the fact that unfortunately, others did not. The fact is, the question is: is that procedure right? I think that there is good room for supporting the Hon. Member for Rushen to have a look and come back. This is not about regulation and a review; what the Hon. Member is asking for is the opportunity to bring in primary legislation. I do think it is rather disturbing when senior Members talk about a review; it is not about a review. It is about changing primary legislation.

So I think we should be support this.

I think Mr Quayle is right about the issue he says, that we will not get Utopia and the importance of an independent inspector. I think the one thing we can say, with the last couple of Ministers' response, as far as planning is concerned, is that that independence is there and we do not have the nonsense that we had before, when we had Ministers telling us with great pride that if independent inspector did not give us the decision we wanted, we just did not reappoint the independent inspector, and half the Members if this Hon. House then did not understand what an abomination that is.

I have no problem with supporting the leave to introduce. I just hope that we will start seeing a much more mature situation that we are seeing in the last couple of years as far as what is important, that this is supposed to be an independent parliamentary assembly and it is supposed to have their functions, as far as that is concerned, over any executive allegiances.

So I do hope that people will support this. I wait to see what the Hon. Member comes back with, as far as his proposal is concerned, and I hope that we will see that everybody supporting the principle of the Hon. Member, who is a Minister, getting the leave that he should get on the basis of a good parliamentary practice of this House should start to go with, which has unfortunately been deteriorating over a number of years.

The Speaker: I call on the mover, Mr Gawne to reply and respond to the debate. I simply note that there are seven Hon. Members who either are or have been Chairman of the Planning Committee present in the House this morning. It is quite interesting.

Mr Gawne.

Mr Gawne: Gura mie eu, Loayreyder.

I am as yet to reach the dizzy heights of Chairman of the Planning Committee, but maybe one day –

A Member: But it is of interest! (*Laughter and interjections*)

Mr Gawne: I thank my hon. colleague for Rushen, Mr Watterson, for seconding.

Mr Quirk, Hon. Member for Onchan, *seemed* to be speaking in favour, and then he said 'reluctantly unhappy, not to support'. So I am not entirely sure where we stand on that particular one. (*Interjection*) Basically, what the Hon. Member did point out is that we have an extraordinarily long process which needs to be moved along. I entirely agree with him, and that is the reason I am here today. He was the first of a number of – a string – of Hon. Members who seemed to be suggesting that this was about one site, which is not. The site that I referred to was not Ballakilly at all'; it was a Strategic Reserve Site in Colby. I never mentioned Ballakilly at all in my remarks. However, there is a bit of confusion there, and I will hopefully clarify that.

Absolutely right that you must declare your interests. I did request of my officers in the Department and asked, 'How can I can make representations in relation to this because clearly there is an interest from a constituency basis?' I was told that because this whole thing was being done in my name when I was Infrastructure Minister, I could not step aside from the process; it would be seen to be inappropriate for me to do so, because developers or whoever would sue the Department or whatever, despite me stepping aside from it. So I had to stay wholly neutral. I could not appear at any of the Inquiries. That was the advice I was given. That is why I was unable, the week after the election, to turn up to the Inquiry.

The Member for Onchan, as Chairman of Planning: I did, as he will recall, have to have a quiet word with him in relation to his relationship with a prominent developer on the Isle of Man. I am not sure whether he did ever declare that interest.

I am delighted that Mr – (*Interjections*)

Mr Quirk: Point of order, Mr Speaker.

The Member is making an allegation that I had a relationship with somebody.

Two Members: Hear, hear. (*Interjections*)

The Speaker: Noted, Mr Quirk.

Mr Henderson: Retract the comment.

The Speaker: Mr Gawne, you have the floor.

Mr Gawne: Gura mie eu, Loayreyder.

I am just reporting a fact that a meeting took place. I explained to the Hon. Member that he needed to decide whether he was going to do that or not.

I thank Mr Cannan for his support and yes, this is about the best of intentions. This is not about nimbyism. It is absolutely for the best interests of the people of the Isle of Man. We have had our chance and blown it in the south. I do not want that to happen in the rest of the Isle of Man and I am trying to do the responsible thing.

The Hon. Member for Douglas South, Mrs Beecroft said we need to make the system simpler and I agree.

Mr Quayle, Hon. Member for Middle welcomes any improvements, but we will never get Utopia in planning. He was the first of three Members who combined the words 'Utopia' and 'planning' in one sentence. I never, ever thought I would live to hear those two words uttered in the same sentence. It is absolutely definitely not my intention to introduce some form of nimby's charter. I would intend to work very closely with the Chairman of Planning and, indeed, the Minister and his team.

Why did I not change things while I was Minister? Quite simply, I did not have time as Minister. I had 18 months and whereas there was one Bill I was able to get through, I was unable to get any planning legislation through in that relatively short period of time, because, as the Hon. Member knows, the processes involved are overly elaborate. When it comes to any opportunity to change planning legislation, it is enormously difficult, and you have to follow certain processes.

Again, Mr Cretney, Hon. Member for Douglas South: apologies if I had not entirely represented our conversation correctly, but I am a politician, so I hopefully will be forgiven for that.

This is the only resolution I intend to bring in relation to planning. I have absolutely no intention to move the other resolution that I had originally put down. I modified that resolution, based on the comments that I had received and I felt this was a more appropriate version.

I am talking about a more democratic system. In this contribution, anyway, I have not said that the system is not democratic; I just want a more democratic system.

Mrs Cannell: I thank her for her support. Again, this is about the great public interest, not about nimby's charters. It is not about the south of the Island, because quite frankly, the south is not going to get another chance at an Area Plan for quite some years now. So this is purely about the greater public interest and the interest of the people of the Island.

Again, the Hon. Member for Douglas North, Mr Henderson, mentioned that this is all about a tiny piece of the Plan. Again, I did not actually mention Ballakilly at all in my introductory remarks. This is not about Ballakilly; this is about speeding up the process, making the process simpler and easier for people to understand, so that they can make representations, they can know what those representations are, they can know when they are being considered and hopefully come out the other side with a greater clarity as to understanding the process.

As Minister, I did actually expand the planning policy side of the Department, particularly in this area, so I do fully understand the concerns the Hon. Member has. I believe that the previous system that we had, where I think we only had two part-time officers and maybe one other working on policy, was untenable, which is probably why it has taken us so long to get to where we need to be, but certainly been a contributory factor.

Certainly, I have got the utmost respect for all the officers concerned, I would certainly want to work with them to make their lives easier, rather than conduct intrusive reviews and make it difficult for them. So I absolutely fully support the Member for Douglas North's comments.

Again, I thank the Hon. Member for Douglas West, Mr Shimmin, for his comments. This is not a criticism of officers. It is about a process. The process took from July 2008, when the Issues and Options document was originally published to February 2013. That is a long time. It is too long. We need to get these things through more quickly.

I do not claim to be a genius when it comes to working up legislation. Eighteen months as Minister and a further 12 months or so as Acting Minister when required has given me plenty of opportunity to understand that this is not easy and planning inevitably, whatever you try and do, you are going to upset somebody along the way. So I do understand that point.

I thank Mr Ronan for his support as well. This is about simplification. He was the second Member that used 'planning' and 'Utopia' in the same sentence – well done! – as indeed, was Mr Karran, Hon. Member for Onchan. But again, this is not about Ballakilly; this is not why I am bringing this. I am bringing this because as Minister, I felt frustrated, whilst I was Infrastructure Minister, by the process. I felt that it was

overly complex. I felt that we were too narrowly defined in terms of what process we had to follow and that process was not necessarily delivering what the people needed, what we needed for the future of the Island.

I think that is probably all I need to say, really. (**Several Members:** Hear, hear.) I beg to move.

Mr Quirk: Point of order, Mr Speaker.

The Speaker: Point of order.

Mr Quirk: I wish to ask the Hon. Member who has just resumed his seat to withdraw the allegation that he made in this Chamber and I give the Hon. Member an opportunity.

The Speaker: Standing Orders provide that objection to words used may be raised by the Hon. Member and that can either take its course by reference to the Keys' Standards Committee... but naturally, I give the Hon. Member, Mr Gawne, an opportunity to withdraw any words objected to.

Mr Gawne: Gura mie eu, Loayreyder.

I am not entirely sure what allegation I am supposed to have made. I pointed out that I did... in relation to issues talking about conflicts of interest, I had a conversation with the Hon. Member for Onchan, to request that, if he had a conflict of interest in relation to a relationship with a developer, he needed to make that clear. I am not sure in what way that is offensive to point out that we had that discussion.

The Speaker: Thank you. I am not entertaining any debate on this matter. The Member was given an opportunity to retract the words objected to. He has not done so. The matter stands at that point. It rests there. Thank you.

Now, I put therefore the question on the Order Paper, that leave be given to the Hon. Member, Mr Gawne, to introduce a Bill as set out in Item 4. Those in favour, please say aye; against, no.

A division was called for and voting resulted as follows:

FOR

Mr Anderson
Mrs Beecroft
Mr Cannan
Mrs Cannell
Mr Corkish
Mr Cregeen
Mr Cretney
Mr Crookall
Mr Gawne
Mr Hall
Mr Henderson
Mr Houghton
Mr Karran
Mr Quayle
Mr Robertshaw
Mr Ronan
Mr Shimmin
Mr Singer
Mr Skelly
Mr Watterson
The Speaker

AGAINST

Mr Quirk

The Speaker: With 21 votes for, 1 vote against, the motion therefore carries. Hon. Members, that concludes the business of the House today.