

## 4. BILL FOR SECOND READING

### 4.1. Road Races Bill 2015 – Second Reading approved

Mr Houghton to move:

*That the Road Races Bill 2015 be read a second time.*

**The Speaker:** Item 4, Bill for Second Reading, the Road Races Bill 2015. I call on the mover, the Hon. Member for Douglas North, Mr Houghton.

**Mr Houghton:** Thank you, Mr Speaker.

This comprehensive Bill seeks to replace the Road Races Act 1982 with a new and updated Act. The Bill seeks to modernise 30-year-old legislation by creating clarity around roles and responsibilities, reducing unhelpful administration and paperwork, responding to the 26th Milestone Inquest, and allowing for the future development of events.

Through its application the Bill introduces a risk-centred approach to racing events on closed public highways. Road racing with significant risks will be permitted through the new Road Races legislation. Low-risk racing events will be permitted through the Highways Act.

In this respect this Bill both introduces a new Road Races Act and amends section 38 of the Highways Act 1986. The Bill provides for racing with powered machines including car rallies such as Rally Isle of Man and the Manx Stages Rally; motorcycle circuit races such as the TT, Manx Grand Prix, the Festival of Sport and the Southern 100; street sprints such as the Ramsey Sprint; hill climbs; and cart races such as those held in Peel.

Low-risk events will be permitted under section 38 of the Highways Act 1986 which includes cycle racing, running racing, soapbox derbies. The Bill removes the current legislative overlap that exists in the two current Acts.

The Bill introduces the concept of a road racing authorisation. This is similar to the Road Racing Order that can be issued under the existing legislation. The Bill facilitates the Department placing standard and routine matters on a Racing Order that, after approval by Tynwald, are applicable to all road racing events. This will allow the racing authorisation to focus on event-specific details.

In the medium term, this will reduce the amount of paperwork being prepared by the Department. A Racing Order authorisation cannot allow racing on the whole of the Mountain or Billown Courses before 1 p.m. on a Sunday. In doing this the Department has tried to balance the interests of people who wish to undertake activities on a Sunday, such as attending places of worship, with the opportunities that racing on a Sunday may present. I should be clear in saying that although the Bill allows for the potential to race on a Sunday, it does not require the Department to allow it. A racing authorisation facilitates the closing of roads in relation to an event and the creation of prohibited areas. Supplemental provisions in the racing authorisation will allow the erection of grandstands on land owned by the Crown.

The Bill allows the Department to prohibit land, but a landowner and occupier can stop it being prohibited by request to the Department. The implementation of this fail-safe logic will protect the rights of landowners whilst significantly reducing the amount of administration and paperwork required by the Department and the organiser.

The Department is of the opinion that the current system adds little value and distracts attention away from safety. In the event of a landowner and occupier not wanting their land prohibited, the Bill provides for the erection of signage making it clear that it is not a safe location from which to view a race.

The Bill will allow the organiser to manage the whole event including marshalling of spectators and management of road closures. *(Interjection)* This holistic approach to event management

addresses some of the weaknesses identified by the 26th Milestone Inquest. It also addresses concerns raised by reports into tragic events in Scotland where rally spectators were killed. It is clear that there needs to be one person in overall charge of organising a safe event.

This legislation puts that responsibility and the requisite powers into the capable hands of the Clerk of the Course. The Bill complements the rules and regulations of racing organisations such as the MSA and the ACU. It does not seek to prescribe in law how events should be organised, as that is a matter for the organiser.

I turn now to the powers that the Bill has prescribed to marshals. Historically, marshals have been given the powers of a constable through a warrant card issued by the Chief Constable. This is an unsatisfactory process. The appointment of marshals by the Chief Constable implies that the Chief Constable is accountable for the competence, management and actions of those marshals appointed. In practice this is not the case, but it does unacceptably blur the lines of responsibility.

The second, but related, issue is the public perception of the Police potentially investigating the actions of a marshal that the Chief Constable appointed. The Bill provides for the organiser to appoint marshals. It also makes clear that the organiser is responsible for ensuring that marshals are trained and competent to undertake the duties assigned to them. Appointed marshals will have the legal powers required to manage the event. This was not the case in Scotland where the marshals did not have the powers to effectively control spectators. The powers prescribed in this Bill generally replicate some of the powers that warranted marshals currently have, but it limits these powers to the marshalling of the event only. It includes powers to remove people from the racetrack and prohibited areas and if necessary detain them; remove vehicles and animals from the racetrack; and stop activities that are likely to hinder or cause danger, for example, starting a bonfire next to a race track.

The Bill creates new summary offences in relation to obstructing a race official or interfering with signage. In addition to a maximum fine of £5,000 the Bill provides for a custodial sentence not exceeding six months for a person committing an offence without reasonable excuse. It is unfortunate that this type of provision is now required, but most Members will be aware of events this year – and a minority of spectators do not behave appropriately – and where this puts people's lives in danger it is right that the courts be given the power to send those offenders to prison.

Clauses 14 to 16 make provision for the disapplication of various enactments in order to facilitate racing. The making of these provisions generally replicate existing powers but they will reduce significantly the amount of paperwork and orders that the Department has to make to facilitate a road racing event.

The Isle of Man has a celebrated history of road racing and it is an important part of our unique cultural identity. All in all, the Bill makes the material improvement to our road racing law, and in doing so promotes the public interest by protecting the future of road racing on the Isle of Man; and as such I commend this Bill to the House.

Mr Speaker, I beg to move the motion standing in my name.

**The Speaker:** The Hon. Member for Rushen, Mr Gawne.

**Mr Gawne:** Gura mie eu, Loayreyder. I beg to second and reserve my remarks.

**The Speaker:** The Hon. Member for Michael, Mr Cannan.

**Mr Cannan:** Thank you, Mr Speaker.

I have one query, an issue with this Bill at the moment. I have spoken to the Hon. Member about it. It is in part 2, section 5(6) and it is just to do with timings of the racing authorisation, where we are allowing racing to take place between 1 p.m. and 9 p.m. on a Sunday.

The Hon. Member who has moved the Bill talked about balancing the interests of people who wish to undertake activities on a Sunday, and therefore having a start at 1 p.m. I think that equally

those interests also apply in the evening on Sunday – Sunday has traditionally been a day of rest for those who go off to their various church services and then ... fantastic. But for many families it is a day of family activities of partaking and visiting relatives or going out on family activities. I think that allowing racing until 9 p.m. – forcibly allowing racing to take place until 9 p.m. – is not balancing the interests.

I would like to know from the hon. mover why I should not move an amendment to limit racing between the hours of 1 p.m. and 5 p.m. when this Bill comes forward for its next reading?

I think that four hours is a reasonable timeframe for any racing to take place, on the basis that the roads are closed at 1 p.m. I realise that the weather conditions on the Island are not always perfect, but irrespective of that if the weather conditions are not perfect and they cannot guarantee racing, then I do not think racing should take place if that window of opportunity is not there. I certainly do not think on a Sunday we should be inconveniencing families and residents until nine o'clock at night, and possibly later, if there is any sort of incident on the course.

So I am minded to move an amendment in due course that we limit racing to 5 p.m. but I would like to hear from the Hon. Member moving the Bill why he does not want that to happen.

Thank you, Mr Speaker.

**The Speaker:** Hon. Member for Ramsey, Mr Singer.

**Mr Singer:** Thank you, Mr Speaker.

I want to refer to ... first of all, I would say I support the principle of enabling Sunday racing to take place when scheduled practice or racing has had to be cancelled, as this adds obviously to the safety aspects for the participants of the motor bike races and the actual racing to ensure that spectators, both local and visitors, get maximum enjoyment from the sport.

There are, however, a couple of points which I hope the hon. mover can answer. As has been said, remembering that not everyone on the Island is a racing fan and should not unnecessarily be prevented from undertaking their normal activities, it is a case of producing that balance and I feel there is a necessity to find that balance between those who would say any road closure should be allowed to permit racing at any time and those who would not wish to see any change at all, so it is a balance.

I therefore think that a main point of discussion in the Bill is the extension of the ability, in theory, under clause 5(6), to close roads for any Sunday in the year, the extending of the hours to 9 p.m., and whilst racing cannot take place over the whole of the TT Mountain or Billown courses before 1 p.m., it could, under the provisions of this Bill, take place over a stretch of either of those circuits at any time on a Sunday. So the first question I would ask the hon. mover is what is the definition of 'a stretch'? Is it one mile; is it 30 miles? This is an important point.

Also, we have to remember that whatever time racing does commence, the roads are closed before the start of racing and they are still closed after the completion of the race. And, as has been said, if 9 p.m. is the end of racing they could be closed until 10 p.m. at night and so it is a bit difficult for people who are living inside the course to get back to their houses. So I do think that, supporting Mr Cannan, that the 9 p.m. time needs reconsideration and more clarity and specifics are needed so that no abuse of the law can take place and that people and businesses are not unnecessarily inconvenienced for what might be a relatively minor event.

Could the proposer tell me what other types of events he foresees that will mean the closing of the roads on a Sunday between 1 p.m. and 9 p.m. other than the TT, the Festival of Motorcycling and the established races on the Billown Circuit and the frequency that the Department thinks they might occur? Will there be any limit on the number of these extra closures? These Sunday closures, it appears to me, will not just be for substitution of cancelled days but as a choice day for an event.

So, let me now come to those people who might be inconvenienced under these new proposals. We firstly have to consider those living within the courses. Some might say that they knew when they bought their property that there would be road closures. Yes that is true, but those closures

were specific, defined, and not too onerous. The Bill now could see the roads closed at any time of the year, on a Sunday until 9 p.m. Sunday is a family day. There are still many people on this Island to whom Sunday is a special day, a family day to do things together, a day of rest. To others it is a day for worship at their church and although their religious views may not be agreed with, there should be tolerance shown and their views respected. I suppose one could bang the drum and say that the Human Rights Act guarantees freedom of religion and worship, but there is no need for making those demands when we live in a society such as ours, it is recognising how to compromise.

Efforts under the present rules have mostly ensured that access to places of worship has been maintained. I think it will be much more difficult under these new, much wider proposals. Perhaps the mover could inform us of any consultations that have taken place with the various denominations and the comments they have made since this Bill was published and whether the Department has made any concessions to those views. My understanding is that the morning services of all Christian denominations will not be safeguarded under the terms of this Bill.

In relation to the offences, the 1982 Road Races Act permits the accused the defence of 'not acting intentionally' to a charge of entering closed roads. Why has this been omitted from this Bill which has severe penalties of up to £5,000 and/or six months' imprisonment?

Finally I would say if this Bill is accepted as proposed in the future, the extended hours and *carte blanche* Sundays for motor racing, closing the established parts of the course or parts of the course and other areas could become the norm rather than substitution for scheduled racing times which have been cancelled. There is also no guarantee that similarly the extended hours becoming the norm could demonstrate an attractiveness to extend automatic Sunday road closures to other events. I think the present authorisation scheme is totally adequate

I would welcome the comments of the mover because he obviously cannot guarantee that there would not be, with the present or any future proposals, disturbance to the lives of many people for whom Sunday is their family day, the day for worship and possibly the only day in the week when they may wish to visit relatives, visit the hospital or have a day out and this could well be prevented under this new Bill.

I can support Sunday as a substitute day when racing or practising has been badly curtailed by circumstances for the TT, the Festival of Motorcycling or the Billown Circuit to aid the racing fans. But this Bill goes too far as it is written now in opening up the possibilities of Sunday in general becoming an accepted day for vehicle racing.

Thank you.

**The Speaker:** The Hon. Member for Rushen, Mr Gawne.

**Mr Gawne:** Gura mie eu, Loayreyder.

I just wanted to respond to the two comments that we have heard in relation to Sunday racing because I do think it is very important that we do properly consider this issue. I would say *now* that the issue of Sunday racing is probably the most controversial element left in the Bill. During the consultation we did have a range of other issues that we have been able to work with, people who have responded to the consultation, and we have been able to make more acceptable to them.

But ultimately Sunday racing, this is a matter of choice. It is down to Members to decide what we are prepared to accept and what we are not prepared to accept.

I think it is a sad thing for me personally that religion on the Isle of Man, church-going on the Isle of Man, certainly since I was a child, has fallen off hugely, dramatically, to the extent that a number of the chapels that I used to frequent as a young fellow are now closed. Some of the congregations are maybe a quarter of the size of the total membership of the House of Keys and it is sad to note that, personally very sad for me. Certainly from my family and cultural background, I think it is a shame to note that.

We have not seen the same in relation to attendance at road races. In fact, we have seen increases in numbers of people at road races. So I think when we are talking about getting the

balance right between church goers and people who may wish to have an enjoyable afternoon and are not interested in going to church, we do need to bear that in mind.

I think we also need to bear in mind – the Hon. Member for Ramsey is good at this sort of gentle rhetoric, pushing us in a particular direction, he was talking about almost as if we were going to be forced into having more and more road closures and this was going to be a terrible imposition on society. Let's be honest, what we are talking about here is effectively over a year there are 624 daylight hours on a Sunday. The chances are we are talking about perhaps three Sundays, so a maximum of 36 hours, although we are limited, aren't we, from one until nine, so we are actually talking about a maximum of 24 hours out of a total of 624, that is what we are really looking at here when it comes to significant road closures. Now if that is felt to be too onerous and moving too far then obviously Members will have the opportunity to vote in the way that they choose.

But certainly it is surprising to note that two Members of the Economic Development Department are speaking apparently so strongly against what is an economic development opportunity in relation to allowing the main road races on the Isle of Man to be able to take place over weekends, as opposed to taking place in the middle of the working week –

**Mr Singer:** A point of explanation, Mr Speaker, can I –?

**Mr Gawne:** Sorry, have I got the floor or –?

**Mr Singer:** He is misrepresenting me.

**The Speaker:** Are you asking the Member to give way, sir?

**Mr Singer:** Will he give way, please?

**Mr Gawne:** Go on, seeing as you asked so nicely. *(Laughter)*

**Mr Singer:** Thank you.

The Hon. Member seems to be saying now that I was opposing the racing for the three main race meetings – the TT, the Festival of Motorcycling and the Billown – which I am not. It is anything else that might be introduced which is allowed under this Bill.

**The Speaker:** Mr Gawne.

**Mr Gawne:** Gura mie eu, Loayreyder.

Also there are a number of assertions that the Hon. Member for Ramsey made – I will not respond to every single one of them – which are not true about what the Department's intention is as well.

I think the other thing that we should remember is that the legislation would empower the Department, on the request of a road racing organisation, to close the roads on a Sunday. It does not require the Department to do that and there are plenty of examples already where the Department does not support closures of roads, particularly from minor activities which seem to have an awful lot of the disruption but very little actual benefit to the Island.

So those things will still be taken into consideration. So if we feel certain that a road closure is going to be destructive, if there are substantial numbers of people who object to the road closure, because the road closure will have to be advertised in the normal way, then quite clearly, the Department will be taking all that information on board.

So I do think that it is right to raise the issue. It is probably the most controversial and fundamental change that we are talking about in relation to this Bill, but equally I think when we are

looking at balance we have got to look at what we actually are talking about here – three days out of 52 there could be significant disruption, based on the existing road closures that take place.

What we are talking about is instead of the disruption being in the middle of the working week, the disruption instead will be at the weekend. It will allow people who might otherwise be busy working, to actually go and attend events and functions which they would like to do; and I think we need to bear all that in mind when we are considering this very important issue.

**The Speaker:** Hon. Member for Douglas North, Mr Peake.

**Mr Peake:** Thank you, Mr Speaker.

I will be supporting this Bill. I think this is a very good Bill for the 21st century, for road racing and to allow people the choice to see it, I think it is a great opportunity to allow scheduling to take place where people can then make plans and come to the Isle of Man and have a long weekend and see a lot of road racing.

It is, by the list, only for a number of events, so it is not going to impact the rest of the year. (**A Member:** It is.) Two, three, four Sundays – that is something that could be managed. That does leave 48 remaining Sundays untouched and I think traditionally Sunday is a day of motorsport. I myself started motocross when I was about 12 or 13 years old and that always takes place on Sunday, and the motordrome at Jurby – racing there of carts, motorcycles, cars – takes place on a Sunday. As we all – or perhaps all do not – see, Formula One and MotoGP happens on a Sunday throughout the world.

So there is an acceptance for Sunday being a day for motorsport, so I think people travelling to the Isle of Man from around the world to these big global events we are very proud of here in the Isle of Man ... I think it is a good thing to actually have a schedule where you can see which Sundays are for motorsports events and then other Sundays can then be kept for our family and the choice of doing other things.

So I do think this is well thought out. I think there is a need for a nine o'clock time. Again, it brings it in line with days of practicing, days of racing, when the roads can stay open and it gives us a certain amount of certainty then of what can happen. So I think it is better to have it planned so we can all then plan our own day and give us the choice to actually take part or to view it and to support it. So I will be supporting this Bill.

Thank you very much.

**The Speaker:** Hon. Member for Douglas East, Mr Robertshaw.

**Mr Robertshaw:** Thank you, Mr Speaker.

I, again, have to declare an interest. I am one of those people who live on the inside of the course and I hope my words, to some extent, represent those and all those who find the disruption during the closures a matter of concern to them.

I think here we are talking about a question of balance and the word 'balance' has been brought in a number of times already. As a supporter of these events, it is important to maintain balance. We must not test the patience of our public too far and I just wonder whether this Bill, as it stands just as it does now, whether it might have the potential for testing that patience just a little bit too far and push a significant number of people the other way.

Therefore, I am inclined to say that if the Member for Michael is mindful to bring an amendment forward he would get my support. If we push this too far and create an antagonism and then start to damage the very thing that is important to us, I think that is a matter of concern.

Thank you, Mr Speaker.

**The Speaker:** Hon. Member for Castletown, Mr Ronan.

**Mr Ronan:** Thank you, Mr Speaker.

I will be supporting the Road Races Bill as it is put down in front of us.

Just to touch on a couple of things, if I may, Mr Speaker, Sunday closures – I think Mr Peake quite eloquently put the case as I would have done, to be honest with you. You have got to remember this is a limited schedule for Sundays; it is not going to be every Sunday, quite rightly. But you have also got to remember that there is a lot of sensitivity in regard to the closures and I understand that.

I listened very carefully to Minister Gawne's comments in regard to his upbringing as a child. I think mine was pretty similar in regards going to small chapels around the south of the Isle of Man. My fond memories of the Howe chapel with my grandparents, Mabel and Willie Ronan ... I have got incredibly fond memories. But the church in those days was largely full – when I was a young boy 40 years ago. It is certainly not the case now. It is very sad to see that, but it is a reality and I think we all need to remember that.

I think we all need to work closely with the church authorities. I know that we do and we are continuing to do so, but we also need to understand the needs of our economy and the majority of the Manx people, and of the much-valued visitors who come to our Island.

I would just like to put on record my congratulations to the Department of Infrastructure and especially the Member who is bringing this Bill, Mr Houghton, who I know has immersed himself in this Bill. Certainly the presentation he gave to Members recently was very thorough and I congratulate him for that.

I think we need to listen to the concerns of the motorsport community – that is two-wheel and four-wheel – and I know there has been a lot of discussion with regard to clause 17, which the Department of Infrastructure worked very hard on. I know there was a bit of toing and froing but I am absolutely convinced what is in front of us now is the right one. I think there are still issues in regard to the policing and the Chief Constable, but I know that that has all been taken into consideration.

I think also as well, Mr Singer said there are a lot of people who can give or take motorsport. I was brought up on a motorsport circuit, basically, in Castletown – the Billown Circuit. I have got fond memories, but I think it is important to the Isle of Man, whether you are a fan or not, and I think we have to remember that.

I think what is very important coming out of this exercise – and it is something I think we need clarity on and something we need to understand – is the true value of motorsport events to the Isle of Man – the TT, the Manx Grand Prix, or the Festival of Motorsport as it is now, the Southern 100 and other events, including two-wheel and four-wheel. We need to understand the value of each event, so we can monitor them and give them their true worth to the Isle of Man; because I think a lot of the time we are guessing. We hear that it is worth ... We know the TT value but there are other events, and it is important for them to understand what their contribution is.

So I would hope that there was an exercise taken on there. I know the Department of Economic Development have got an awful lot to do and it is very difficult to monitor this, but if we are making big decisions like this we do need to understand the value of each event.

Thank you, Mr Speaker.

**The Speaker:** I call on the mover to reply, Mr Houghton.

**Mr Houghton:** Thank you, Mr Speaker.

I thank all contributors to the debate this morning and I do appreciate there are a number of absences in this House today, which is unfortunate. I thank all of those who have particularly supported the Bill. There are a number of excellent points that the Department has spent an enormous amount of time considering, and that of course is the issue to do with obviously Sunday racing, and the whole preamble to do with Sunday racing

First, before I go through Members' concerns, if I may state that most times of worship are during Sunday morning, and that is the reason why we have disallowed racing until the afternoon, on this

particular issue, in areas where there are places of worship – if I can just speak on a very important general point.

So for instance, if the organisers of a hill climb wished to race on the Sloc, away from houses and places of worship, then of course that event may go ahead. Another one, which is where we have mentioned that the whole of the TT would not be closed until the afternoon, would mean that a hill climb could take place at Lhergy Frissell. Lhergy Frissell, for Hon. Members who do not know where that is, covers that stretch – and I am now starting to stretch into the Hon. Member, Mr Singer's question here, perhaps to a certain extent of answering it ... Lhergy Frissell is that section of roadway beginning just below the hairpin at May Hill, and then going right up to the Mountain Mile, on an area of road that is not really covered by houses at all, and a quiet Sunday morning race for a hill climb on that event ... It is used on Saturday, and it is used on a Saturday by the Manx Motor Club, for an excellent hill climb, when I think on a Sunday it would actually attract more spectators and less inconvenience for Ramsey people wishing to do business in Douglas by going over the Mountain.

So there are benefits as well as disbenefits, that Hon. Members have stated. But that is the purpose of working with all of that.

Now it was even yesterday when I had a most excellent meeting with Mr Peter Murcott, who is actually with us in the Public Gallery, and myself, where myself and the Director of Highways, Mr Robinson and I met with this gentleman. He had already put in an enormous submission in the consultation period, but I thought it was only right and proper that I met with this gentleman again, because he brought up a great number of points that the Department will be taking away to consider. That is all about considering those small places of worship, those little churches and chapels, up in Agneash – well, I say Agneash; probably a bad example, but it is an example of the likes of Orrisdale and Barregarrow and places like that – where worshippers – and he was so right about the point he made – come from all round the Island to some of these smaller places of worship. They get an awful lot of solace by going to these places and worshipping. It is the actual point, rather than the Department taking anyone – which it should not and must not – or taking those places for granted, myself and Mr Robinson went to great lengths and we will be going to further lengths to make sure that those places are consulted.

I am going to read a little missive that I have got for the interest of Hon. Members shortly from the consultation that we had with the Chamber of Commerce, but it is the same thing. It is all about, not people consulting Government; it is Government having the temerity of going out and consulting people, and asking them 'How would this affect you? What of this, what of that and what of the other?' and taking those people under our wing.

That is vitally important – as well as the balance of providing the additional ability of scheduled motorsport events taking place on the Island. If you can have a scheduled event on a Sunday, you can possibly get into a number of TV calendars. A number of TV stations now are reporting, as you know, motorsport events on a Sunday. If we can get a window of opportunity for our TT racing or whatever it happens to be, for live coverage on a Sunday afternoon, when most people are sitting watching their TVs throughout the Western world ... that have the opportunity of doing that, that is a major attraction, and a major increase in total benefit for everybody in the Isle of Man and that has to be balanced with the inconvenience to the public. It is our duty as the Department of Infrastructure – because we are not the Department of Economic Development – to provide services and also to look after people as best as possible, whereas the Department of Economic Development will take over the issues of maximising benefits for the good of the Island.

So if I turn to some of the points, I come to the point that Mr Cannan makes. He is concerned – I am sure he is, being an MHK covering rural areas – about the fact principally of the road closure in the afternoon between one and nine o'clock. It would never be envisaged, Mr Speaker, to have racing from one right through till nine, all the way through and nobody get a look in, nobody get a chance to get out, do the shopping, or whatever. The issue of that is, of course ... and we all know the weather – I think Mr Cannan alluded to the weather. This last TT, the earlier part, was a

complete wash-out. There is no chance nowadays of racing – you can have rallying in the wet, but there is no chance of racing now in safety in the wet. They have to wait till it stops raining, the roads dry up and so on.

So the provision for the additional evening opportunity of racing is that the race actually takes place on a Sunday, therefore to allow those people taking part to leave the Island on a Monday morning and perhaps go back to work or whatever. But also the fact for televising the event, as I have already mentioned, but the main issue is that racing would take place during the early part of the afternoon. It would take place in the afternoon, but if it was postponed, then they have got the ability to run it later into the evening. That would be the purpose. That would be the purpose of the Department's responsibilities, and the Minister of the Department, whoever that is going forward into the future, has to look at the application that is put to the Department by our racing organisation anything six, nine to twelve months before the event to say, 'Can we race at this time, and obviously with a fall-back that we race in the evening if the weather is inclement?' It is that purpose only.

Now, we all know that delayed racing does inconvenience people. It does all the time. There have been changes made recently which we know, during the working day, the TT course now must be opened, again by the requirements of the Department listening to the public, to allow people to go home at night. So between five and six on an inclement day, if they wish to race in the evening on a working day, the roads have to be re-opened between five and six, in order to allow traffic to get out of Douglas, and people to get home. It is only right and proper.

That is where, dare I say, the Department listens to what people's requirements are and has to respond to them. That is the reason why the Department is headed up by a Member of this Hon. House who is a politician and a public representative. That is always the case, as we understand.

So I hope the Hon. Member, Mr Cannan, understands that, because where he goes on about a four-hour window – let's say, by the time the race got away, it would be 1.30-ish to as he says, to five o'clock. The four-hour period would be more than enough for racing normally – more than enough.

The fact is that if, because of inclement weather, it had to be put back for a race start for two, three or four, then the knock-on consequential effect is that you are running into the evening. That is the whole purpose – not to be ... if you do not mind me saying, driving over people's feet because nobody cares less any more. That is wrong. That arrogant attitude, as far as I am concerned, must not ever prevail over the day. That is where we are asking for this extended time, for that purpose and that purpose only.

The Hon. Member, Mr Singer, makes a number of points, some of which I will cover in different areas and I have covered one or two already. But he did say he wanted an explanation of what a 'stretch' in the course is. I think I have explained that on the Lhergy Frissell scenario or other areas where there would not be places of worship and so on. If you want – I don't know – a motorsport rally that used the Beinn y Phott Road – the link down the TT course and went down Tholt y Will, or what have you, that would be a stretch of the course of what? Half a mile. But of course, hopefully it would not offend places of worship.

I think he overstepped it a bit, as far as where he mentioned in the evening about this one o'clock and nine o'clock road closure scenario that the Hon. Member for Michael, Mr Cannan, went on about: that the road could be closed until 10 p.m. No! Nine o'clock. If it is nine o'clock and it is in the Bill, then nine o'clock it is, of course. That would be the end of it. It would not be any later than that. But of course you could have a road accident that happens after that time and the Police keep that section of the course closed. That is beyond the realms of our knowledge when we are putting legislation such as this together.

And, of course, he asked a question, 'What else, other than the TT on a Sunday?' Hill climbs could be, as I have mentioned; rallies. There is a bit of an open debate on some of these events, whether they would actually fully use a Sunday anyway, but the opportunity would be there for them to use it, so that they can return back to the UK in order to go back to work for the Monday. But what other

events would be likely to take place? Loosely stated: karting in Peel – if karting came back to Peel – and there would be the opportunity of hill climbs. That is a likely one that would take place and that really is out in the sticks, when we have hill climbs. Hill climbs have been known to take place from Hillberry to the Creg ny Baa in the past. Lhergy Frissell out in the sticks such as Glen Helen way, using sections of the course not the whole course.

The issue that the Hon. Member, Mr Singer, mentioned, about freedom of religion and everything, that has been the point that we have taken most seriously and I cannot underline that enough. With our consultations, with a number of cases, with the fact that we will consult – or the organisers – these places of worship, they will be consulted wherever it is understood that they will be affected. It is vitally important that we all take that seriously and it is something that this Hon. House, I am sure, would support nothing but that.

I think I have covered most of Mr Singer's points (**Mr Watterson:** Extensively.) apart from the fact about effect on businesses. I would like to read this section out of the Department's file note on this from the consultation it took from the Chamber of Commerce, Mr Speaker. Now the Chamber of Commerce made representations to the Road Racing Bill public consultation. The view expressed was that 'the impact assessment of Sunday Racing on businesses was not sufficient.' They further suggested that 'the impact may be adverse for some businesses' – which it is acknowledged. In its response document, the Department agreed that the original impact assessment had not been considered likely to impact on businesses from Sunday racing.

Now, the Department takes a view that some businesses will be disadvantaged by Sunday racing but that some will benefit. Some of those businesses will see a drop in sales during the actual time of racing, but may see an overall increase during events. We are not only talking about the TT in relation to Sunday racing, there are also events like car rallies and hill climbs which will probably have little or no impact on retailers, but do have a significant positive impact. What is clear is that this is a complex issue that needs detailed consideration prior to a racing authorisation being issued.

I would also ask you to reflect on the important point that Sunday racing will not be a given. The Minister of the day will have the power to stop all Sunday racing if that Minister sees fit, as they can on any other day of the week.

Prior to the commencement of the Act, the Department intends to carry out an investigation into the advantages and disadvantages of allowing Sunday racing for differing events and locations. This investigation will include, but not be limited to, a full consultation with interested parties and the wider public. The findings of this expansive investigation will then be used to advise and guide the Minister of the Department as to whether to allow a particular race to take place on a Sunday or not. In addition to this overall investigation into the impact of Sunday racing, each event has to consult with key stakeholders directly impacted by the holding of that event prior to submitting an application for a racing authorisation. All of this information is then considered by the Department.

So in summary, Mr Speaker, the decision to allow or not allow Sunday racing on an event by event basis will be made at a political level by the Minister of the Department who will be provided with robust information with which to make that decision.

Moving on, Mr Speaker, I also thank my seconder, the Minister of the Department, who has reiterated a number of points that I have gone back over and he reckons that there would be possibly three Sundays affected. I can see only two, but it is less than a handful of Sundays that would be affected and I think we would both be in agreement with that. I thank him for his points that he made in the Bill.

I also thank the Hon. Member, my colleague, Mr Peake, for the point that he has made that of course, basically, it gives the opportunity for some great racing to take place, great benefit for the Isle of Man. I thank him for his support and understanding in the fact that Sundays need that additional period of time of road closures to nine o'clock should the need arise for that.

I thank the Hon. Member, Mr Robertshaw, for the points. Yes, he may question the issue of racing until nine o'clock, if I may say. I hope my explanations today have helped to reassure him in that particular case.

He goes on about testing the public's patience. Yes, the public are absolutely wonderful in the Isle of Man for being so patient to allow all these events – a lot of these events take place in some areas and not others. But those who mostly bear the brunt are people in the Douglas area. In the Douglas area where, of course, racing goes right through the heart of Douglas and those people should be commended more than anyone else for their patience and I do support the Hon. Member on that.

Finally, I thank the Hon. Member, Mr Ronan, for supporting the Bill. He made some good points and he made an excellent point where he states that of course, generally speaking the Government overall needs to understand the value of each event. That is an excellent point. We *really* do need to understand it. I think it is a given that we know when these large events, these large motorsport events, bring an awful lot of value to the Isle of Man. That is a given, but on some of the other events, for the inconvenience that it costs, then perhaps that should be looked at. Perhaps the Department of Economic Development does that anyway. I do not know. But, I thank him for that point.

Mr Speaker, I beg to move.

**The Speaker:** Hon. Members, I put the question that the Road Races Bill be read for the second time. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

*A division was called for an electronic voting resulted as follows:*

<b>FOR</b>	<b>AGAINST</b>
Mr Bell	None
Mr Boot	
Mr Cannan	
Mr Cregeen	
Mr Gawne	
Mr Harmer	
Mr Houghton	
Mr Joughin	
Mr Peake	
Mr Quayle	
Mr Quirk	
Mr Robertshaw	
Mr Ronan	
Mr Shimmin	
Mr Singer	
Mr Skelly	
Mr Teare	
The Speaker	
Mr Thomas	
Mr Watterson	

**The Speaker:** With 20 votes for, no votes against, the motion, therefore, carries.