

4. Select Committee on the Highways (Amendment) Bill 2015 – Report received

Mr Turner to move:

That the Report of the Select Committee on the Highways (Amendment) Bill 2015 [PP No 2016/0071] be received.

The President: We now turn to the next Item on our Order Paper, which is the Report of the Select Committee on the Highways (Amendment) Bill.

I call on the Hon. Member, Mr Turner.

Mr Turner: Thank you, Madam President.

Members will, of course, have a copy of our Report before them. It came about because when the Bill appeared on the Order Paper for Legislative Council in December we received an email late the previous ... well, in the early hours of the morning, actually, from Mr Hamish Killip, who raised a number of issues with certain provisions in the Bill. Although at the late hour (**A Member:** Early!) – the early hour, depending which way you look at it – there was sufficient concern by Members of Council as to the points that were raised. It was unfortunate we did not have the information earlier.

So, throwing caution to the wind, Mr Coleman moved that the Bill be sent to the Committee for further investigation. Myself, Mr Coleman, Mr Corkish and Mr Wild were elected to the Committee and I was elected Chairman. Mr Wild had leave of absence, so has not attended meetings and therefore is not a signatory to the Report.

Following the email from Mr Hamish Killip, the Committee had two evidence sessions – one with Mr Killip, where he explained in detail the concerns he had with the Bill as written. Then we put those concerns to the Department of Infrastructure and their Highways Division, and included the Director of Highways. The *Hansard* transcripts are included as an annex to the Report.

What Members will notice is that we have not come up with any recommendations in this Report; we have come up with a conclusion. It has been rather helpful that the Department, in consultation with the Attorney General's Chambers, have agreed with the conclusions we reached and have brought forward some amendments to the Bill which, if Hon. Members will receive our Report – because that is all we are asking – we can then move, and the Committee would hope that the amendments that are being brought forward would be supported.

It is a very short Report, Madam President. It is very self-explanatory and the amendments will be explained when we come to them, if Members choose to support them. So we would certainly, as a Committee, commend those amendments. We believe them to be workable and we will explain those as we come to the clauses.

I beg to move that our Report of the Select Committee on the Highways (Amendment) Bill 2015 be received.

The President: The Hon. Member, Mr Corkish.

Mr Corkish: Thank you, Madam President.

I beg to second. As a Member of the Committee and the Department, can I say that the Department is very happy with the findings of the Report.

The President: Are you seconding?

Mr Corkish: I am seconding, sorry.

The President: The Hon. Member, Mr Anderson.

Mr Anderson: Thank you, Madam President.

I would just like to congratulate the Committee on the work they have done. I think it is a pragmatic way forward. It seems very logical that if we make these moves on the orders going through it will be a lot more obvious to the general public that changes are being made to the definitive maps, and particularly the recommendation that they be advertised in the same way as a planning application on the site of the public right of way.

I welcome the Report from the Committee.

The President: The Hon. Member, Mr Henderson.

Mr Henderson: Gura mie eu, Eaghtyrane.

Could I ask the Hon. Member if the complainant who generated this situation in the first place or in the main, if I can call him that ... are his concerns broadly addressed now, with what is going to hopefully happen?

The President: Does anyone else wish to speak?

The mover to reply.

Mr Turner: Thank you, Madam President.

Mr Killip, who sent us the email, brought up a number of *very* valid points. One was that we are changing the legislation when they have not actually completed changes they were meant to complete in the first place. So he said it was almost like putting the cart before the horse: why don't you tidy up what you are doing first and then move the legislation? He was also of the opinion that actually what they are wanting to do, they could do under the existing legislation.

My understanding was that he is quite content with the finding of the Committee. I am not too sure, but I think there has been further dialogue with the Department and they have agreed to continue that. What we did discover is that there was a backlog in this work being undertaken by the Department anyway, so there were still loose ends that they should have tidied up. They did apologise for that. That, again, is reflected in the transcripts. Certain footpaths, for example, that Tynwald have extinguished and moved – because there is a process – had not actually been updated on the definitive maps.

The final point to mention is it is vitally important that these maps are brought up to date, because people purchasing land are relying on those maps. Therefore, the Department needs to get on with it and make sure they are up to date, because it will prejudice people if they are not up to date.

We think what we have come up with, everybody ... he says! I was just about to say everybody is satisfied, but time will tell. Fingers crossed! Everybody is satisfied, as far as we can be at the moment, with the process. So I hope that answers the question.

The President: Hon. Members, the motion is that the Report of the Select Committee on the Highways (Amendment) Bill 2015 be received.

Those in favour, please say aye; against, no. The ayes have it. The ayes have it.