



**STANDING COMMITTEE
OF
TYNWALD COURT
OFFICIAL REPORT**

**RECORTYS OIKOIL
BING VEAYN TINVAAL**

**PROCEEDINGS
DAALTYN**

**ENVIRONMENT AND INFRASTRUCTURE
POLICY REVIEW COMMITTEE**

Douglas Promenade Scheme

HANSARD

Douglas, Friday, 19th July 2019

PP2019/0111

ENVI-PROM, No. 1/18-19

All published Official Reports can be found on the Tynwald website:

www.tynwald.org.im/business/hansard

*Published by the Office of the Clerk of Tynwald, Legislative Buildings,
Finch Road, Douglas, Isle of Man, IM1 3PW. © High Court of Tynwald, 2019*

Members Present:

Chairman: Mr R E Callister MHK
Miss C L Bettison MHK
Mr C R Robertshaw MHK

Clerk: Mr R Phillips

Assistant Clerk: Miss F Gale

Contents

Procedural.....	3
EVIDENCE OF Hon. Ray Harmer MHK, Minister; Mr Nick Black, Chief Executive Officer; and Mr Jeff Robinson, Director of Highway Services, Department of Infrastructure.....	3
<i>The Committee adjourned at 11 a.m. and resumed its sitting at 11.07 a.m.</i>	20
Procedural.....	20
EVIDENCE OF Mr T Baggaley, Regency and Penta Hotels; Mr A Brockhouse, Sefton Group; Mr N Fogg, Cunard Hotel Ltd; Ms K Harvey, Sleepwell Hotels Ltd; and Mr D Staunton, Paparazzi Restaurant.....	20
<i>The Committee adjourned at 12.12 p.m.</i>	38

Standing Committee of Tynwald on Environment and Infrastructure Policy Review

Douglas Promenade Scheme

*The Committee sat in public at 10 a.m.
in the Legislative Council Chamber,
Legislative Buildings, Douglas*

[MR CALLISTER *in the Chair*]

Procedural

The Chairman (Mr Callister): Good morning and welcome to this public meeting of the Environment and Infrastructure Policy Review Committee. I am Rob Callister MHK and I chair this Committee. With me this morning are Miss Clare Bettison MHK and Mr Chris Robertshaw MHK, along with our Clerks.

5 Today we will be hearing evidence about the ongoing project to redevelop Douglas Promenade. We will be hearing evidence first from the Department of Infrastructure, which has responsibility for the project to refurbish the Promenade. Later, we will be hearing evidence from representatives of a number of businesses based on the Promenade.

10 Before we begin, can we please make sure that all mobile phones are switched off or on silent, so we do not have any interruptions. For the purpose of *Hansard*, I will also be making sure that we do not have two people speaking at once.

EVIDENCE OF

**Hon. Ray Harmer MHK, Minister;
Mr Nick Black, Chief Executive Officer; and
Mr Jeff Robinson, Director of Highway Services,
Department of Infrastructure**

Q1. The Chairman: Thank you so much for attending this morning. For the record, could I ask each of you to state your name and the capacity in which you are attending this morning.

15 **The Minister for Infrastructure (Mr Harmer):** Ray Harmer, Minister for Infrastructure.

Mr Black: Good morning. Nick Black, Chief Executive, Department of Infrastructure.

20 **Mr Robinson:** Good morning. Jeff Robinson, Director of Highways, Department of Infrastructure.

The Chairman: Thank you, and good morning once again.

I think the Department has already outlined many of the challenges and the difficulties encountered with the Promenade Scheme so far, since September 2018, on social media and local media this week, so we are going to just jump straight into questions. I know you have limited the session to an hour, so we will jump straight into questions.

Q2. Mr Robertshaw: Good morning. Minister, the Committee this morning are clearly and obviously very interested and concerned about the interaction between the delivery of the contract and the circumstances businesses and residents in the area find themselves in. It was always very clear that this was going to be an extraordinary challenging and demanding major engineering project, so could you outline to us in short what it is that you built into the contractual arrangements to make sure that you were able to flex and deal with that quite difficult interaction in a successful way? I say that particularly because there have been suggestions in various conversations that it was now down to the contractor, so we need to understand how you set those contracts up in the first place.

The Minister: Thank you. I do not know if it would be helpful if I just briefly go through some background information.

The Chairman: You can, Minister, but you have limited us to an hour, so I really want to make sure we get questions answered very briefly today, if possible. So, yes, you can, but briefly, please.

The Minister: Right, okay, in which case I will go directly to the question. In terms of one of the things that obviously, from a political point of view, was very important and came into the Tynwald debate very strongly when we talked about the length of the contract was that even though we were first talking about a number of years and would come down and settle to three years, there was immense pressure to complete it as soon as possible and obviously keep disruption to a minimum but to complete as soon as possible. So, on that basis I have been very keen, as the political steer – and I have been very strong on the team – that we must deliver within that contract. That is why two very key parts of that contract ... Number one is that we had contractors from the UK involved in the contract process, so that we could really test and whoever would win would win, if you see what I mean, but also it was important that we had proper penalties, and also, in awarding the contract, that we had proper recognition of timescale and confidence in delivering that timescale in the award of the contract. Those are very key elements and, as you know, there are penalties for being behind schedule as well as rewards for being ahead of schedule.

So, for me, from a political steer, a very clear political objective from Tynwald was that this needed to be completed in good time, the contract should reflect that and accommodate the fact that the Department had this in the contract.

Q3. The Chairman: Minister, we are conscious of time and we have got a lot of things to get through. Can you just outline for the record what those penalties are and what the awards are you just mentioned?

The Minister: Correct me if I am wrong – I believe it is £3,000 per day for penalty and £2,500 as a bonus if it is completed ahead of schedule.

Q4. Mr Robertshaw: Okay, thank you for that answer, but that is very much a DoI contractor engagement, and in that answer one can see tensions and difficulties building up which may very well – and it comes back to my question – put us in a position where it creates tension between the contractors trying to deliver and the businesses trying to operate. What element of understanding of the circumstances businesses find themselves in were built into that contract?

75 **The Minister:** I believe there was a lot of consultation prior to the contract.
Jeff, you probably have more detail.

80 **Mr Robinson:** Yes, there was a lot of consultation with organisations such as the Chamber of
Commerce and Douglas Corporation. I believe most of the businesses on the Promenade were
contacted and many attended presentations and workshops ahead of the project beginning.

In terms of the impact on the businesses, we tried to build that, as much as we could, into
the programme and where we have not been as successful as we could have and should have
been in that process, we have tried to work with the businesses in the best way we can to
85 resolve their problems. So, we have put in additional parking spaces where we had not originally
intended to put parking spaces and we have tried to create far more coach drop-off points and
motorbike parking access points in order to try and alleviate those problems that are particularly
being felt by the businesses that rely on passing trade, which are suffering a great deal.

The length of this project, in terms of the impact on individual businesses, is probably a little
on the unusual side and something that is taking us slightly into an uncomfortable position.

90 **Q5. Miss Bettison:** I think we would all recognise there have been some things that have
happened since the project started in terms of mitigating against the effect, but the things
primarily that have really helped have been things that have had to happen reactively rather
than proactively. So, why were these things not considered in the first place?

95 **The Minister:** To answer that in part, if you recall, I sent a letter and consulted on the general
constraints on 1st May 2018. Why that was important was to identify the scope of the disruption
of what we would do, what was acceptable and what was not acceptable. For example, I know
there has been much talk about horse trams, but we effectively said if they do not run for two
100 years, ultimately that is fine – it would be nice to have the horse trams running, but if they do
not, that is absolutely fine. And we looked at other things about timings. We wanted to extend
the day and give the contractor as much of the day as possible so that they can work until 11 in
the evening. That was the list of constraints, so we were well aware that we were trying to
minimise the impact and we wanted to set the ground rules very early on of what we would
105 allow and what we would not allow. That was very much contained in that letter. So, a lot of that
we have tried to head off.

Q6. Miss Bettison: On 25th June, one of the answers to a Keys Question was around
110 publishing the project impact assessment for the Douglas prom project. I just wonder if you
could tell me when that was written and who has responsibility for implementing the mitigation
measures outlined on that.

Mr Black: I am not actually sure exactly what document you refer to, Miss Bettison, so I
would probably be best checking that, but our impact assessments are regularly updated. There
115 is absolutely no doubt there is an impact and there is absolutely no doubt that the Minister has
expressed his concern about the impact on businesses and has tasked me specifically with, as we
run forward on this project, prioritising two key things. One is delivery to schedule, the other
one is minimising the impact on stakeholders.

The letter the Minister referred you to – which was sent to all Tynwald Members, in case you
120 are slightly worried about it, and I can provide a copy to your Clerk, Mr Chairman, if it is of any
interest to you – tried to set out the fact that this scheme is a balance between a number of
constraints. If you go back to the debate on your *Hansard* of when you approved the funding of
the scheme, there were lots of comments about support. In fact, I think your comment,
Mr Robertshaw, was ‘at last’. Lots of people wanted it to get on. There were people who
125 recognised it was very expensive, there were people who wanted it quicker, and a lot of

Members said, 'It isn't everything we want, but it's a good balance.' I think that was your view, Mr Chairman: 'It's not *quite* my dream option, but let's just get on with it, it's good.'

Q7. The Chairman: That was in December 2016.

130

Mr Black: Yes – 2017, I think.

So, we are in a situation where, of course, as a public provider we have to ensure value for money – that is absolutely right. We also have to ensure the quality of the job is up to standard. We are building infrastructure here that might last 60 years plus.

135

Q8. Mr Robertshaw: Can I just stop you there, Mr Black, because we are drifting into generalities. We are here not to discuss the overarching issues but the impact of where we are now, between how the operation is going and the businesses. With great respect, can we please stick to that? We are all aware of the history of this. We are dealing with the here and the now and how to make it work.

140

Mr Black: The final two then, Mr Robertshaw, just to finish, are delivering to schedule and minimising the impact on the stakeholders. They are the four factors that we balance and the Minister has asked me to focus on delivering to schedule and the impact on stakeholders.

145

Q9. Miss Bettison: Thank you. I appreciate you have not got the project impact assessment in front of you, but perhaps if I could just read a number of the things specifically related to businesses: one was around signage to advertise that businesses are open as usual, media releases and good PR to support local businesses, early communication with businesses to agree mitigation plans, loading bays where possible, tell businesses about the rate rebate and work with DfE to support badly affected businesses. And the other one is longer working hours.

150

I would argue that the primary one that has been achieved is longer working hours, and ironically, in some cases, that is actually negatively affecting businesses.

I wonder if we could touch on the rate rebate and what discussion was held about providing rate rebates prior to putting that in the project impact assessment.

155

Mr Black: I think rate rebate is an issue that is open to anyone at any time. All of us can apply for a rebate on our rates if we believe so. What we wanted to do, in working with the Department for Enterprise, is try and find ways forward to compensate businesses. There is no doubt that businesses have been adversely affected, but the Minister has said and Mr Robinson has said that we knew that there would be a problem and that we are concerned about it.

160

The Minister and Mr Robinson have outlined what I would call the practical steps, the parking spaces, the trying to work with the coach drop-off points, and indeed we discussed this at my last appearance here. However, in particular we thought there were two ways that we could provide financial help. One is encouraging and making people aware of their option to apply for a rebate. My understanding at the moment is those rebates are being processed. I believe there might be some concern expressed by the local authority, which is the recipient of those rates, and the Minister has asked me to try to work with officers at the local authority to understand any concerns that it may have and to try and resolve that so we can push that forward.

165

Secondly, in terms of a financial scheme of support, colleagues in DfE have a scheme that they have devised. Their officers have been the length of the problem, have met businesses and have tried to see if they can help. The early feedback I have is that support will not be enough to meet the needs of businesses, so the Minister has instructed me to work with colleagues from DfE and with Treasury to come up with a new scheme perhaps, if I could analogise, more on the lines of some of the schemes used for farmers in times of emergency rather than a more routine business support scheme. So, we are looking at recognising ...

170

175

180 As Mr Robinson said, this is a very unusual scheme. This is one of our busiest roads. It is one of our most challenging schemes. The services in there are a genuine problem to us. We are finding things that, even with trial holes, maps and drawings, we did not expect. So, we are slow to start. We are confident that once the services are done the speed will pick up, we are confident that the sections will move, but even for the businesses affected now I cannot promise an immediate respite because once we have done the tram corridor, each side of the highway needs to be done.

185 At the end where we are working towards the Sea Terminal, the southern end, there is a better future because, as you know, the tramway will then be on the side and there is enough road there to have two running lanes and parallel parking, so that will assist businesses there. But for businesses currently affected at the top end of the prom I am afraid we are going to be focusing now on mitigating measures, the ones you have outlined, and on pushing forward some scheme to help them financially.

190

The Chairman: Can I again apologise – we have got a lot of questions to ask: can we try and keep the answers as concise as possible, because there are a lot of questions we have got to get through in the time that you have allotted us, unfortunately.

195

Q10. Miss Bettison: Can I just confirm, then, that all businesses were contacted specifically about a rates rebate proactively, rather than them having to contact the Department or DfE to ask whether there was anything?

200

Mr Black: My understanding is that all businesses that we have contacted were made aware of the opportunity to apply for a rates rebate. We may have missed some, but that was the intention.

205

Q11. Miss Bettison: And that rates rebate would be for them to go through the Rent and Rating Appeals Commissioners, or would that be through a different process?

Mr Black: Miss Bettison, there is a standard process. As you say, there is an appeal process and it is effectively using the existing process.

210

Q12. Miss Bettison: Okay, so there is no specific scheme being set up for the Promenade?

Mr Black: There is a specific scheme being set up in terms of financial support, but no, the rent and rating appeal process exists and is available to anyone on the Island, in fact.

215

Q13. Miss Bettison: And then, just with the financial scheme, I think it is positive that that has been looked at and that has been developed further and the recognition that actually what had already been discussed probably is not enough for the significant effect on businesses that I am speaking to. But I just wonder whether there is also a part of it that is looking at not just the financial loss but the negative impact on businesses that have reviews such as TripAdvisor – those things that you cannot go back on and change but is about something that is well and truly out of these businesses' control and will negatively impact their business potentially for years to come. What is being done from both DoI and DfE working together to manage that situation?

220

225 **Mr Black:** I think, Miss Bettison, there are two ways of addressing that. If you are here, you can see that the impact of the works is outside the control of the business, so we can try and use our media channels to make sure that people are not unfair. Obviously we cannot protect every business, because a business may or may not have strengths and weaknesses; people will have their review. What we do not want is for their review to be adversely affected by, say, noise outside the window early in the morning. That is not fair on the business. 'Couldn't park the

230 car' – that is not fair on the business. So we will try and use our media channels to make that
clear to our visitors. We can put displays ... Fortunately we have the main entry points to the
Island and we can say – and I am very happy to commit to doing this – that we will put some
signage, some displays, some information up to say, 'We are sorry if you are staying on the
Promenade. We have made some changes. We are making improvements. This is not the fault of
the businesses.' We will take that forward.

235 The other thing is, as you said, reputationally that could have an impact. I think we will find it
hard to quantify that because we will not know for several years; but, if the Minister agrees, I am
happy, as we design a scheme, to take longer-term damage into account and see if we can come
up with a scheme that does that. Obviously I will need the Minister to confirm that is his policy
direction.

240

Q14. Mr Robertshaw: Thank you. I just want to go to what I think is the heart of this, and that
is the interaction between the impact, as it is rolling out, with regard to businesses and residents
on the Promenade and your determination to stay within a particular schedule. I just wonder
whether we are now arriving at a point where we have to consider seriously resetting that,
245 because you are talking about how, as you go through it, you are finding the problems more
complex than you expected, that you are looking down the centre but you are going to go to the
sea side and the land side. It may very well be that the problems continue to emerge and that
we get into an almost completely untenable position.

250 The question I want to ask you is: given a determination in the end to reset this project, shall
we say to concentrate down on to smaller sections, to accept the fact that we cannot necessarily
achieve the two-year setting for this job, do your contracts allow you to do that without you
finding yourself getting fines or costs?

Mr Black: Mr Robertshaw, in terms of the contract, it is a new engineering contract. It is
255 designed to promote joint working. Problems are solved early by working together with the
contractor. So the simple answer is that contractually we can agree variations with the
contractor that would allow us to change the time. Our original time was to conclude on
22nd October and the Minister has made clear in his Answers in Tynwald that we are perhaps
about 10 weeks late. We are going to work with the contractor to see if we can pull that back,
260 but when we look at their proposal we are going to see now what impact that will have – it may
be better to be longer.

So, absolutely we have flexibility over time. What we do not have flexibility with is over the
engineering. One section of highway ... If I talk about a 'section' it is the area of roadworks, the
length of each individual section. We know that one section will be 400 m long, irrespective of all
265 the best wishes of ourselves and the contractor because that is the length of the piece of cable
that will join two high-voltage substations. They are 400 m apart. They have to be jointed with a
single piece of cable and that single piece of cable will be laid in one piece and then services
moved over from the old to the new. So, irrespective of the suggestion that we could do it in
smaller chunks, at least one section will be 400m long and will need to be excavated, laid, filled
270 and worked over 400m. Most sections will be 200m or less. If it helps you, currently we have
1,040m of 2,745m under works – that is just under 38% – and there is a clear kilometre in the
middle where there is unimpeded access.

Q15. Mr Robertshaw: You clearly understand my concerns because you are going to visit the
275 same section of Promenade three times and actually now, because of mitigation works, in
certain cases you are going to visit the same promenade four times, which is incredibly impactful
on those businesses. What you are saying, though, is you are able, outside of that particular
400m section, to go down to smaller sections and get the work more intensely delivered in that
area.

280 One of the major problems is that the businesses and residents are losing a fix on where you
are because you seem to be everywhere at once, and everywhere and nowhere in some
respects because – you have heard me say this before – you put the barriers up and nothing
happens. Confidence is draining away at a hell of a rate. Do you accept you need to find a way to
285 get back to a sense of ‘we know where we’re going, we know what’s next, we know how we’re
going to deal with it’?

Mr Black: I think, Mr Robertshaw, I would have no difficulty in agreeing with you. Nobody
likes to see roadworks and nobody working, whether you are on a UK motorway or whether you
are on one of our minor roads on the Island. It is an inconvenience. It affects lives and other
290 people.

We have been clear and the Minister has been clear in Tynwald that we have had two sets of
technical problems which have created the terribly frustrating problem of tram tracks part
finished, no work appearing to be done at a busy time of year. That is far from ideal. Those
problems are resolved. We are confident that we have new methods of working. The contractor
295 is laying concrete again, the rail is going in again, so that work is busy. There will be, in these
longer sections, areas within that where there is not work –

Q16. Mr Robertshaw: More than one 400?

300 **Mr Black:** No. My understanding from our engineers yesterday is only one section will have
to be 400m long. Most will be 200m or less. I would have to get you a written answer,
Mr Robertshaw, if you wanted detail on all the joints and sections and lengths of pipes, and I will
happily provide it.

305 **Q17. Mr Robertshaw:** Not me; it is the people on the Promenade.

Mr Black: Absolutely. There are two answers to your question, aren’t there? (1) Can we
adjust our working methods? Yes, but there may be an impact on price and there will almost
certainly be an impact on timetable. (2) Can we provide clearer understanding of what will be
310 closed when? As I mentioned earlier, the contractor is about to issue us with a new timetable to
take account of the delays we have had. Once Jeff Robinson’s team have professionally analysed
that, made sure it is challenged and tested, that will be reissued and our public information will
be updated to say ‘this section of road should be closed then’ and we will then keep that up to
date so people know.

315 We fully realise that every hotel asked us to be closed to do the work in front of them in the
winter. Of course they did, we totally understand that. But there are hotels the length of the
prom. There are so many constraints that we have tried our best, and I am afraid, like with so
many things like this, the whole scheme is the best we can do with a number of constraints, so it
will feel like a compromise.

320 **Q18. The Chairman:** I think we will come back, because obviously there is some exploring to
be done on the answers already given.

Minister, I would like to come to you, if possible, because you mentioned in your first answer
about political steer. In your Written Answer to me in Tynwald this week you said that the
325 political oversight for the Promenade is with the Political Promenade Programme Board. Can I
ask who sits on this board? And how many times has the board actually met since September
2018?

The Minister: Every month. The political board has been in operation right from the outset of
330 the project, and obviously those who have sat on it have been the Member delegated for

Highways – so that has been David Anderson and more recently Kate Lord-Brennan. Obviously I have been to some of them and I will be at all of them going forward.

Q19. The Chairman: Can you say who is actually on the board, aside from you?

335

The Minister: As far as those on the board, politically it will be us. It will also be officers from DoI and Manx Utilities, and I have said that going forward I do believe there should be representation from the Department for Enterprise and from Treasury, so I have made that instruction to reconfigure that board to address the sort of issues that have come up.

340

Having seen these things happen before and seen projects happen and had experience from those projects, I was very keen that we had joined working from ... obviously the designer is there, the contractor is there ... that we oversee this from a strategic steering point of view and that we have everybody there, because in the past there have been issues with utilities and different services almost working in different timelines, unintentionally but working against each other. So, for me it was critical that they all came together. That is why they work in teams together, and I see that as a vital part of that.

345

Two of the things that I suppose are different with this project are (1) that close co-operation early – not every issue has being tracked and I think there have been new requirements –

350

The Chairman: I am sorry, Minister –

The Minister: – but also that we do not get into a situation where we wait two years and then find out that there are issues that we actually –

355

Q20. The Chairman: I am sorry, Minister, we are looking for answers. You seemed to just skirt around the edges there. Can you write to the Committee and explain to us who actually sits on this committee?

360

The Minister: Yes, as I have said it is –

Q21. The Chairman: No, you did not. Minister, you did not. *(Interjection by the Minister)* Minister, just one at a time. Can you write to the Committee and explain who sits on this committee?

365

The Minister: Yes.

Q22. The Chairman: Can we possibly see copies of any minutes that are being held on that committee and also just a clear understanding of how many meetings you have held, who sits on that board and what topics have been discussed?

370

I would also pick you up on the Answer you gave me, which I was quite surprised about. In the same Written Question you said to me that the Promenade is primarily an operational matter, but given the significance and the importance of the Promenade for the whole Island, especially businesses and the Douglas community over the next two years, do you not think there needs to be greater political oversight in order to work with local businesses?

375

I go back, Minister, to the question I asked you on the floor of Tynwald: how many meetings have you actually held yourself, personally as Minister, with local businesses on the Promenade?

380

The Minister: I do hold to the view that Ministers should be setting policy and scrutinising progress. I happen to be an engineer by training, but I do not wish to meddle in the detail of rail design or setting out roadworks. I do accept that I represent the Department in public and there has been an expectation here that the public can always contact their Ministers. My contact details are as public as yours. I have walked the length of the prom several times in the last few

385 weeks and stopped to talk to people. I realise that some people want me to do more than this. I
am going to publicise these walks in advance, so that anybody who wants to see me can call in
or stop me in the street. Senior officers from the Department will be –

390 **Q23. The Chairman:** Minister, you are reading out a predetermined statement there. I am
asking you: personally, how many times since September, as Minister of DoI, have you met with
businesses? It is a straightforward question.

The Minister: On an informal basis, a number of times; formally, not. We have not had formal
meetings –

395 **Q24. The Chairman:** So the answer is you have not met any businesses? Sorry, Minister, it is a
straightforward question. You are saying to me on committee today that you have not met a
single business since September 2018, you personally?

400 **The Minister:** No, I have met businesses informally but not on a formal basis, and also in the
course of other meetings.

Q25. Mr Robertshaw: Minister, will you just consider after this meeting coming back to us
with a proposal or a determination on your part to ensure that we do not have a repetition of
this morning? This is the first time ever a Policy Review Committee has engaged in a live
operation with a great deal of concern.

405 You have talked about the project board, or whatever it is called, and that it encompasses
everybody. Well, it does not. Because it does not, we are here this morning. Can you please
think about how the residents and businesses down there ... as you reappraise where you stand
and what you are going to do to mitigate these issues, how are you are going to engage better
with them? Could you give us that assurance, please?

410 **The Minister:** Absolutely, and also myself and the whole team, and from the top down.

Mr Robertshaw: Thank you.

415 **Q26. Miss Bettison:** I wonder if you could just outline what you see as the role of the political
side in explaining to the public the reasons for plans and any delays in connection with large
projects such as the Promenade – and I include in the public people visiting the Island as well.

420 **The Minister:** I think it is a range of issues. Obviously it does involve the Minister and those
Members who are involved with delegations to be involved in that process, and there have
been ... As I say, we have been in correspondence regarding such matters as Clarence Terrace
and things like that. I do believe there is an expectation for me to be involved, but also I do
believe and I have always said this is a team effort and it requires communications at all levels,
and it is something, as I have said, we will reflect on and look to increase and to improve.

425 **Q27. Miss Bettison:** You also mentioned earlier the use of social media channels to reach out
with that information; I know you have been using your MyProm Twitter and Facebook handles
for that. I wonder what you are using, though, to reach out to tourists and people who are
visiting the Island. What are we doing to really get that message to them before they land in on
430 the Promenade if they are coming on the ferry, or at the Airport? How are we contacting them,
getting the information across and really telling them that actually there may be something that
is an inconvenience, this is the big picture, this is why we are doing it, but actually we have got
all this great stuff as well? Really selling that narrative – how are we doing that? Or are we?

435 **The Minister:** Well, that is an issue that we need to work with the Department for Enterprise
on to really ... I know we are working quite closely.
Jeff, do you have ...?

Mr Robinson: I think absolutely that is a good and valid suggestion I think we should take
440 away and work with other Departments to see if we can –

Q28. Miss Bettison: It would just seem to me we have got a captive audience on, for
example, the Steam Packet, and I have certainly been to other places I have travelled to – and
this is very specifically the tourist market – where they have talked about the infrastructure
445 projects that are ongoing, the inconvenience it might have on you; there may be something they
offer to people as a compensatory measure, whether it be a free ticket on something I do not
know. I just do not see that we are doing any of that stuff, so when people are coming, the first
they are seeing of it is a little bit like those holidays you went on in Spain where, when you got
there, nothing was built. They are seeing scaffolding, they are seeing the Heras fences and then
450 they are very frustrated and they are taking that frustration out with bad reviews of our
businesses, which has a negative impact. That cannot be understated, the damage that causes,
and I think I really want to see something happened now but I cannot emphasise enough that
should have happened months ago.

Mr Robinson: As I say, I think the idea is an excellent one. When we met with some of the
455 hoteliers, a few months ago now, there was some discussion about whether it was the right time
for an advertising campaign. I think the general view was no, it was absolutely the wrong time
and I believe our tourism colleagues are planning something for later on when the disruption
begins to settle down. But your idea about should we be trying to be more proactive in
460 contacting people coming over on the boat and on the plane I think is an excellent one and we
should pursue it.

The Minister: And I have also said recently – and through other projects, as I was trying to
allude to earlier – the co-ordination of this is always a big issue in these projects.
465 Communication is another big issue on this project and in advertising and I do think, certainly
from a political steer, that is something that we need to do much more on.

Mr Black: I think, Miss Bettison, just to finish off, the balance is we do not want to tell people
who might be booking that they may not get the holiday they want. We simply want to
470 encourage them to come, but when they do land we want to apologise and say there is some
inconvenience. I think that is the point that Jeff Robinson was making. And we can do that
because, fortunately, we have control of both the points of entry to the Island and the transport
services that most of our visitors use. So it is an excellent idea and we –

475 **Q29. Miss Bettison:** Yes, and I would certainly argue –

The Chairman: One at a time, please.

Miss Bettison: – if you contact them when they are on the ferry or in the Airport they have
480 already arrived, so we are not going to upset anyone at that point.

Mr Black: So it is an apology when they arrive.

Miss Bettison: And I agree about advertising, but I think they are two very separate issues.
485 Advertising the Island is one thing; being up front about what is happening, so that when people
get here it is not a massive shock, is wholly another one.

Q30. The Chairman: Do you want to come in, Mr Black, to answer that?

490 **Mr Black:** Just to confirm that the distinction, I think, is important and we are happy to do that. We do not want to advertise publicly to say 'don't come'; we do want to say 'now you're here, we're very sorry there's a minor disruption – it's not the fault of the businesses.' We can do that easily.

495 **Miss Bettison:** Absolutely. No one wants people not to come. These businesses desperately need people to come. Actually what they are seeing at the minute is that is not happening, or when they come they are not feeling that they have been honest with them, and unfortunately the businesses are having to be the front face of that but the reality is they have no control or power over it. That is an incredibly frustrating position. I can only imagine how that feels, so I think it is really key that you guys really drill down into the frustration of the businesses and be able to mitigate against that. The whole idea of the project impact assessment outlines all this, and yet to my mind none of this has really been achieved.

500 **Q31. Mr Robertshaw:** For various reasons now understood, you are 10 weeks behind schedule. You say you are going to catch up as soon as possible, and yet right now the businesses down there are, for the next say 10 to 12 weeks, at the peak of their revenue cycle and if that is massively interrupted because of things that you are trying to do to catch up then there really is a *really* serious crisis. So where is your priority, gentlemen, in terms of ensuring that businesses can get back to some degree of access to that revenue, as opposed to trying to catch up? Do you understand the need for a sophisticated analysis of this and your reaction to it?
510

Mr Black: Mr Robertshaw, I think, if I may take you back to my previous answer, yes, I said that we absolutely will assess the contractor's programme, not just in terms of catching up but in terms of cost and impact now. When it comes in, which is expected in days, we will do that now.
515

The Minister has outlined that he wants DfE colleagues, Treasury colleagues and Utilities colleagues all to be part of the decision. We know that our communications officer is regularly up and down the prom. We employed someone from the start to be the human link between businesses and residents on the prom and ourselves to feed back the feelings and the views, and in fact we have two people doing that work now. Of course we have the overall Government communications team but we have customer service and communications officers who are walking, talking and doing the Facebook updates that Miss Bettison referred to, and they are taking the pulse for us and trying to find out. We have excellent support from DfE colleagues who are going into businesses talking about the financial impact and coming back. But absolutely there is no sense in us catching up if it causes more pain, I absolutely agree.
520
525

Q32. Mr Robertshaw: The other point is – and this is slightly colourful on my part, but not that much – if you go back to the Second World War, the whole of the Promenade had a fence right down the middle. We are getting to almost a feeling that that is where we are back to and the people are almost prisoners.
530

Some weeks ago, Minister, I said to you we need a lot more crossing points and you promised me that we would. When do we get them, how regularly will they be there, and do you accept the fact that those temporary crossing points may very well incur contractual costs but they are essential? Do you accept that?
535

The Minister: Yes, they are, and I made that instruction quite clear and I believe there are two more in place, at least.

540 **Mr Robinson:** Yes, I can confirm there are more crossing points. There are a few technical issues at the moment with creating a couple of breaks, but over the next few weeks you will see the amount of Heras fencing dropping away significantly. We have agreed with the contractor that they will try to provide a crossing point for pedestrians at least every 200 m, because we do appreciate that some of these lengths, in the northern end of the Promenade in particular, have been too long.

545 **Q33. Mr Robertshaw:** Thank you. You promised me, Minister, right back when we were engaging in the problems that developed at the north end of the Promenade, that you accepted ... You told me that the extension of fencing at that stage was longer there than it would be elsewhere and that that problem would dissipate – and it has not; it has got worse.

550 **The Minister:** That instruction has been very clear and I committed to that. That instruction has been taken on board now. It is later than I would have liked. I know there have been other reasons why that has maybe happened, but I was absolutely very clear from that meeting that we needed passing points and absolutely clear that businesses need to be supported.

555 **Mr Robinson:** I think in the southern end of the Promenade there are a lot more crossing opportunities as we speak than there certainly were in the northern end of the Promenade.

560 **Q34. Mr Robertshaw:** I do not want to dive down too much into operational issues, but when I did an interview about the Promenade recently with Paul Moulton I was a little bit taken aback by the clumsiness of the crossing by Regent Street and felt that – and this is a simple observation; I am not an expert at it all – it seemed that if these crossing points are going to continually change, the degree of transmission of information to drivers has got to be explicit and clear and in advance. I do not think that was necessarily the case when I was down there.

565 Could you assure me that these temporary crossing points will be very clearly indicated in advance as they change and move? Otherwise, drivers may end up having an accident with a pedestrian because they came across at the temporary crossing unexpectedly.

570 **Mr Robinson:** You are right. It is a comment I have heard from other people recently. In response to that, where we have a dynamic situation on the Promenade – it is changing on a virtually daily basis – we are looking to put in audits from one of our road safety experts periodically driving down the Promenade and walking along the Promenade to test whether what is actually being put in works from the perspective of a driver or a pedestrian. So, yes.

575 **Mr Robertshaw:** Thank you very much.

580 **Q35. Miss Bettison:** Can I ask what communications you have with the emergency services around access? I appreciate we have had an interaction around fire, but if you could also update about ambulance access related to the prom. Then, off the back of that, I wonder if you could advise what equality impact assessments have been completed about the prom work and if you would share those also.

585 **Mr Robinson:** In terms of dealing with the emergency services, I have had ongoing discussions but certainly additional discussions this week with the Department of Home Affairs about access along the Promenade and a meeting yesterday morning with the fire brigade to address some of the remaining concerns that they have, particularly in the southern end of the Promenade where the width of the operation is very wide and they have got some concerns about accessing with some of their tower ladder facilities. We have agreed new arrangements whereby they can drive down on to the site, if necessary, and that should give them the access

590 and provisions that they require. The contractor has agreed to keep that roadway through the

site clear in the evenings when they go home and at the weekends when they are not there, and we are going to monitor that it actually happens with our own staff.

I have specifically asked about access for ambulance etc. in the Department of Home Affairs, and although there may be a certain amount of discomfort in having to walk 100 m or so to transfer a patient, there is no particular concern at this point.

Q36. Miss Bettison: And when there is an incident that occurs, is there a full debrief with all the services to check that that went well, there were no concerns? Are we doing that? I cannot imagine there will be lots of incidents that happen within the area where the Heras fences are, but it would seem a logical thing to do in light of it, to make sure that when something happens and we require an ambulance or the Fire Service, Police etc., we then do a full debrief, we look at how we could have made that better and what things worked and did not work. Is that happening, or is that something we might be able to consider?

Mr Robinson: I think we have a very good relationship with all of the emergency services and we meet with them regularly anyway, but for the Promenade project there are additional meetings with the project team where they do drill down into the details of all these incidents. They are attended by the rank and file officers who are dealing with the actual problems on the ground. It is making sure that those meetings are working effectively that we are moving forward with now.

Q37. Miss Bettison: And then, just touching on my second part the question, which was the equality impact assessments, are you able to give an update on that?

Mr Black: Miss Bettison, the scheme started long before the Equality Act was thought of. I will look for an equality impact assessment, but I suspect that almost all the decisions were taken before the requirement came in. I have not brought one with me, so we can always revisit it.

We certainly, I absolutely assure you, spent a lot of time with people who are partially sighted, we had demonstrations with guide dogs and we worked very closely with groups representing those who might have additional needs. Whether that was formally written then into what we now call an equality impact assessment ... but I know that our design work met all the standards that reflect fully the needs of the whole range of people in our society. So I know we have done the job; whether we have got a document we call an equality impact assessment I will have to come back to you.

Q38. Miss Bettison: If I can just clarify, I totally get it – I have sat there when Manx Blind Welfare have given details about the heights of the pavements. I am not talking about the final project. I appreciate the long-term prom should be compliant. I am confident, actually, that I have seen a process with that. I am talking about the works that are happening now and the changes that have been made around access corridors and so on. I would argue that they should have an equality impact assessment and that should be something that again is a live document that is being updated depending on what is happening. So, if that is not happening I would be very grateful if that could be something that would be taken on and I am sure that Dawn Kinnish would be more than delighted to support the Department in that work.

Q39. The Chairman: I wonder if we can move on to some of the problems that have been identified: cracking in the cement with regard to the horse tracks. I was wondering if you can just explain to the Committee how the Department is looking to rectify that.

Can I also ask with regard to the central corridor, there is conflicting information I know the Minister has given with regard to who actually made that decision, who made the central

corridor the priority. So, if we can bottom that out as well: who actually made that decision to do the central corridor first?

645 **Mr Robinson:** To take the second part of the question first, the prioritisation of the central
corridor was a decision made by the contractor. They were responsible for putting the
programme and the scheduling of the works together. The reason that was contractually
undertaken that way was we wanted to invite them to be as innovative as possible to bring
650 about an early conclusion to this project, so we tried to leave as much flexibility to the
contractor as possible.

In terms of the cracking in the concrete, we still have not got to the bottom of exactly why
that cracking has occurred. It could be an operational issue with the way the concrete was laid
and formed and how it was treated in the short period after it was laid; it could be an issue to do
with the design of the rail corridor. So there are two possible options. What we have done to
655 move forward is to introduce a design change which will virtually eliminate, hopefully, any risk of
further cracking as we move forward by putting some steel work into that top layer of concrete.
We are still trying to get to the bottom of what caused the original cracking and there are some
contractual areas around that. We do have a provisional proposal put forward by the contractor
as to how rectification might be carried out, which we will be assessing over the coming period
660 and it is work that we would probably like to do before the winter months set in.

Q40. The Chairman: Has the work been suspended, then, until you identify the reasons for
the cracking?

665 **Mr Robinson:** It was suspended for a period during and after TT week. We then came
forward with the design change that gave us the confidence to move forward and start laying
again with confidence that we would not continue to see concrete cracking. So, the design
change allowed us to move forward with more confidence but we still need to continue the
analysis of exactly why we had the cracking in the first place.

670

Q41. Miss Bettison: Thank you. You said before that you hope it will not happen again. My
concern is if you do not know what caused it, surely the new method is really on a wing and a
prayer.

675 **Mr Robinson:** No, the new method is very secure, well tried and tested. So, there is
additional steel work going into the concrete, which we have high confidence will stop any
future cracking issues.

Miss Bettison: Okay, so high confidence – really high.

680

Q42. Mr Robertshaw: Thank you. Just scrolling back to an earlier part of our exchanges this
morning, Mr Black mentioned that there would be one unavoidable 400m section. Could you
describe to us now, for the record, what that 400m section is, from where to where?

685 **Mr Black:** In simple terms, no. I asked my colleagues to identify the longest section we would
have, knowing that the length of the section was of concern to you. I did not ask where it was,
though I know it is on the northern end of the prom. Mr Robinson may know.

Mr Robinson: It is the section that is under construction at the moment is my understanding.

690

Q43. Mr Robertshaw: Could you describe for us, for the record, what that 400m section is,
from where to where in terms of streets or hotels?

Mr Robinson: I am afraid I cannot give you the details of that.

695

Q44. The Chairman: I guess it relates to the question that I asked. It is probably Switzerland Road junction all the way down to one of the terraces towards, I would have thought, the Queens Hotel.

700

Q45. Miss Bettison: Perhaps you could ask.

Mr Robinson: We can see the details of the substations' exact locations.

Mr Robertshaw: Thank you very much.

705

Q46. The Chairman: Can I just ask another question on the central corridor with regard to the railway tracks – they have also identified problems. Had they been mitigated before they came into service, and what are you doing to rectify them, to fix them, to make sure they are workable in the future?

710

Mr Robinson: When the operation of the horse tram track started it became apparent that the noise on the horse tram was considerably louder than it was on the old track. We were not satisfied with that noise level. The condition of the rail is quite poor, so mitigation has been put in place to take some of the rust off the top of that rail. We did a trial piece of rail to take that rust off and clean up that surface in the expectation that that would take round about two decibels off the noise level, which it did. We have had some independent testing of that, and actually having ridden the tram with a noise meter, it is a substantial drop in noise. That change, as well as a detail change to the side of the rail, where an increased width of gap has been specified, filled with a bituminous material, gave me the confidence that we were close enough to having a satisfactory situation that we could restart rail laying. Again, it is somewhere we need to do some additional work in the background, but we got to a position where we felt that there was enough there to allow us to continue, knowing that we could mitigate that noise down to a reasonable level.

715

720

Q47. The Chairman: Am I right to believe that those tracks can actually take and support the Manx Electric Railway?

725

Mr Robinson: That is correct.

Q48. The Chairman: But you are not putting any electricity corridors or columns in there to take that down as a potential option in the future?

730

Mr Robinson: No, that was outside of the scope. The scope was to put into the ground from a structural perspective everything that was required to allow modern raiing, rolling stock, or the MER to use that line into the future.

735

Q49. The Chairman: So, if we do think about using the Manx Electric Railway down to the Sea Terminal in the future, you are going to have to dig up part of the prom to put the columns in, are you?

740

The Minister: No, not necessarily, because you can use capacitor shunts and all sorts of other alternatives.

The Chairman: Okay, thank you.

745

750 **Q50. Mr Robertshaw:** I am getting a little bit anxious about an element related to the relationship of the DoI to the contracts, where you indicated that you had handed over a certain degree of initiative to the contractors in order that they ... Did you use the word 'innovative'? I am not sure, but I have also heard talk about a £1 million bonus. Forgive me if that is untrue or incorrect information – you will correct me.

755 That dynamic certainly is one that seems to sit outside sensitivity to businesses. I think we are getting to the point where the Committee would be very grateful to receive in private the head contract information, which will remain confidential and would only be expressed or discussed in any report as long as you agreed that that was possible. Is there just the one head contract and the rest are subcontracts?

Mr Black: We will not be privy, Mr Robertshaw, to the subcontracts between the main contractor and his own workforce.

760 **Mr Robertshaw:** No, I understand that.

765 **Mr Black:** We have a number of contracts. So, for example, yes, there is one main construction contract, which is an NEC3 contract, I believe, and yes, I have no difficulty under those terms in supplying you with a copy. We also have contracts with, for example, rail designers, but I suspect they are not so much of interest to you. So, if we start by supplying you with our main contract with the construction company on the basis that the commercial sensitivity is to be respected, I will do that, and if you have further questions let me know and I will send you other documentation.

770 **Q51. Mr Robertshaw:** Yes, thank you very much, Mr Black. Clearly what we are anxious to examine here is the contractor being placed in a conflicting position with regard to your ability to engage properly with residents and businesses. I think that is about it.

775 **Mr Black:** We may need to supply an officer, if you wish, who can perhaps in private explain it to you. It is a very long document. There is a finishing date but, as Mr Robinson has explained, it could be done earlier or later, but we can reset that finishing date. There are a range of complexities that maybe either a colleague in the Attorney General's procurement team or a colleague in our design team could sit down with you in perhaps a private session with your Committee. We would happily do that.

780

Mr Robertshaw: Thank you very much.

785 **Q52. The Chairman:** Thank you. I have just got one question. Somebody did contact me and I thought I would ask it anyway. That was related to disabled parking spaces down by Admiral House. Has the Department got any plans to add? They were there but then taken away and they have disappeared, so somebody has contacted me to say would the Department consider introducing some additional disabled parking space in that area.

790 **Mr Robinson:** Without knowing in front of me exactly where every disabled place is, overall the number of disabled parking places is not reduced from what it was previously. There may be some movement in different positions and again we will work with groups to make sure that we put those in the most appropriate places.

795 **The Minister:** And also during the works as well.

Q53. Mr Robertshaw: I would like to seek reassurance that where you return to work on the land side of the project and they are interacting very closely with businesses, you will reappraise

800 with those businesses the ability for customers, guests and residents to access those positions, because that is probably the most sensitive side of the Promenade to deal with. It is highly touchy and difficult.

805 **Mr Black:** There is no difficulty with that at all, Mr Robertshaw. In the original constraint document issued to the contractor, access to properties and particularly businesses and hotels – I have got a list of them – was identified as an issue. We have to take the kerb up and we have to take the pavement up, so we will be going right to the door, to the front line of their property. Of course it will have an impact. That will be done on an individual basis, just like we have discussed with coaching. We will go out to the businesses through the communications officer, as I have referred to, and we will say, ‘How does this work?’ It will be challenging but we hope that we can minimise the impact to very short periods and very short times, but that will be by agreement with the business. We will work with them as far as possible. The contractor will be doing that.

815 **Mr Robinson:** In some ways it will be very similar to Strand Street, where we had to maintain access to all the businesses, so it will be a real challenge for everybody. The day-to-day co-ordination between the site team and the individual business owners on Strand Street was very important and I think that will be replicated again, in that we will have to very dynamically address the day-to-day needs of the businesses.

820 **Q54. Mr Robertshaw:** And signing etc. as well?

The Minister: Absolutely.

825 **Q55. Miss Bettison:** Thank you. How much notice would you expect to give each business related to their specific date for that sort of work?

830 **Mr Black:** I think, in terms of when they might be disrupted, we would be able to give several months of notice. In terms of when it actually comes down to ‘we are moving up and we have done the business before you and you are 20 yards away’ I think we would then be looking down to discuss individual days. So the general likelihood of an area being affected we should be able to tell businesses some months out; the actual day on which we will be doing the kerb in front of their front door we might only be able to give a few weeks’ notice.

835 **Q56. Mr Robertshaw:** Would there be any possibility of that type of work, that really incredibly sensitive side, occurring as far as possible outside the main season? That is to say that other work goes on but ... This is so touchy. Could you look at how that could be scheduled in some way if we are going to look at resetting?

840 **Mr Robinson:** We will certainly look at it. I do not think it will be possible as an outset. The services connections into the individual properties take place at that point as well and those service connections tie in very much with taking out and disconnecting the old services, and in some cases we need those old services to come out of the ground because we have not got any space left in the Promenade for other things that have to go in. There is a lot of complexity around that, so I cannot promise, but we will certainly look at it.

845 **Q57. The Chairman:** A final question from me to you, Minister, if possible. Can you give reassurances this morning that you will be taking overall responsibility politically for this project going forward and engaging with businesses wherever possible?

The Minister: Yes.

850 **The Chairman:** Thank you.

Q58. Miss Bettison: Just very briefly going back to Mr Robertshaw's previous point, I wonder if you could share with the Committee the current plan for the approximate stages at which you would be in front of each section doing the pavement leading directly up to their door, so that there is some broad understanding of when those might be for the length of the Promenade.

Mr Black: Miss Bettison, I referred earlier to the fact that we expect a new programme in the next few days. We then have to appraise that. If you could just give us a few weeks until we get that – I do not want to give you a programme that we already know is not going to work. We know we are running late. There is no point giving you the one that says we will finish in October. It may take a couple of weeks to finalise that, but we absolutely would be happy to do that.

Miss Bettison: Understood, thank you.

The Chairman: Thank you once again for coming in this morning. If you have no more ...? No. As my colleague Chris Robertshaw has said, this is the first time that a Policy Review Committee has actually looked at an ongoing or a live project, so we are grateful that you have come in this morning. We will now suspend the sitting for a few moments to prepare to take evidence in the next session. Thank you so much, once again, for coming in.

*The Committee adjourned at 11 a.m.
and resumed its sitting at 11.07 a.m.*

Procedural

The Chairman (Mr Callister): Good morning and welcome back to this Environment Infrastructure Policy Review Committee session.

We are now going to take evidence from businesses on the Promenade, and again, can we make sure that all mobile phones are switched off or on silent so we do not have any interruptions in between.

I will also make sure that we only have one person speaking throughout the process.

EVIDENCE OF

**Mr T Baggaley, Regency and Penta Hotels; Mr A Brockhouse, Sefton Group;
Mr N Fogg, Cunard Hotel Ltd; Ms K Harvey, Sleepwell Hotels Ltd; and
Mr D Staunton, Papparazzi Restaurant**

Q59. The Chairman: Can I ask each of you to state your name and your capacity in which are attending here today?

Mr Fogg: My name is Nigel Fogg, I am here from the Cunard Hotel Ltd. I operate the Cunard apartments. I am also the licensee of Nexus, the public bar underneath.

Ms Harvey: Hi, I am Kaye Harvey. I am the Central Reservations Manager for Sleepwell Hotels Ltd.

885 **Mr Baggaley:** Hi, my name is Tim Baggaley, I am the General Manager of the Regency and Penta hotels on the Promenade. I am also a Director of Select Management Services that run those two properties.

Mr Staunton: Hi, my name is Denis Staunton, I am the owner of Paparazzi Restaurant and the
890 Windsor Coffee Company on Loch Promenade.

Mr Brockhouse: Hi, my name is Adrian Brockhouse, I am the Group Operations Director for Sefton Group, incorporating Sefton Hotel, Palace Hotel and the Cinema as well.

895 **Q60. The Chairman:** Excellent, welcome and thank you once again for giving up your time. I guess the place to start is to ask each of you to briefly outline some of the difficulties and challenges you have faced in respect of the ongoing Promenade Scheme.

So I do not know if you want to start with you, Mr Fogg?

900 **Mr Fogg:** Yes, thank you.

I have obviously heard the answers that were given prior to us sitting down and it does not fill me with confidence at all. The communication, as far as I am concerned, has been zero. We heard that there were two officers that were dealing with requests and visiting people. This just has not happened. It has been acknowledged at a meeting that I attended in Paparazzi with, I
905 believe, Molly, somebody ... Dennis? I cannot remember –

Mr Staunton: Mary Doyle.

Mr Fogg: Mary Doyle – and she acknowledged that I had not received any letter information
910 that the Scheme was starting outside my property. I received no indication other than the fencing going up on the morning. I do not want to go on too long, but the communication is very, very bad. I was really surprised to hear that there were things in place.

My concerns are primarily with tourism. The people I have in at the moment were shocked to arrive to a business that was now covered in fencing and muck. I raised my concern with
915 Miss Bettison and she has put most of the points forward. I think it is *hugely* important that the Tourist Board are involved here, with either a website, or some sort of communication that I can give to my guests, who are shocked and upset – that I can give them a website to go to, and it will explain further and soften the blow.

I think in doing that, as was mentioned as well, what is the harm in giving them a little bit of a
920 biscuit to come back to visit us when it is done by giving them tickets to National Heritage, or whatever it should be, just to encourage them to come back? Because they are really – we have got upset people.

The TripAdvisor point was raised, Booking.com, Expedia – I have got no way of withdrawing those comments. It is going to be hugely damaging to all our businesses and unless it is an
925 incorrect statement, we cannot take it back.

The actual contract work, the emergency services were raised. On the meeting that we had on the Wednesday – the fencing went up on the Monday, we had the meeting on Wednesday with Mary Doyle – she assured me that all aspects of the safety side were in place. On the Thursday, the following day, I had to call emergency services to my mother for a suspected
930 stroke and they could not get to site. There was triple-parking at Jaks, which was the nearest access point, and they actually parked on the crossing and rushed to the building. The situation was dealt with, but whilst coming in, I was there and I witnessed the confusion they had on the radios with the control room as to what they were meant to do, where they were meant to go. It just was not in place at all, and comments were made on the way out that if this had been a
935 cardiac problem it could well have ended differently.

So I tried to contact Mary – no communication, no call back, no nothing. And on the Saturday, the next day, I had to call the services again and it was the same problem. The lesson had not been learnt, there was no plan that was followed.

940 **Ms Harvey:** Right, okay. I am just going to echo some of what Nigel has said. I am pretty sure all of the properties on the Promenade will be saying quite exactly the same.

However, for Sleepwell Hotels, three or four properties are on the Promenade itself, so one way or the other, all of it will affect us. Primarily, our main concern, again, is communication. Whilst yes, there is MyProm, there are these letters that have been dropped off the day before
945 it is going to happen, it really is not enough for us. We are hospitality. We need to ensure that we have time for these things to even plan ahead – do we have to communicate with our customers to let them know what is happening? Where is it going to be that they need to be dropped off, to be picked up, etc.? When are the fences going to go up and all of that good stuff?

950 However, this past few weeks and months, it feels as if we have to rely on looking outside our doors to find out when the fencing is going to go up and getting ready with our own signage that we made – that we had to make ourselves – to put up, just so that for day it will be ready for our customers to be notified that, ‘this is the way to the hotel, etc.’

I have noted in the earlier session that there is a human link to all of us. Personally, I have not
955 quite had the engagement whatsoever, and again, I do have a couple of pieces of paper that were dropped off in the reception – no certain follow-ups on that one etc. It is literally pieces of paper to one member of staff and go – there you go. So essentially, if that piece of paper did not even make it to the right person, it would just have even made it worse.

I visited the MyProm site a few times and I am pretty sure that a lot of people or a lot of
960 businesses that have visited it will agree with me that a lot of those are out of date. There is no sense of timing, when it is going to finish, who actually knows when it is going to be finished, and all of that good stuff. And, essentially, for us, we do not have a way to communicate it back to our customers because when they ask us, ‘Oh, I can see that there is Promenade work, when is it going to finish?’, unfortunately we are not in the position to even advise them because there is
965 nothing there to support us with those questions.

Furthermore, again, it was pointed out in the earlier session, there are just the things that we see day to day that though we were promised that there is no noisy work before nine o’clock – and this is what we promise to our customers when they come in – what is going to happen here? Because this is the word that was given to us, it was established that nothing is going to be
970 noisy before nine o’clock. Then, there is an example of this last Saturday: we were notified by a team that the noisy work started quarter past seven on a Saturday morning. So you can just imagine that I do have ... Our hotel has got 17 sea-view rooms in one property, however many properties along the Promenade, just do the maths. How many people have actually been bombarded with ... ? The explanation was that they were putting some loading trucks with
975 materials to take to the quarry, which closes early on a Saturday morning – as if it was our ...

Yes, so that is one. In any case there are other communications that show that the person that is supposed to be communicating information to us or helping businesses does not actually have any access to, or any idea, or has not seen the plans. So she just has to wait to be told as well, what to tell us. She does not have any access whatsoever. So it is just like there is a delay
980 and a delay, so by the time it comes to us it is far, far too late.

Our reviews, again, everybody will say this because they are true, the amount of phone calls and emails and reviews that we have received since to date, and very naturally the hotels have to compensate those because of what is happening on the Promenade.

So one last thing – again, this is just something that we have noticed and it was mentioned
985 earlier and it was questioned – it is just, looking where they are right now, it just seems to us that there is a lack of workers on such big areas. So you will see, if it is not every day, it is almost every day, that they will start working before nine o’clock; come 10.30, there is no-one there.

990 I understand – I have heard already, but earlier it has been confirmed – that there is already, what, nine or ten weeks’ delay? And for this matter, it does not feel as if there is actually a sense of urgency to get back on track and I am really sorry, I am sure that the plans are getting place, but this is exactly what we can see from where we are standing. If they are delayed already, I would have thought – or everybody would have thought – that there would be more people that are actually working in there. Because by the looks of it, it is just going to prolong the suffering. It is just going to extend even further.

995 Yes, I think that is it from us, thank you.

The Chairman: Thank you.

Mr Baggaley: Okay, I have got three strands to what I will say.

1000 One is how we got to where we are. Obviously I run the Regency and the Penta, very much right on the Promenade. The work started in earnest – it did start a little bit in December, but that did not really have implications – from January. The Minister said when he was sat here that he had no meetings. He did have a meeting early in January because you called it, Chris. I attended it along with the owner of the Regency and I think there was another MHK there and members of the Department. We discussed at that meeting, obviously, our major worries. We discussed that, obviously, we have to be able to communicate with our guests. I have notified every single guest staying at the Regency or Penta hotels of the Promenade situation. Some have cancelled, but I have told them where they can park. Our Penta guests park in the Palace car park. The Regency – we needed something where they could park because at the time there was nowhere. It took six months to get the Summerland car park online. Six months to an area of land that is owned by the Government.

1005 We then suggested – I think at that meeting, or it we might be at a further meeting that the Minister did not attend, but Department Members did attend and you attended as well, Chris, because you actually chaired it – we decided that it was agreed that we could have parking on the walkway. That took four months to achieve. It all came online at TT when the Promenade was opened up and it was like Christmas, so it was not of any benefit, but I assure you it is of great benefit now and we are very appreciative. But that all took an awful long time to achieve. I cannot understand how it took that long, but anyway, it did.

1010 I can say that running the properties on the Promenade is exceptionally difficult, stressful. We have to supply hotels: to get into the Penta is an absolute nightmare. We are not allowed to double-park on the pavement, obviously we have a traffic-light situation at the moment – it is very, very difficult.

1025 It was talked at this desk here about there is going to be one section which is 400m long. At the meeting – going back to the meeting we had in January – we did discuss about crossing points. We discussed about length of works and all these things were discussed and yes, there will be crossing points and yes, they will not be working in such long sections. (**Mr Robertshaw:** Yes.) That has carried on.

1030 I visually saw something two weeks ago when the Regency was very lucky to be hosting the guests of Tynwald and you had a guests at a Tynwald dinner with us. Obviously a lot of your Members came to join and they parked on the walkway car park and took advantage of it, and I actually saw them walking down the Promenade – no signposts of how you get across the road. They walked right behind the internment camp barrier, then looked through the barrier at the Regency and I could have waved at them! And that is a fact. There is a Member over there who actually witnessed it. So come on! (**The Chairman:** Twice.) It is a joke, let’s be honest.

1035 Right, you asked here about the 400m section. I suspect this 400m section is going to be right up to the Regency, and I suspect it is going to happen September, October, November, possibly into Christmas. If we are treated the same way that my fellow restaurateur here, Sleepwell, where it is completely blocked off for a large area, obviously that must be having huge effects on their businesses, and taxis dropping off – people are just ... I do not know, maybe they are not

1040 going to Paparazzi or whatever, they are going somewhere else. People make a choice when they go to a restaurant or when they go to a hotel.

If that is that 400m section, then something really has to be thought about how it is going to be done, because that will be when the weather is bad. People are not going to be prepared to walk with suitcases. The restaurant, people just will not come.

1045 I have wittered on long enough about that. That is where we are, and that is what we have to do. We have to have better planning, better communication, we have to think of the specific areas. We have to deliver.

The next thing is compensation. We have seriously been financially ... It has cost a lot of money. We have lost business, I have heard corporates who stay at the Regency, their parent companies on the Isle of Man have said, 'You should really give the Regency a miss this year because it is a nightmare to get into and out.' Whether that is true or not – it is not too bad at the moment – but it will get worse. We have had meetings with Brian Johnson, he originally said that we were going to get 20%. Douglas Corporation have now refused to give 20%, so I am taking them to a tribunal – well, the rates rebate thing on 17th December.

1055 We have had meetings with Tim Cowsill who has been out to see us, but he does not have the *vires* to give any compensation. Obviously what is actually happening here is a lot bigger than they envisaged. There are people in this room who have had to actually physically open other businesses just to pay their rent – that is how badly it is affecting people, and I am not over exaggerating.

1060 But the major worry – okay, I am sure the compensation or whatever ... The words from Tim Cowsill: 'I think this is something the politicians are going to have to sort out.' Okay, if something happens, that will be great. But I am not holding out anything for it. But I think we really need to look at where we are now and how we are going to go forward.

1065 I think need more crossing points and I have heard the point about cable to cable or whatever, but something has to be thought of.

Also there are the areas at the back of the Promenade – the entrances. There is an entrance by the Regency where there are lots and lots of flats. Obviously I have never been assured that they are not going to be covered up. I have asked several questions. Obviously there are flats next door to the Regency in Millennium Court, Spectrum, all the way down the Promenade. That is where all those people's car parking spaces are. They have to have access to them, and obviously all our deliveries and oil goes down the back.

1070 So there are lots of things that need to be taken into consideration and I really think the whole thing needs to be looked at in a lot more serious way. I know it is a question of, it is a no-win situation, there are going to be no winners in this – obviously the winner at the end of it will be one lovely promenade.

1075 But I think this is not really all down to Infrastructure. I think it is a national project, we have always been told that the Promenade is the gateway to the Isle of Man. I think the other Departments, such as Enterprise, Treasury, should be a lot more proactive in working with Infrastructure and giving them support and not leaving it all to Infrastructure to do.

1080 Those are my points.

The Chairman: Okay, thank you.

1085 **Mr Staunton:** Hi. Just as Tim has just said here, there is no communication. Absolutely none. I only realised that the road closure was coming in when they put the bollards out along the street, and I thought to myself, what is going on? Then the next thing, they put the fencing up and there was literally about 24 hours' notice that I had. There is no communication with anybody. Nobody has come to see me, I did not realise this was happening so soon, especially like in July and August, when you have got tourists coming to the Island, kids are off school, town is busy as it is, and parking in town normally is a nightmare, but now it is even worse.

1090

But there seems to be no ... There is such a long stretch of road, and the crossing points are so far apart. At the end of the day, it is footfall and it is people passing your business. There does not seem to be a policy in place from the Department for Enterprise and the Treasury, just like Mr Baggaley said. There needs to be something because businesses are suffering.

1095 To start a project like that on Loch Promenade, especially in July and August, when historically June, July, August is my biggest VAT return (**Mr Robertshaw:** Yes.) due in October – it is going to be significantly low. I do not understand why they decided to start a project like that and continue the project over a time when it is busy for most businesses during July and August. I just cannot understand it.

1100 I have actually had an after-wedding party due in this coming Sunday and the lady has had to cancel because of access, because my disabled access for the restaurant is in the back-lane way, and the whole idea of her actually parking and getting her husband across in a wheelchair – because they come quite a lot and her son is getting married on Saturday and she wanted to have all of the relatives. She has actually cancelled. I do not want to really bother her and ask her for a statement – because I knew the reason why, but she knew I was going to be here today, and she said she would write a statement or a letter basically saying why. There does not seem to be any provisions for disabled access to my property.

1105 The whole thing is just ... People just seem to be scratching their heads and there needs to be something in place, because businesses are suffering. They really are suffering. People do not realise, but they are suffering.

1110 I am only two weeks into it, I am already down between 15% and 20%. So if this continues, I am seriously, as a business owner, going to have to think about redundancies. I have to, to keep the business going forward. I employ 18 people –

1115 **Q61. Mr Robertshaw:** Eighteen – one eight?

Mr Staunton: Eighteen.

1120 **Mr Robertshaw:** Eighty, did you say?

Mr Staunton: Eighteen.

Mr Robertshaw: One eight. Sorry.

1125 **Mr Staunton:** So I am going to have to seriously reduce my overheads and my costs. That is why ... The Department for Enterprise have been no help. As Tim Baggaley said here, Tim Cowsill was on the phone and came up with an idea of 20% rebate, and then I get another letter – or email – off the Government saying, ‘No, there is ongoing discussion between Douglas Corporation and Isle of Man Government and nothing has been sorted out yet’. So there just does not seem to be any help. There is no help. It is a case of like, ‘No, we’re doing this, sod ya!’ That is how I feel as a business owner.

1130 That is all I wanted to say really.

The Chairman: Thank you.

1135 **Mr Brockhouse:** Yes, thank you.

Yes, three points really. I can probably call them – because I have to deal with a lot of PR spin when I have to try and get communication from the MyProm team – communication, compensation and consultation.

1140 Communication: poor. There are contacts that are out there, the MyProm team. But for example now, you go on to the MyProm website, click on Phasing, click on Phase Four – which is obviously the impact that we are taking now outside the Palace – and it will tell you 24th April, it

will be finished 24th May. Even now when you go on there, it is not updated giving us information. We are now into the middle of July and I can tell you, no, it is not complete, because you can stand outside the Palace and you can look at the Heras fencing and there seems to be no significant work happening outside that area.

1145

It was deeply frustrating – I am not going to be critical of the panel that came here before us, but I am glad they did turn up – where they did not know the 400 metres. They did not know the 400 metres had the biggest impact on the Promenade to all our businesses. That should have been in their heads, that 400 metres, because it is the most important 400 metres on the Promenade that we are dealing with. It is impacting 33% of the hotel stock, if you take that section, and they should know that that is an area of concern.

1150

We look and we ask for a request such as trying to get right turns out of the Palace. If you take into consideration the Palace, people know that building, on a Saturday evening we have bingo, we have the Kursaal, we have functions, we have the cinema. There are about 250 car-parking spaces, every hotel here has the opportunity to use our car park because it is a pay and display car park. The amount of people that are trying to turn left coming out of that car park on a Saturday night is horrendous.

1155

They cannot turn right. We asked for a right turn request in February, it took about three months to get a response for the right turn request, which was actually declined. But we were told it would be fine because it will not impact TT. We still have no right turn because the Heras fencing is still there.

1160

Even now I do not know when our section is going to be complete. So there is a lack of communication, websites need updating. I have just listened there about who we are supposed to be dealing with. As far as I am concerned, we are only dealing with the MyProm team – that is who we go to.

1165

We gave them the solutions for car parking for coaches. We suggested that they allow coaches to park outside the Palace. That is not for my hotel, that is for the benefit of other hotels, because actually our coaches can get into the Palace – some can get into the Palace, I will say. If they are wide coaches they cannot actually get into the Palace car park because the Heras fencing is too close and it is too narrow for them to turn. So we suggested that coaches could park outside the Palace for other hoteliers. We suggested that the MyProm team maybe approach the Castle Mona to see if they could get them to allocate car-parking spaces. All these things were suggested and have taken so much time, as Tim pointed out earlier on. Everything seems to take so much time to happen. So there is a lack of communication.

1170

1175

Compensation: yes, that is a big point. I do not know if there is going to be enough teeth with the people that are involved with dealing with this at the moment. I think, as Tim pointed out, all Departments need to take this seriously and all Departments need to be consulting with each other to look at how you can make a compensation package suitable. We did it at the time when we had the foot-and-mouth on the Island, so there is a precedent set there. Somebody must know how to do this. Just talking about token gestures of 20% rate rebates – it is not enough.

1180

I will speak on behalf of lots of the restaurateurs that are sat in here today: they are losing 40% or 50% of their business because people cannot park. People are reluctant to come down to the restaurants.

1185

There is also an issue about not just compensation in terms of the hoteliers, our bingo business suffers, our slot machine business suffers, our cinema suffers. Just on the first point about communication, there is lack of areas about pedestrians. Everyone thinks about vehicles and minimising disruption to vehicles, but what about pedestrians?

We had examples of bingo customers that used to cross over the road from the Palace, but to get the bus back they have to walk all the way past the Empress apartments some 200 to 300 yards to try and get to their bus stops so they do not come. Disabled parking is an issue. As I said, pedestrians struggle, parking struggles. So we need to look at compensation and that needs to be looked at with somebody that can have teeth. It cannot just be given to a small department or the rates people. Somebody has to have teeth to look at that.

1190

1195 And then we talked about consultation. Our fear really is – we have had a massive impact this year, it has impacted all the areas of our business; we cannot take back TripAdvisor and Booking.com reviews, they are going to be there – what happens next year? Will people come back next year? Are they going to come? We do not even know if it going to be completed by this time next year. Are we going to lose business in the summer of next year?

1200 So, really, we need to get further consultation when we talk about the kerbside the work – and it was touched on. I am just curious to see who these people are. Are they going to come and stand at my business and talk to me about how I get people in the bingo door, how I get people in the Promenade door, how I get people into the car park? Are they going to be there standing with me before they make a decision about what work they are going to do? Are they going to ask us what is required?

1205 If they are talking about taking kerbside work now, I think certainly in places like Kurries and Steaks restaurant and further along, it could be Christmas when that is going to happen. They have just had to suffer TT and summer, and now they are potentially going to have kerbside work happening at Christmas outside of a restaurant. That is going to be horrendous for some of these guys.

1210 So yes, compensation, communication, consultation. Just talk to us and engage with us.

The Chairman: Okay, thank you so much for those initial thoughts. It is very much appreciated.

1215 Roger, did you want to ask the first question?

Q62. The Clerk: Yes. You will have heard the previous panel of witnesses mention a project board which was designed to be the interface between the political and the official side. Did any of you know the project board existed?

1220 **Several witnesses:** No.

Q63. The Clerk: So what is the system that was put in place by the Department to allow you to communicate with the sponsoring Department – the DoI? What is the system?

1225 **Mr Baggaley:** As I was probably one of the first people to be affected, the first communication was with MyProm, with Mary Doyle. Obviously we then realised that – I am not being disrespectful Mary, but – this is something far bigger than one person can deal with. So we then went directly to the Department, to Keith Podmore, and liaised with him.

1230 Then obviously as it grew, we realised that we need more help, so we went to our political Member, Mr Chris Robertshaw and latterly, Mr Rob Callister.

So as to a board, I never knew one existed.

Mr Brockhouse: Yes, same for us really.

1235 My direct contacts: Keith Podmore, Mary Doyle, and no disrespect against the MyProm, but it is all about sympathy, empathy and PR spin, but no solutions. When you do get solutions, they take time. Again, do they have the teeth to make decisions, to get things moved on quickly?

Mr Baggaley: It is a bit like a cappuccino – there is a lot of froth!

1240 **Mr Brockhouse:** Yes!

Mr Baggaley: We need a bit of substance.

1245 **Mr Fogg:** I would just confirm that I have had no contact. Nobody came to me and Mary Doyle apologised at the first meeting that was called in Papparazzi that I had not been communicated with at all.

So it is news to me that there is this board. I was at the previous meetings when the Promenade was being discussed and businesses were invited to come to the four or five meetings. I put some of my views forward then, but after that I heard no more.

Obviously we understand the Promenade was going to go ahead, but just the complete lack of information is –

1255 **Q64. Mr Robertshaw:** On scale and degree of impact, Mr Brockhouse, you mentioned that – and we will all recall this – the Government’s approach to the industry’s difficulties during foot-and-mouth. Here of course we are dealing with a limited number of specific businesses on the Promenade, rather than the entire industry. So it –

1260 **Mr Baggaley:** Can I just say that between the Palace and Kurries and Steaks is 20% of the Island’s bed-stock. (**Mr Robertshaw:** Yes.) And can I just say that probably – I know that is an actual documented figure – but the figure from the Admiral House down towards the Chester House I would suspect is verging on possibly the 20% to 30%.

Mr Brockhouse: Yes, I think it is probably closer ...

1265

Mr Baggaley: So we are not 100%, but we are a lot. That is not including restaurateurs, dry-cleaning businesses –

1270 **Q65. Mr Robertshaw:** Got you. My question was would you like to explain to us the comparative impact between how foot-and-mouth hit the businesses and how this is hitting businesses now? Could you do a comparison in real terms?

1275 **Mr Baggaley:** Well, I remember foot-and-mouth. (**Mr Robertshaw:** So do I.) Some people did – well, you were running the Sefton (**Mr Robertshaw:** Yes) – some people did come out to the Isle of Man for just the festival, but we had a lot of empty bed nights. But we were compensated for that. There was a proactive approach and I think, possibly – I do not want to generalise an waffle on because I know time, but the industry is not ...

1280 Unfortunately, that very much affected the farming industry. The farming industry at the time had a very strong Minister, and obviously a lot of people with extensive land are very wealthy and I know historically a lot of farmers were Members of this Hon. House. They were taken seriously.

It does not seem as if hotel catering and restaurateurs are being treated in the same way, I am afraid to say.

1285 **Mr Robertshaw:** Foot-and-mouth only – as I recall – that process lasted for a number of months, but what we are talking about here is an indeterminate period of time and stress and pressure on businesses, which we are not yet clear as to how long that will be or when it will –

1290 **Mr Baggaley:** With foot-and-mouth, one piece of business, it was quite easy to quantify what the losses would be. (**Mr Robertshaw:** Yes.) You were compensated for the number of bed-nights that you lost, and obviously people came round and actually checked that you had not put people in those rooms. I think that was a lot easier to compensate. This is difficult because obviously they have asked for VAT returns and things, but VAT returns do not answer everything, because some businesses have had to maintain turnover, have had to discount.

1295 (**Mr Robertshaw:** Yes, I get that.) It is a very big thing – which I am sure you will remember, Chris, because you are still in business – profit and turnover. Profit is sanity, turnover is vanity.

1300 **Q66. The Chairman:** Mr Baggaley, just expanding on that question, businesses – restaurants etc. – they are being impacted today, we can see that by the footfall. Do you think hoteliers will not actually fully understand the effect of the Promenade until next year because of the way bookings are taken? So as a hotelier, you may not actually know the full extent of people not booking until six months, a year down the line?

1305 **Mr Baggaley:** We do not know the full extent. The corporate business is difficult because people – obviously new hotels have opened – they might go and try them while they think, ‘Well, we’ll go back to the Regency when it is over’; they might not come back.

I do not really do coaches – I think we did two this year – so I cannot really say, but coaches book many years in advance. *[Inaudible]* ... their loadings might go down, and if a coach loading goes down, it affects the coach because obviously to bring a coach to the Isle of Man you have got to have so many people to make it worthwhile the driver and the coach.

1310 I cannot really answer that, but I think you will find that coaches will be thinking about whether they put 2020 down, whether they do as many tours, whether they, you know ... It will take a few years to really see exactly what the damage is.

1315 **Q67. Miss Bettison:** I was just going to expand to say that from the feedback that I have had certainly, that is the case, because the impact in year one is a very different impact. I think the people are coming because they had already booked, **(Mr Robertshaw: Yes.)** but you are getting the poor reviews. The issue is then what you will see then in year two, year three, is the lack of those people returning and that impacts all the different businesses that I have spoken to. But it is also recognising –

1320 **Mr Baggaley:** They might return, but they will not return to the Promenade. **(Miss Bettison: Yes.)** They might return to the Premier Inn, they might return to the Mount Murray.

1325 **Q68. Miss Bettison:** Yes. But you will lose that business along the Prom, absolutely, because people recognise there is that problem, and there is also the difference between the domestic business and the tourist business. I think it is important that any scheme recognises the difference between those and the solutions are very different. Depending what business you are in depends on the percentage impact those have.

1330 So as you say, I think it is such a complex issue and that is why it really does need that cross-departmental focus, which I think we saw has not been as good as it needs to be.

1335 **Mr Staunton:** If I may say, it is not a case of when the prom is finished. As business owners, when the prom is finished, great, the prom is finished. But it will take businesses at least another year to two years to play catch-up of all of the revenue they have lost while this has been going on. It will take them a minimum of between one and two years to play catch-up. And anybody in Government that expects local businesses in Douglas to play catch-up are gravely mistaken. It will not happen. Some businesses, it will not happen, it just will not happen.

1340 So you have to implement a plan now for our businesses; individually we have to implement a plan now to cut overheads, cut costs, to survive – because we have got a winter coming up as well, and normally July and August is a good time of revenue for a lot of businesses in Douglas, so now we have to get through winter. The only way we are going to actually get through winter – most businesses are – is to cut overheads and make redundancies. Redundancies have to be made, and that is the way it has to be done.

1345 **Q69. Miss Bettison:** I think the other thing – if I can just put on record – we were due to have someone here from the dry-cleaning business – we had publicised that – and I think there is also an additional element, if I could just make the point, around people changing habits. So when

1350 they start going elsewhere, they might not come back when works finish. We have certainly
seen that and I wonder if any of you have got comment around anecdotal evidence, because
1355 certainly that is something I think that has been seen in other schemes on the Isle of Man.

Mr Brockhouse: Yes it is difficult to say, I think.

1355 Yes, I think trying to judge what is going to happen now and what is going to happen next
year is going to be challenging. Coaches are a big issue. The Palace can cope with coaches
because they can park currently in the car park, as I said, and some can park out. But other
hotels that are further along the prom are going to be impacted by this, because if you have to ...

1360 This is what is kind of frustrating when we talk about Ministers and politicians – stand on the
Promenade. Just stand there for a few hours and watch a coach pull up, 52 people get off,
majority elderly, and watch them with all their suitcases from the Palace down to the Regency. It
is embarrassing. It is so frustrating. Are they going to book next year? No. They are not going to
book next year, because we cannot tell them what the situation is going to be like next year and
if we did, they are going to take alternative opportunities. So the coach business will struggle.

1365 This is going to be a long-term impact. It is going to go, certainly into next year, and it may go
on for two years. It is going to be a challenge.

1370 **Mr Fogg:** I think this is a point that I made earlier, or I have tried to make earlier, why the
Tourist Board was not involved in this. It seems to me that we are talking about tourists here –
well, the great majority of it is tourists – and we should be treating them as that. These are
valued customers, they have to be encouraged to travel here in the first place. If we could have
a dedicated website or a presentation or something that as hoteliers we can, once their
grievances come to the reception, we can give them a piece of paper and say, ‘Look, have a look
at this presentation. We are working together, we understand it is a mess at the moment, it is
going to be better, but if you come back, see the new Promenade and we will also be able to
1375 give you tickets around the Island’. It surely cannot cost the Government to give them entry to
what they already own.

To me, we have to look after them, we have to give them something.

1380 **Q70. Mr Robertshaw:** I was taken earlier on by the comment that these sorts of tickets
should be made available. But certainly Government should be supplying and displaying each of
the particular accommodation providers and restaurants directly involved to at least try and
capture some empathy, if you like, from the customers’ perspective, so that future public
reports on their experience will be, to some degree at least, mitigated. You have all said, haven’t
you, that the long term impact of these reports ...? It is up there on the internet forever and
1385 ever. It cannot be taken down.

Clearly to deal with the comments already made, would you agree that the engagement has
got to be (a) at a much higher level, not only with the Department of Infrastructure but cross-
departmentally? It is a CoMin issue, it is that serious, it is a Council of Ministers issue. It has got
to go up to the Council of Ministers, as a whole I would think, and your engagement has got to
1390 be at the very highest level.

The degree of communication has got to be escalated many hundreds of percent across
Government.

1395 **Mr Brockhouse:** I think we, as Sefton Group, managed to get some teeth behind our
operation, really, because of my CEO Brett Martin. Brett Martin put his Chamber’s hat on to try
and get some leverage and to speak to different Departments. He called a meeting on 24th May
and there were 42 representatives of the local businesses that attended that meeting and
various Dol teams. It was on 24th May.

1400 Sadly, it took until 15th July to actually receive the minutes of the meeting which Brett had
requested on three different occasions and even, I know now, that those have not been

circulated. It was quite an in-depth meeting and it explains a lot of the frustrations. I will probably request that this could be given to the panel – (**Mr Robertshaw:** Yes please.) yes, but obviously it needs to be circulated to all those attendees as well.

1405 But again, that took Brett, really in his frustration, to try and pull people together. Why is it down to the CEO? I know he put his Chamber’s hat on to do that, but surely somebody else should be calling people together.

1410 The problem you are having is not just the big boys, it is the small boys. It is the chip shop, it is (**Mr Robertshaw:** Yes.) Carnation – the cleaners on Castle Mona – the chip shop, it is the small restaurants, it is the pizza takeaway guys, it is all the little guys that count – the Spar store. And when you walk past, they come to us, ‘Adrian, can you help? Can you talk to somebody? Can you arrange car parking? Can you help our businesses out?’ All we can do – we have got the advantage of a big car park and it is massively getting utilised. If our car park was not there or God forbid, when they actually decide they are going to have to tarmac over the front of that car park, these businesses are really going to suffer. And it is the small businesses that are trying to
1415 cry out for a voice.

Q71. Mr Robertshaw: When you eventually got the minutes of that meeting that took – was it eight or nine weeks to get through to –

1420 **Mr Brockhouse:** Yes, it was 15th July they arrived.

Q72. Mr Robertshaw: For our help, to assist us – do those minutes, when we receive them, is it a true and fair record of that meeting as you recall?

1425 **Mr Brockhouse:** There are two comments that I know, on behalf of Brett Martin, that he has gone back to the person that dictated these or wrote these minutes and has asked for some corrections, but it is a fairly accurate record of what was said at the meeting.

1430 **Q73. Mr Robertshaw:** In that case, would you be kind enough to ask Brett whether he could also communicate those amendments that he wanted to those minutes and send them to us, please?

Mr Brockhouse: Yes, I can arrange that.

1435 **Mr Robertshaw:** Because we would need to know that.

1440 **Mr Baggaley:** I would applaud what Adrian said. I obviously know Brett quite well and I gave him a lot of my frustrations – he called this meeting on the 24th, it was a very good meeting. It was well attended. One of the points that is not in the minutes – I have only actually seen the minutes this morning when I was sat over there – was that –

Q74. Mr Robertshaw: This morning you saw them?

1445 **Mr Baggaley:** I saw them when I sat just over there –

Mr Brockhouse: They have not been circulated, you see –

Mr Baggaley: They have not been circulated.

1450 **Mr Brockhouse:** We only had them two days ago.

Mr Baggaley: I did not receive them.

1455 One point that was mentioned at the meeting – I do not know who brought it up, but it was brought up from the top table – and I have no problem with bonuses or anything – but the bonus of £1 million was mentioned. Now, I personally think to release that kind of information to a room full of 30 to 40 upset restaurateurs, hoteliers – some of those restaurateurs had not paid themselves for two or three months – I personally think that that was out of order and that is the kind of information that should have been released at 5.25 on a Friday before a bank holiday weekend.

1460

Q75. The Chairman: Can I possibly just expand on the communication theme?

Because I think all of you in your brief summaries actually said that communication was incredibly difficult. Can I ask you, as businesses, what sort of communication you would like to see going forward if we could start afresh?

1465

Ms Harvey: Well, I do not think any of us is expecting somebody to come in every day to tell us what is actually going to happen. But MyProm – its idea is actually great. The only problem was it is not being utilised as it was supposed to be, as Adrian has mentioned already and I am pretty sure everybody else has checked MyProm, which we do regularly do, even if we have seen that they are just outdated. Every time we try to see or work it out ourselves, to look at all of the pictures and information, it still has not been updated anyway.

1470

So if it is at all possible, we would really strongly suggest that at the very least MyProm should be updated regularly and urgently, for us to go onto it at any time that we need it and circulate it to anybody that needs to know within our business etc., and also so we can plan ahead, advise our guests, etc.

1475

At the very minimum I think MyProm should be updated very regularly.

Mr Baggaley: See hoteliers could put – on my website, I have where you can park, I have got little maps of where you can park. So we notify the guests that there are problems, we tell them, ‘Please look at our website and it will give areas where you can park for both hotels’, but if MyProm was accurate – I will not do it at the moment because I do not believe it is accurate – I could have a link to MyProm and they could see that. (**Ms Harvey:** Sure.)

1480

Also, what Miss Bettison said about informing people on the ferries, they have a Health and Safety ‘what happens if the thing goes down’: you could have a nice video, you could have a futuristic look of how it is going to look, it could be very, very ... Just to warn people –

1485

Miss Bettison: Really positive.

Mr Baggaley: For every negative there is a positive. We need to turn this into something positive that is going to be brilliant and make us look really good. That is what we need to do, and that could be done. I do not think you would be able to do it on planes, but you could have something at the Airport.

1490

Miss Bettison: While you wait for your baggage for example. You could put it on the back of those nice black hoardings.

1495

Mr Robertshaw: Adrian has talked about the pressure on his car park and how it is serving the Promenade (**Mr Baggaley:** Yes.) effectively. How has that facility, right at the north end of the Prom, the new car park, how is that working out?

1500

Mr Baggaley: People are using it – not all the time – but what is being used is the walkway car park because that is the nearest to us and people dining in L’Experience, they use it, our guests use it. The Summerland one possibly is not getting a huge amount of use, but it is something I can advertise.

1505 You see, as you know, being an ex-hotelier, if you are going to say to someone that there is a refurbishment programme going on, we have got nothing for you, which is what it was like six months ago, at least I can say now that there is Summerland car park, that is fine – you are offering them something.

1510 You have to be able to offer people something and I think that was very important to achieve that. It took a while to get it but I am very glad that we got it. But unfortunately when the weather gets a little bit more inclement in September or October, we will not get to use the walkway because the cars will get probably washed away, so Summerland will become more important to us.

1515 **Q76. Mr Robertshaw:** In our – may I ask this – in our questions of the previous attendees, were there any questions that you thought we should have asked and did not? Here is your chance to put us in our place, please.

1520 **Mr Brockhouse:** No, I think it was more the frustration. I said – I will go back to my comment about not knowing where this 400m stretch was, because ... (**Mr Robertshaw:** Yes.) Come on! Listen to the people. It is such an impact to that area, and I think we talked on hotel bed-stock, I think it is about 33% of the hotel bed-stock that is impacted by the section on the north end of the Promenade. You have got so many hotels there, and it is not just the Palace, it is behind the Palace. It is the Empress, and it is behind the Empress, there are a lot of hotels that are
1525 impacted.

Mr Baggaley: Do not forget also it is also a residential area. There is Millennium Court, Spectrum – Deanwood actually attended that meeting that we had, because obviously they are very concerned that their residents have got to get access. Deanwood run the management
1530 companies for a lot of those properties.

Q77. Mr Robertshaw: Right.

1535 Well, we are finding your evidence this afternoon – and we are coming towards the end, aren't we? – very powerful this afternoon. Is there anything else that you want to leave with us that we have not thus said so far that comes to mind?

Mr Baggaley: Find out where the 400 metres is and what area that is. Where it runs from to where, and whosever area that falls on, then they need to be involved in high-level discussions as to how the works are going to be carried out to the minimum disruption.
1540

Mr Robertshaw: And if there is anything after that – you know it is always the case when you leave a meeting, 'I wish I had said so-and-so' – if any of you find that you have arrived at that particular conclusion, if you could just send notification of your comments to our Clerk Francisca, we would be grateful as we examine all the evidence that we have heard today and arrive at our
1545 position on all of this as a Committee.

Q78. Miss Bettison: I just wonder if I could do a sort of a run-through with the Project Impact Assessment I mentioned earlier to the DoI representatives and the items that were listed specifically related to the impact on businesses and the mitigation measures, just to find out by
1550 each of you, with each one, whether you feel that has been achieved to any extent.

So if I could start with the signage to advertise that the businesses are open as usual and any media coverage of your businesses. So I do not know if you can do it in turn. If you have had it, if they have done it –

1555 **Mr Fogg:** It is just general signage and as I said, I have had no communication to see if anything has been offered to particular businesses for instance, 'Nexus bar open as usual' –

Q79. Miss Bettison: So there has been no signage for your business?

1560 **Mr Fogg:** There is no personal; it is just general, 'All businesses are open as usual', which, you know ... nothing personal.

Ms Harvey: Yes, it was really very general. As I mentioned earlier, we had to make our own signage for this particular stretch.

1565 **Miss Bettison:** Okay.

Mr Baggaley: Well the assessment was not done – as far as I know – prior to the project. The meetings that were talked about by the Minister, I am not sure who – Mr Black or whoever – that were had were generally discussing the different plans of how the Promenade was going to happen. There were three of those meetings at the Regency, which stakeholders were invited to, but there was no impact assessment done, as far as I know.

1570 **Mr Brockhouse:** I can 'nil return' that, because you are asking me something I was not aware of. The consultation was involved in the scheme of the Promenade –

1575

Mr Baggaley: It was not on the Impact Assessment.

Mr Brockhouse: Not the impact.

1580 **Q80. Miss Bettison:** And then it talked about early communication to agree mitigation plans. Has anyone here agreed mitigation plans with anyone via a communication with the Department?

1585 **Mr Baggaley:** Nothing has been offered. I mean mitigation, they have been offering car parking, yes, but –

Q81. Miss Bettison: But that has been through you proactively seeking it, rather than anyone coming directly to you?

1590 **Mr Brockhouse:** No, there is nothing proactive from the other side. It is always us chasing. That is the way it works.

1595 **Q82. Miss Bettison:** And then I asked in the previous session about the rate rebates and I was advised that every business had been directly advised of that, or is that something you have had to –

1600 **Mr Baggaley:** Can I just correct you on the rate rebate? You can only put a claim in – this was confirmed to me by Brian Johnson from Treasury – you can only put a rate rebate claim in, it will only come from the minute that you put the claim in. Now I was on to this early so mine went in in December. (**Miss Bettison:** Right.)

It now seems that we will not get anything from the Corporation; there is a possibility, maybe, from Treasury. But nobody actually – I found out about the rent, I think it is called a 'Business Disruption Scheme', I found out about that because I was talking to one of the directors of Heron and Brearley, who obviously are experts in this because they have all got pubs

1605 and things all over the Island – and I was advised as to how to do it. And I have told as many people on the Promenade as possible that this is what you should do.

But you will only get it, as far as I know – and this has been confirmed by Brian Johnson, maybe he is wrong – that you will only get it from the moment you put the claim in.

1610 **Miss Bettison:** Okay. But you are the one who is now contacting businesses, rather than that coming from Government.

Mr Baggaley: Well, I am just a sociable person. *(Laughter)*

1615 **Miss Bettison:** No, no I realise that! But I am saying that should have been fulfilled, to my *(Mr Baggaley:: Yes.)* thought, everyone should have been directly contacted – *before* the works started would have been a great time for that to have started.

1620 **Mr Fogg:** It was news to me – that I heard from this Committee prior to here that that was happening. Because, as I said, I have had no communication.

Q83. Miss Bettison: Okay.

1625 So the other one is around loading bays where possible, which I know has been a longstanding issue and there have been some put in retrospectively, some had been put in advance, but has there been any discussion with each of your businesses specifically, from the MyProm team or anyone else, to ask about how that could be best facilitated or how you will manage?

1630 **Mr Staunton:** No, because like everyone else here before, we have had to go and find out, (a) who the communications person is for MyProm, and get them to sit down and then ask them the question rather than them coming and telling us and informing us where loading bays are and such like that. It is us chasing everybody else.

Miss Bettison: I think I probably knew the answers before I started. *(Laughter)*

1635 I just think it is really important that we lay down that pretty much every one of these mitigation measures ... aside from the longer working hours, which as I have heard directly previously and in evidence today actually is not always a positive thing depending on the days and times that it is happening.

1640 **Mr Baggaley:** I have fairly long working hours being in the nature of my business – I do not really see ... I see people going mid-afternoon on Fridays and things. **(Miss Bettison: Yes.)** We have had some lovely evenings recently – nobody is working until eight o'clock at night.

Miss Bettison: Yes. Okay. I think that –

1645

Mr Baggaley: There was actually a camera put up on the Regency, a real live camera, I do not know who – I think that was organised by MyProm to record the works, but it has been taken down.

1650 **Miss Bettison:** Oh, that would be good to watch! *(Laughter)* Is that going to be a time lapse? It probably ran out of battery.

Mr Baggaley: It was up for about a month but it has been taken down now. *(Interjections)*

1655 **Mr Brockhouse:** Yes, we have got some nice photographs of – I think it was the ... I do not know what the date was –

Mr Baggaley: I have got a whole phone full of photographs.

1660 **Mr Brockhouse:** The 14th June and 11th July and we have done a spot the difference quiz.
(Laughter) You have not found much.

Miss Bettison: Again, I am genuinely not laughing at the frustration you guys feel because I really, really get this –

1665 **Mr Baggaley:** You have to laugh or you would cry.

Miss Bettison: I think, certainly as a Committee, that is why we felt this was so fundamentally important and I thank you for just running through those. It really was just because I think it is really important to highlight that, actually, the mitigation measures that are in that Project Impact Assessment just have not even been started. So thank you.

1675 **Mr Fogg:** I think another – just before you close – I think another good point was raised by Kaye with the actual starting times. Because when I did meet with Mary eventually, she told both Denis and I that there was no work to start before nine o'clock. Now she is saying one thing that is clearly not linked to the builders themselves or the contractors. They were starting at quarter past seven, eight o'clock generally, you have got this huge impact hammer going, the place is shaking – it is shaking, they are all built on sand. So one side is saying one thing, something else has happened on the other side.

1680 So, again, terrible communication.

Q84. Miss Bettison: Just one other thing actually.

1685 I had raised a number of your concerns with the Department recently and I had a reply that stated that with the work – and this does not affect some of you, so my apologies – from Victoria Street to Granville Street was most recently communicated to stakeholders on 27th June via a mailshot information leaflet with additional correspondence on 1st July prior to the working area being extended. Can I just check who in that area received those two communications?

1690 **Mr Robertshaw:** Between Victoria Street and?

Miss Bettison: Granville Street.

Mr Robertshaw: Oh right.

1695 **Mr Staunton:** No.

1700 **Miss Bettison:** So two communications, it would have been, with mailshot, so I assume it was not addressed to you, it would have just been a drop through the door. But it would be helpful to understand if anyone received that, and if they did not, I think there is either the information I am getting is wrong –

Ms Harvey: If it is the one that I have mentioned earlier, there were two pieces of paper that were dropped off in reception with no other follow-ups –

1705 **Q85. Miss Bettison:** On separate days?

Ms Harvey: Separate days. Yes. (**Miss Bettison:** Okay.)

1710 In any case, I think I pointed out earlier as well, and I am just going to touch on this with MyProm too, because this was dropped off anyhow and it was passed on. Now, yes, it does have this nice little picture, but as a person who is trying to visualise, you cannot visualise where the gates are going or the swings are going to be etc. So we cannot, again, as I keep mentioning over and over again, it feels as if we have to rely on looking outside our door – to wait with our signage to be ready to put it up for our customers.

1715 Yes, we – well, the Claremont did receive this anyway, it was passed on to me.

Miss Bettison: Could we take copies of that at the end of the session please? Thank you.

1720 **Q86. The Chairman:** Kaye, do you think there should be an automatic mail merge with all businesses on the Promenade so when there is an update or there is something to go out, do you that should be something the DoI takes on as an automatic going forward to the next 18 months?

1725 **Ms Harvey:** Absolutely, because just giving as an example here, this was dropped off to us on 4th June; however, the plan that was brought to us –

Mr Baggaley: It should be done like Shopwatch, you know if there is –

The Chairman: Just one at a time, sorry Mr Baggaley. Let Kaye finish before you come in.

1730 **Ms Harvey:** No, no, it is absolutely fine. The date on this was back in February, so it was dropped to us in June – (**Mr Brockhouse:** Same document.) it will be the same exact ... with that side. So this is what we are trying to say, they are just updated –

1735 **Q87. The Chairman:** It sounds like all of you are looking for information. If there is going to be a change outside your premises then there should be – I mean all of you have got email addresses – it would not take (**Ms Harvey:** Absolutely.) too much for the DoI to actually obtain that information and to mail merge every time there is an update so you are actually fully up to date.

1740 Before we finish, can I ask each of you a final question in respect of what help and support you think, as businesses, you would like to see from the Department – DoI – Douglas Corporation and central Government itself over the next 18 months as the project continues along the Promenade?

So maybe we will start with you, Mr Fogg, if possible, and work our way along the line.

1745 **Mr Fogg:** Well, I think all the Departments have got to get together and communicate.

It seems to me quite clear that this has not been foreseen and they need to get together and work out as best as possible how they are going to tackle compensation or certainly the future of tourism.

1750 **Ms Harvey:** Same for us, I think having communication really will help us – very much so – operation-wise for all of the hotels. But also, again, I think everybody knows how long this stretch is right now, where the screens are. Pedestrians – again, it was pointed out earlier, yes, how the cars will go by, turn right, then left – it was being thought of. However, the pedestrians, it is either, ‘You go there, or you have to go all the way there to cross to the other side.’ It is just those little bits and pieces.

1755 I appreciate that obviously there is a lot of planning concerned with such a big project. However, being the business on the Promenade where it is being affected, we would really appreciate knowing where we stand so we can also plan. I cannot reiterate it any further than: give us some information so we can actually operate ourselves as well, as opposed to waiting on

1760 the day itself and having to struggle and plan everything on the day – having customers coming
in and not having any answers for them whatsoever.

So you can realise how it feels, being there, stood in front of these customers and being so
unhelpful, when the fact is our livelihood is hospitality. We are supposed to be here to help and
we could not. The simple fact is that we are not given enough information on the matter.

1765

Mr Baggaley: It needs to be dealt as a national project. It is the gateway to the Isle of Man, it
is too big just for Infrastructure, it needs to be joint Government looking to ways to make it
happen and to – okay, what has happened has happened, we cannot go back, but we need to go
forward. And obviously on a selfish thing, it is obviously the 400 metres. I would like to know
where that is.

1770

Mr Staunton: Communication needs to be better – Departments. There is no point in having
two officers from the MyProm team to speak to them. You need to speak to the – no
disrespect – the big dogs. They need to start getting involved in it. Treasury needs to be
involved, Department of Infrastructure, everyone needs to work together. But you need to have
some kind of financial benefit for businesses to go forward, because if this is going to go on for
18 months, I have only been two weeks into it and I have had sleepless nights already. I have got
employees to think of – not necessarily my business, employees' livelihoods, families to think of.
I have got that to look after, primarily, *and* my business.

1775

So going forward they need to come up with an idea of financial reward or reimbursement,
some kind of policy has to be put into place. Because personally, as a business owner, I do not
want to go down the road of making redundancies to have my business survive, because that is
not fair. It is not fair on anybody.

1780

Going forward, you need to have some structure, some kind of plan in place to help
businesses out financially – not sharing your business on Facebook or Instagram or whatever –
that is not good enough. It is not good enough. They need to pull their fingers out now, and now
they need to do it. Not in six months' time, now.

1785

Mr Brockhouse: I think this project is an unprecedented project on the Isle of Man. It is huge,
and I do not think it should all sit on one Minister's shoulders. I think it should be split across
Departments, because in fairness to Minister Harmer, the project is a fantastic project, it is going
to give lots of benefits to the Island, but I think all the other Departments should be supporting
him in that.

1790

And I go back to the words I used at the start – because I know people like PR words – it is
compensation, communication and consultation. That is what is needed, because this project is
not stopped when you leave. This is going to go on for 18 months – maybe two years yet – and
we need people to be able to talk to, and for them to talk to us. But they need to work together,
and the Department that takes the responsibility for compensation needs teeth. It cannot be
woolly, it needs teeth.

1795

1800

The Chairman: Wonderful.

Can I thank you – each and every one of you – for coming in this morning and giving up your
time and for giving your evidence. The Committee will now sit in private.

Thank you.

1805

Mr Robertshaw: Thank you very much.

The Committee adjourned at 12.12 p.m.