



HOUSE OF KEYS OFFICIAL REPORT

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PROCEEDINGS

DAALTYN

HANSARD

Douglas, Tuesday, 12th March 2013

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Present:

The Speaker (Hon. S C Rodan) (Garff);
The Chief Minister (Hon. A R Bell) (Ramsey);
Hon. D M Anderson (Glenfaba); Mr L I Singer (Ramsey);
Hon. W E Teare (Ayre); Mr A L Cannan (Michael);
Mr P Karran, Mr Z Hall and Mr D J Quirk (Onchan);
Mr R H Quayle (Middle); Mr J R Houghton and Mr R W Henderson (Douglas North);
Hon. D C Cretney and Mrs K J Beecroft (Douglas South);
Hon. C R Robertshaw and Mrs B J Cannell (Douglas East);
Hon. J P Shimmin and Mr C G Corkish MBE (Douglas West);
Mr R A Ronan (Castletown); Hon. G D Cregeen (Malew and Santon);
Hon. J P Watterson and Mr L D Skelly (Rushen);
with Mr R I S Phillips, Secretary of the House.

Business Transacted

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The House adjourned at 10.59 a.m.

House of Keys

The House met at 10.00 a.m.

[MR SPEAKER *in the Chair*]

The Speaker: Moghrey mie, good morning, Hon. Members.

5 **Members:** Good morning, Mr Speaker.

The Speaker: The Chaplain will lead us in prayer.

PRAYERS

The Chaplain of the House of Keys

Leave of absence granted

10

The Speaker: Hon. Members, I have given leave of absence to Mr Crookall and also to Mr Ronan from noon, if we are still sitting.

15

Commonwealth Day Message

20 **The Speaker:** Hon. Members, turning to our Order Paper and Item 1, I shall read a message from Her Majesty The Queen, Head of the Commonwealth:

Opportunity through Enterprise

This year's Commonwealth theme, "Opportunity through Enterprise", is a celebration of our achievements, particularly those that may have seemed challenging, daunting or even impossible, which have helped to build strength, resilience and pride in our young people, in our communities and in our nations.

Great achievements in human history have a number of common characteristics. From climbing the highest mountain, to winning a sporting competition, making a scientific breakthrough, building a successful business or discovering unique artistic talent – these outcomes all begin as a simple goal or idea in one person's mind.

We are all born with the desire to learn, to explore, to try new things. And each of us can think of occasions when we have been inspired to do something more efficiently, or to assist others in achieving their full potential. Yet it still takes courage to launch into the unknown. Ambition and curiosity open new avenues of opportunity.

That is what lies at the heart of our Commonwealth approach: individuals and communities finding ways to strive together to create a better future that is beneficial for all.

Our shared values of peace, democracy, development, justice and human rights – which are found in our new Commonwealth Charter – mean that we place special emphasis on including everyone in this goal, especially those who are vulnerable.

I am reminded of the adage, "nothing ventured, nothing gained". As we reflect on how the Commonwealth theme applies to us individually, let us think about what can be gained with a bold heart, dedication, and teamwork. And let us bear in mind the great opportunity that is offered by the Commonwealth – of joining with others, stronger together, for the common good.

25

Questions for Oral Answer

TREASURY

30

Construction industry Black economy

2.1. The Hon. Member for Michael (Mr Cannan) to ask the Minister for the Treasury:

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Whether he has received evidence of a black economy within the construction industry; and what liaison he undertakes with other Departments to ensure that work is undertaken legitimately?

40

The Speaker: Hon. Members, we now turn to Item 2 on the Order Paper, Questions for Oral Answer, and I call on the Hon. Member for Michael, Mr Cannan.

Mr Cannan: Thank you, Mr Speaker.
I ask the Question standing in my name.

45

The Speaker: I call on the Minister for the Treasury, Mr Teare, to reply.

The Minister for the Treasury (Mr Teare): Thank you, Mr Speaker.

50

I have not, firstly, received any evidence of a black economy existing within the construction industry and would encourage anyone who has received such evidence to report it to either Income Tax on 685400, or to Customs and Excise on 648100.

Moving on, I am pleased to advise that we have a team of highly trained compliance officers, in both Income Tax and Customs and Excise, who work with enforcement agencies across Government to ensure construction work is undertaken legitimately.

55

Hon. Members, in closing, I would like to take this opportunity to repeat the message I gave in my Budget speech: if anybody thinks that they can get away without paying tax on their income, they should think again. If you have an income which you do not declare, it is only a matter of time until we catch up with you, and there will be severe repercussions and stringent penalties. There is no hiding place.

60

The Speaker: Mr Cannan, a supplementary.

Mr Cannan: Thank you, Mr Speaker, and I thank the Treasury Minister for his Answer.

65

I would be interested to know what the Treasury estimates are for moneys lost due to tax fraud, avoidance, and underpayment in general; but referring back to the Question, will the Treasury Minister agree with me ó and I know he will ó that undeclared cash receipts, whether in the construction industry or from elsewhere, are both damaging to Treasury income, but also, and just as importantly, do not create a level playing field for those workers and companies who do abide by the rules?

70

The Speaker: Mr Teare.

The Minister: The Hon. Member has a very valid point. As members of society, we all have responsibilities to that society, and one of those responsibilities is to pay our dues when they fall due.

75

The Division is having more and more success in tracking down undeclared income, and in the construction industry, during the last couple of years, we have undertaken 37 compliance cases, which uncovered additional income of £2 million and generated tax of £397,000. So we will work on it, but to get the leads we are dependent upon the public to give us the information, to a certain extent.

80

Having said that, we are getting more adept at matching up various sorts of information available to the tax department to check whether people's lifestyles can be supported by their declared income, and that will continue.

85

The Speaker: Hon. Member for Douglas North, Mr Houghton.

Mr Houghton: Thank you, Mr Speaker.

In relation to non-payers and the construction industry, is the Minister still aware that many contractors who are employed by Government Departments and through the Capital Projects Unit are not themselves paying subcontractors on many occasions? (A Member: Hear, hear.) Does he see this as still an ongoing matter that he is disturbed about, like all other Members, I am sure, of this Hon. House; and if he does, what action will he take to put an end to this, so that subcontractors who are completing their work for contractors paid out of Government funds will themselves be paid?

The Speaker: Mr Teare.

The Minister: I know that the Hon. Member who has just resumed his seat, like all of us, has a very keen interest in this, (A Member: Hear, hear.) and it comes down to being fair again.

Unfortunately, there is a limit to how far down the supply chain we can go to ensure that these payments are met.

In the construction industry, there can be queries at times over the quality of the work and the way it is being delivered, and I have seen that that is used as a means of trying to defer payment, especially to subcontractors. We do take a close interest in payment to subcontractors and we will take that into account when we are awarding main contracts.

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

Mr Karran: Vainstyr Loayreyder, firstly, would the Shirveishagh Tashtee not agree that the previous speakerí It is very easy for the Treasury to actually sort this problem out by looking at the original contract to make sure that abuses are not taken out on small contractors, knowing that they cannot afford to use the legal system (A Member: Hear, hear.) in order to get justice?

Would the Shirveishagh Tashtee not agree that one of the things that decimated the black economy in the building industry was the vision and the common sense for the Government to take up the reins of providing a 5% VAT level that some of us in this Hon. House campaigned for, for several years, as a former joiner, in order to get this to happen; and isn't it initiatives like that that need to be taken if we are to make sure that people will pay their taxes at the correct rate?

The Speaker: Minister to reply.

The Minister: I am pleased to say that that initiative has been very successful. In terms of cash that has been received from that particular section of the construction industry, it has actually gone up by about 90% over the intervening period.

To give an illustration, by reducing tax, as has been found in America in some places, the actual cash income has increased. It has also led to more VAT registrations as well in the construction sector, and it has certainly worked well.

The Speaker: Hon. Member, Mr Henderson.

Mr Henderson: Gura mie eu, Vainstyr Loayreyder.

Would the Treasury Minister agree with me that there is quite a potential here for manipulation of the tax system with regard to this Question, and that the potential is so large that, in the UK, an assessment has been done ó not an in-depth assessment, but nonetheless ó as to total employed earned income and so on, to see what should be collected and, in fact, what the actual figure collected is? Would he consider giving that some sort of thought with his officers over the next year or so to see if we have got an issue here?

Would he agree with me that there is certainly potential to manipulate such things as claimed expenses and being able to attach family members to businesses for the likes of petrol and mobile phones, and across the board that could add up to some considerable amount of money?

The Speaker: Minister to reply.

The Minister: I do agree that there is always potential to manipulate expenses. Hon. Members will be aware that when I delivered the Budget speech in another place last month, we did focus in on benefits in kind and say that we did not think that it was right that it should just be subject to Income Tax on its own and that we would be reviewing ways of trying to extend the National Health Insurance charge for benefits in kind as well.

150 To go back to the main thrust of the Hon. Member's question ó can we identify the sum lost to the exchequer through this element of black economy ó inevitably, it is virtually impossible to do that, but what we have identified is that, through strong, proactive enforcement measures, we are increasing the tax take. So, whilst I am not complacent, I feel that there has always got to be a trade-off, in a way, between enforcement and the cost of enforcement to get what, after a while, becomes a marginal amount of additional income.

155 **The Speaker:** Hon. Member, Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

160 Would the Minister not agree with me that one of the agencies that is connected with Government is the Employers' Federation, and would he not see that as an excellent opportunity to have talks with the Employers' Federation? If he does not, could he possibly do so to explain the issues that are before us?

To our colleague from North Douglas, who is quite right, if we do not protect the subcontractors, we will lose them.

165 **Mr Houghton:** We have lost one this week.

The Speaker: Reply, sir.

170 **The Minister:** I do feel that we are already working on this, but as I said in the original answer, it is not going to be something that can be solved at the stroke of a pen. Inevitably, in the construction industry, there are questions over quality, and this can lead to withholding of payments under contracts. So it is not black and white, I am afraid, Mr Speaker.

The Speaker: Mr Cannan.

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

180 Would the Treasury Minister agree with me that, as the economy tightens and there is less capital spending, particularly from Government, there are likely to be increasing temptations, and in one sense Government can help this process by managing the procurement process properly to ensure that smaller companies are also being treated fairly and receiving appropriate work and capital expenditure from Government?

The Speaker: Reply, sir.

185 **The Minister:** I think a good illustration of that, Mr Speaker, is the capital programme which has been more heavily slanted, for the coming year, towards the local authority housing scheme. That has a much higher labour content than the traditional big build contracts, so I am hoping that that will support the construction industry and be an effective driver.

190 **The Speaker:** A final supplementary, Mr Ronan, Hon. Member.

Mr Ronan: Thank you, Mr Speaker.

195 Will the Treasury Minister agree with me, because of the 5% VAT rate, which is a domestic rate, there are no real incentives to customers or clients to pay cash? Will he also agree that these who are, really are doing the Isle of Man an injustice at the moment, and the Isle of Man needs every penny it can get?

200 **The Minister:** Certainly the Hon. Member has hit the nail right on the head. With the 5% VAT rate, especially if you have a job which has a high materials content, it would be madness. You would be much better off putting it through the books and claiming everything at 5%, rather than pay the full 20% on the materials, which in some contracts can be a very substantial part of that contract. In other words, by going through the official mechanism, you could finish up saving yourself a considerable sum of money.

205

INFRASTRUCTURE

**Public footpaths
Destruction by motorised vehicles**

210

2.2. The Hon. Member for Douglas North (Mr Henderson) to ask the Minister for Infrastructure:

215

If he will make a statement on the destruction of public footpaths from the Slabs, (Dalby Lhag Road), south of Niarbyl to Eairy Cushlin car park by motorised vehicles?

The Speaker: Question 2. Hon. Member for Douglas North, Mr Henderson.

220

Mr Henderson: Gura mie eu, Vainstyr Loayreyder.

Ta mee shirrey kied yn eysht y chur ta fo my ennym. I beg to ask the Question in my name.

The Speaker: I call on the Minister for Infrastructure, Mr Cretney, to reply.

225

The Minister for Infrastructure (Mr Cretney): Thank you, Mr Speaker.

230

The road from the Slabs to the Eairy Cushlin car park is listed as the D60 Dalby Lhag Road. This road, whilst an unsurfaced track, is in fact a road open to all traffic, although as Hon. Members may imagine, not all traffic would be able to use the track. Over the years it has been slowly eroded by vehicular traffic, but recently has also suffered badly from water erosion. The track is a continuation of the road which goes to the Lhag from Dalby village. It runs from the Lhag to the car park at Eairy Cushlin and is approximately three quarters of a mile long. The top half mile is maintained by the farmer ó with the Department's permission and sometimes our help ó who accesses his fields on either side of the track.

235

It is clear from inspection that the track has suffered from water damage over the winter months as the lower section, which is maintained by the farmer, has a large rut scoured out of the loose surface. Further damage has been caused by water erosion in ruts left by motorised vehicles. The Slabs themselves are where the track is down to the rock and this has not changed appreciably in recent memory.

240

The Department does have significant resource constraints in regard to maintaining the extensive network of green lanes and footpaths around the Island; however, as well as responding to public complaints, we do carry out inspections and work is undertaken to cut vegetation, repair services, repair gates and stiles and also to repair erosion and usage damage wherever we are able. Inevitably, this work needs to be prioritised on the basis of keeping routes clear and open and also on the basis of safety issues first. In partnership with the local farmer, we anticipate undertaking some repair work here in the coming financial year.

245

The Speaker: Mr Henderson, a supplementary.

250

Mr Henderson: Gura mie eu, Vainstyr Loayreyder.

I thank the Shirveighshagh for his answer in response to the Question. I am quite worried, inasmuch as he has flagged up talking about expenses, as could be seen as an excuse.

255

However, Vainstyr Loayreyder, could I ask the Shirveighshagh, does he agree that the damage that is caused, practically the total destruction of parts of this footpath to render it totally unusable to footpath pedestrians, is down to motorised vehicle usage? Would he accept that there are simple commonsense measures that could be put in place that are practically cost neutral, but the benefits to the regeneration of that particular track would be incredible, given the amount of pedestrian usage that our greenways and public footpaths get?

260

The Minister: The Hon. Member again described it as a footpath. It is not a footpath; it is a road, and as such, vehicular traffic is able to use it. It is the D60 Dalby Lhag Road.

In relation to the financial aspect, we obviously are ó all of us in all Departments ó under pressure to make sure that the expenditure is properly prioritised and it is that point I was making. If the Hon. Member has any ideas or could contribute in relation to maintaining this area in a better condition than it is presently, which I acknowledge and accept, then I would be happy to hear from him.

265

The Speaker: Mr Henderson.

Mr Henderson: Gura mie eu, Vainstyr Loayreyder.

Could the Minister stop moaning about resources and let us just look at what is happening here?

270 Would he accept that low-cost, virtually neutral cost initiatives, such as closing it off to vehicular traffic ó other than those who need to use it, such as the farmers in the area ó would help to regenerate it and reduce the damage? Would he accept that the erosion and so on has actually been caused by excessive motorised vehicle usage in the area, which has undermined the structure of the actual area to which then water can ingress more easily, and as a result we have where we
275 are today, a highly dangerous situation for any pedestrians who want to access the roadway?

The Speaker: Reply, sir.

The Minister: I am surprised that a former Treasury Member should suggest that I should shut up about being aware of the financial priorities. We are all acutely aware throughout each Government Department.

280 However, I do take on board, as I said previously, the points made by the Hon. Member and if there are inexpensive solutions that we should examine, I am very happy to do that. If he would like to perhaps pick up the phone or come and meet us at the Department, we would be very happy
285 to look at those with him.

The Speaker: Mr Henderson.

Mr Henderson: Gura mie eu, Vainstyr Loayreyder.

290 Vainstyr Loayreyder, would the Minister accept that I have been banging on about this for years in this place and I have put the solutions, if he will accept that, to him? Will he agree that, in the short term, the solutions are that some of these places should be closed to vehicle traffic for the time being, except those of necessity, and that further dialogue with clubs and users of these
295 greenway roads and places where vehicles are allowed should take place on a more proactive stance, to involve the clubs especially and the likes of the four-wheel drive club, who are proactive, and energise their efforts in this too?

The Speaker: Mr Cretney.

300 **The Minister:** Mr Speaker, the Hon. Member again has used the wrong expression in relation to what the status of this road is. If this road were to be closed, I believe ó and I stand to be corrected ó that I have to come to Tynwald to seek approval of such. (*Interjection*) The Hon. Member may have been on about this for years, but I have been the Minister since the last Election
305 and as such, he has had no correspondence with me before today.

The Speaker: A final supplementary, Mr Henderson.

Mr Henderson: Thank you, Vainstyr Loayreyder.

310 The Minister tries to deflect the situation ó

The Minister: I am trying to be honest.

315 **Mr Henderson:** ó but I am sorry, Eaghtyrane, would he accept that he has been the Minister for Highways and Transport previously and the Minister of Tourism for decades almost (*Laughter*) and that he has had my concerns delivered to him and his Department over the years in copious written amounts?

The Speaker: Reply, sir.

320 **The Minister:** I was fortunate to be the Minister for Tourism and Leisure between 1996 and 2006, and for me that constitutes one decade rather than more than one decade, although from time to time it seemed longer (*Interjection*) and I am sure for people outside as well.

325 In relation to Highways, I have never been involved in Highways before. The one element of this Department that I have been involved in before was the Planning area, where in the early 1990s I was involved as Chairman of the Planning Committee, as the Hon. Member has been himself.

330 I am hearing the points that the Hon. Member has made. I am just trying to make the point that we need to be obviously aware of the financial situation that prevails and we need to see whatever we can do and I have indicated in my original response that work is going to be undertaken in the forthcoming financial year anyway.

335 **Public footpaths**
Assessment of damage by motorised vehicles

2.3. The Hon. Member for Douglas North (Mr Henderson) to ask the Minister for Infrastructure:

340 *What assessment his Department has undertaken in the last three years to ascertain the damage caused to public footpaths throughout the Island, with special reference to destruction by motorised vehicles?*

The Speaker: Question 3, Mr Henderson.

345 **Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.
Ta mee shirrey kied yn eysht y chur ta fo my ennym. I beg to ask the Question standing in my name.

350 **The Speaker:** Minister for Infrastructure to reply.

The Minister for Infrastructure (Mr Cretney): Mr Speaker, I am informed that there is very little damage caused to public footpaths by motorised vehicles. My officers endeavour to inspect all of the public footpaths on a yearly basis and damage by motorised vehicles is not an issue. Recent photographs in the press show instances of wear to the Island's green lane network, where clearly motorised vehicles are being used, which is a separate issue.

355 I am advised that what is becoming an issue is use of the public footpath network by mountain bikes. Whilst, by and large, the damage caused by mountain bikes is not too severe at the moment, the damage is starting to become noticeable and we are starting to receive more complaints from landowners that people are using public footpaths as cycle trails. Public footpaths are only meant for people on foot. The amount of damage has clearly increased because of the very wet conditions and the resulting softer-than-usual ground conditions.

The Speaker: Mr Henderson.

365 **Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.
Would the Shirveishagh try and be less confrontational when he is answering what are commonsense questions that we all see happening in the hill lands?

370 Would he agree with me that green lanes are also open to footpath pedestrians, or pedestrians, to use? They are open to all to use and his Department welcomes the use by pedestrians on these areas, and that constitutes a public footpath, whether it is on a green lane or whatever? The point is, if he will agree, Vainstyr Loayreyder, that some of the green lanes that are used as footpaths as well are eroded to the point of total destruction as a result of ó

375 **The Speaker:** Hon. Member, you make very long supplementary questions. It is not a debate; it is not a speech. I think you have made your point.
Minister to reply.

380 **The Minister:** I was simply trying to address the Question in the manner in which it was put, and if Hon. Members will refer to the Question, it does say 'damage caused to public footpaths' I was trying to answer clearly in the manner in which the Question had been put.

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

385 **Mr Singer:** Thank you, Mr Speaker.
In 2006, CoMin received a Report entitled 'Practical Measures to Reduce Damage to Upland Areas by Vehicles' My first question is, is the Minister aware why the Report has not been implemented after six to seven years ó fully implemented?

390 Secondly, would he agree that, whilst destruction which is occurring to the green lanes on our uplands is invisible to many, it is not a reason to turn a blind eye to some of the severe damage that is taking place?

Would he therefore look at the 2006 CoMin Report and come back to Members with a view of how it could possibly be implemented to look after the green lanes, which are part of our heritage?

395 **The Speaker:** Reply, sir.

The Minister: Yes, Mr Speaker.

I do not want to become repetitive, but this Question is about public footpaths. There is a clear designation of a public footpath.

400 In relation to green lanes, on which I accept the points being made by Hon. Members, I am answering that on the next Question.

The Speaker: Mr Henderson.

405 **Mr Henderson:** Gura mie eu, Vainstyr Loayreyder, thank you.

Would the Minister accept that, in the short term, there are cost-neutral initiatives that could be taken to help alleviate this problem?

The Speaker: Mr Cretney.

410 **The Minister:** If we are speaking specifically about public footpaths, can I make the point that when I was appointed as Minister for Infrastructureí I have a great interest in public footpaths around the Island ó the coastal footpath etc ó and I have long been one of these people who would like to see a properly linked, all-around-the-coast coastal footpath, (**Several Members:** Hear, hear.) which we do not have presently. This is something I feel very strongly about and it is something that, within the resources available in the Department, I want to work towards improvements on in the time whilst I am in office. I made that quite clear upon my appointment, and I am happy that Hon. Members support me in that work, which I will continue to do.

420 **The Speaker:** Hon. Member for Rushen, Mr Skelly.

Mr Skelly: Gura mie eu, Loayreyder.

425 Does the Minister agree our green lanes and footpaths are one of the finest natural assets on the Isle of Man, and does he believe a cross-Government group, including his Department, DEFA and tourism, should be established to assess the true value and how to protect these valuable assets?

Mr Quirk: We have got one.

The Speaker: Mr Cretney.

430 **The Minister:** There has been, for a considerable period of timeí First of all, I do agree with the Hon. Member. I consider that not only the public footpaths and the greenways, but the glens we have in the Isle of Man, are all very important assets in terms of not only the enjoyment of people who live here, but those who come and spend time with us.

435 In relation to the specific point about a cross-Governmental group, I am pleased to say ó and again, this was something I was going to say in the next Question ó that Ministers did meet this morning with a range of persons from the environmental movement who have concerns about, in particular, damage to green lanes and ways in which we can minimise and seek to work together for the future. There has, however, been a Green Lane User Group, which consists of all the different users, which has been in place for a number of years and has tried to manage the various, sometimes competing, different interests.

445 **Uplands and public footpaths**
Action taken to mitigate damage

2.4. The Hon. Member for Douglas North (Mr Henderson) to ask the Minister for Infrastructure:

450 *What actions his Department has taken in recent times to mitigate damage caused in the public open space in the uplands and on public footpaths?*

The Speaker: Question 4, Mr Henderson.

455 **Mr Henderson:** Gura mie eu, Vainstyr Loayreyder.
Ta mee shirrey kied yn eysht y chur ta fo my ennym. I beg to ask the Question in my name.

The Speaker: Mr Cretney.

460 **The Minister for Infrastructure (Mr Cretney):** Thank you, Mr Speaker.

The Department has no responsibility for the wider expansions of the upland as these areas are the responsibility of the landowner. As explained in the previous Question, damage to the public footpath network is not an issue which needs to be addressed in great depth at the moment, other than as I have just described. I assume that the Hon. Member, Mr Henderson, is referring to the tracks which are open to vehicles, rather than to public footpaths. There is legislation and also
465 byelaws in place regarding taking vehicles off the public highway and onto public open land and the Police have recently prosecuted someone for this very offence.

At the meeting which I have just described, this morning, it was stated to us by officers that three other prosecutions are pending and I think that is something which we very much welcome in terms of getting the message over and about what is and what is not acceptable in these very
470 important areas.

The Department has control over the public highways, be they public footpaths or roads open to other types of traffic. However, once people leave the highway, they are beyond my Department's control. It may be that the public spaces referred to are in private ownership or are
475 the responsibility of another Government Department, such as DEFA, the Water and Sewerage Authority or Manx National Heritage.

As I said, Mr Speaker, we did have a meeting this morning, which is going to be followed up at ministerial level to see if there are ways for the future so that better protection can be afforded for these ancient green lanes, which are so important. I did, myself, at the invitation of one of the environmental groups, visit above Kirk Michael only last week or the week before and witness
480 myself the damage that has been caused up there, which I had not seen before. It is a beautiful part of the Island and it is something we should take more care of than we presently appear to have been; however, the situation had been made worse, clearly by being the significant rainfall of late as well, but it is something which is important and is taken very seriously by Ministers.

485 **The Speaker:** Mr Henderson.

Mr Henderson: Gura mie eu, Vainstyr Loayreyder.

I thank the Minister for his strong positive response to that and I welcome prosecutions for the irresponsible few. However, would he agree that the trouble is that the water erosion damage he refers to has been initiated by the use of motorised vehicles and the incorrect use of motorised
490 vehicles? Is he willing to accept that there are short-term measures that will not cost a great deal, or in fact be cost neutral, that can be put in place on a rolling basis to assist?

495 **The Speaker:** Mr Cretney.

The Minister: I think one point I would not wish to make before just responding in full is that I want to place on record that a number of groups who do act in a responsible way have actually ó four-wheel drive groups, for example ó in the past assisted by working with the Department. I should also make the point that at the meeting this morning the Hon. Member responsible for
500 Tourism, Mr Corkish, was also present. So this is an asset that we need to make sure is properly protected for the future and as such, in relation to the Hon. Member, we will be looking at all ways in which they can be better managed to avoid the abuse which is clearly apparent presently.

505 **The Speaker:** Hon. Member for Michael.

Mr Cannan: Thank you, Mr Speaker.

I am pleased to hear the Minister's strong language this morning, but it seems to me that we are also in danger of fudging the issue with the responsibility being brushed off to other Departments and user groups.

510 I have to support Mr Henderson's assertion that there can be quicker action on this. Can I ask the Minister: would he support a ban on use of the green lanes and uplands between 1st November and 31st March, i.e. during the winter months when the rain is at its worst? Are there any plans to introduce proper licences for users of these green lanes and uplands?

515 **The Speaker:** Minister.

The Minister: Amongst the suggestions that were put forward this morning, Mr Speaker, was a permanent ban for motorised vehicles on the green lanes. This is one of a range of matters which will be considered in the time ahead or in the first instance by Ministers and others and then in relation to further discussion with user groups. To be fair, I think we do have to take into consideration the views of those who legitimately use the off-road areas for motorised activities as well. I think also if we are going to take out of use the green lanes or if we are considering taking out of use for motorised vehicles the green lanes, then an important facet would be that there is somewhere alternative for persons can legitimately go to enjoy their hobby and pastime.

525

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

Mrs Beecroft: Thank you, Mr Speaker.

530 Limiting it to just the uplands, rather than the Question in its entirety, would the Minister agree that the initiative by DEFA, the setting-up of a working party with an independent chair to try and balance all the different interests regarding the uplands and to come up with a sensible solution that everyone can live with, while at the same time protecting this valuable asset, is welcomed? Would he look forward to the outcome of that working party?

535 **The Speaker:** Mr Cretney.

The Minister: It is the first I have heard of the working party. The party I have described is one which consists of Ministers from various different Departments, the Department of Economic Development DEFA, unfortunately Mr Gawne is off-Island presently so he was unable to be there. But we are working on this and it is something we would obviously welcome the input from the Department of Environment, Food and Agriculture into the ongoing discussion.

The Speaker: A final supplementary on this Question. Mr Quirk.

545 **Mr Quirk:** Thank you, Mr Speaker.

Would the Minister not agree with me that there is a working group under the control of your Department? Could he confirm that the Member for Highways is Mr Houghton?

550 Finally, if I could ask if there any notes from whatever working party that they are circulated to Members so that we know what is going on?

The Speaker: Minister.

The Minister: Mr Houghton is not the Member for Highways. Mr Houghton is the Member for Properties. I am the Member for Highways in the Department of Transport Infrastructure (Laughter and interjections) and, as such, if the Hon. Member is referring to the Green Lane Users Group, which has existed for a very long time, then that, as I tried to say earlier, consists of the very different users, both motorised, people who ride horses and people who walk. (Interjection) All with various different interests who wish to use these areas.

560 What has happened in the past is to try and meet everybody's aspirations. Unfortunately it appears the damage which is now apparent is such that it may be that certain areas may have to be taken out of use for motorised vehicles, which would mean that that group of individuals could not enjoy the freedoms which they have had up until now; however, that is a matter for further discussion in the time ahead.

565 As I say, if that were to be the case, the most important thing is that other alternative areas were made available because we should be very proud on the Isle of Man of the number of people at world championship level (A Member: Hear, hear.) who have gone on in two-wheel motorsport to represent the Island with distinction.

570

Centralised Estate Services
Operational status; number of approved contractors

575 2.5. The Hon. Member for Michael (Mr Cannan) to ask the Minister for Infrastructure:

Whether the centralised estate services function is fully operational; and how many approved contractors are listed for general maintenance purposes?

580 **The Speaker:** Question 5, Hon. Member for Michael.

Mr Cannan: Thank you, Mr Speaker.
I ask the Question standing in my name.

585 **The Speaker:** Minister for Infrastructure to reply.

The Minister for Infrastructure (Mr Cretney): Mr Speaker, the last significant transfer of staff and responsibilities to Estates Shared Services took place as recently as 1st January 2013, when 68 estates employees were transferred from the Department of Health to the Department of Infrastructure. This has been achieved two years ahead of programme.

590 As Hon. Members will be aware, the Department has responsibility for creating Estates Shared Services and to deliver a near £1 million per annum revenue saving by 2016. Estates Shared Services is operational and services to Departments have continued to the normal standards during the transitional period.

595 In addition to the above revenue saving, around £2 million per year of capital receipts is already being realised from the relocation of Government staff and the sale of surplus property assets. That said, the hard work of business re-engineering and realising synergies now begins in earnest.

600 In answer to the second part of this Question, the Department's Operations Division is reviewing and consolidating its use of approved contractors. The Division, with the assistance of Treasury's Procurement Service, has been asking contractors to tender for various categories of work and negotiating framework agreements. These agreements have two advantages. First, the Division identifies which contractors are best value on the market, and if available, those contractors are used in preference to others, wherever possible. Second, the administrative burden on the Division and the contractors is significantly reduced, because the contractor has been pre-qualified for a period of up to three years.

605 Three estates-orientated framework agreements have been signed and there are 34 contractors eligible for work. This arrangement does not prevent the Division going to other contractors, nor asking the framework contractors for an improved price on a specified project, should there be an advantage in doing so. The creation of these framework agreements is a work in progress and will expand to help the Department achieve the estates shared service cost-reduction targets and yet maintain the current high standards of service that we provide. All contractors involved in work for the Department are required to comply with the requirements of the Manx Accredited Construction Contractors Scheme.

615 **The Speaker:** Mr Cannan, a supplementary.

Mr Cannan: Thank you, Mr Speaker.

620 Can I thank the Minister for his reply. Can I also ask him whether he and his management team will continue to monitor the use of contractors during this new period, as everything has been brought together to ensure that, once again, we get a level playing field, that work is distributed evenly, and we do not end up in situations where one or two companies end up obtaining predominantly the majority of the work, (*Interjection*) which is not good for competition and is not good to maintain a level and equal spread of work and employment opportunities?

625 **A Member:** Hear, hear.

The Speaker: Minister.

630 **The Minister:** Mr Speaker, yes, I am very happy to confirm that that will be the case.

The Speaker: Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

635 Could I ask the Minister, is there a political Member responsible for this centralised service, or is it you, yourself? Could I ask too, if there are policies that are attached to this particular animal, could he please provide them to me and anybody else who requires them?

The Speaker: Minister.

640 **The Minister:** I am happy to provide anything to any Hon. Member at any time, if I can assist. In relation to who is politically responsible for the Operations Division of the Department, I am afraid to say yes, it is me. Highways and Operations are the bits that I look after on the Department because I believe there are clear synergies between both.

645 I have said before in here that I sometimes have difficulty understanding why they were separated in the first place, and so I am trying to make them work more, better, together.

The Speaker: Mr Karran.

650 **Mr Karran:** Would the Shirveishagh inform this Hon. House about the Central Estates Services function? Obviously, there will be redundancies and the likes as far as this service is concerned. Will there be the same sort of parity, as far as any redundancies are concerned, by bringing this forward as far as the management, as well as the workforce, as I believe there are people being made redundant at the present time.

655 **The Speaker:** Minister.

The Minister: I am pleased to confirm that is not the case. There is nobody being made redundant at the present time. In the time ahead, people are being invited, if they wish, to take advantage of retiring early orí (A **Member:** MARS.) the MARS scheme, thank you, but there is nobody being made compulsorily redundant at this time whatsoever, and I am at pains to indicate that.

660 In relation to my approach to any savings that have to be made, I always ó as I did in a former life ó make sure that management are examined just the same as the workers. I think it is very important that a fair approach is taken and that is certainly my policy.

665

CIVIL SERVICE COMMISSION

670 **Departments of Economic Development and Social Care
CEO posts**

2.6. The Hon. Member for Onchan (Mr Quirk) to ask the Chairman of the Civil Service Commission:

675

Whether the post of Chief Executive Officer of the Department of Economic Development/ Department of Social Care will be advertised; and if not, why not; and what the current pay scale for these jobs is?

680 **The Speaker:** Question 6. Hon. Member for Onchan, Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.
I beg to ask the Question standing in my name, sir.

685 **The Speaker:** The Chairman of the Civil Service Commission to reply. Mr Cannan.

The Chairman of the Civil Service Commission (Mr Cannan): Mr Speaker, Hon. Members will be aware that following his return from the island of Sark, where he served for a period of four months as Interim Chief Secretary, Mr Colin Kniveton has taken up a 12-month secondment in the Chief Secretary's Office to support a comprehensive review of Government services that is currently taking place. At the end of this 12-month period, Mr Kniveton will either return to his substantive position as Chief Executive, Economic Development, or will take up an alternative post at the same grade elsewhere in the Civil Service, if such an opportunity is available.

690

695 When Mr Kniveton took up the position in Sark, Mr Chris Corlett, whose substantive position is as Chief Executive, Department of Social Care, was appointed to the Department of Economic Development in his stead. This was with the intention that upon Mr Kniveton's return, Mr Corlett would revert to his post in Social Care.

700 However, given that Mr Kniveton is not now returning immediately to the Department of Economic Development, it has been agreed that, in order to minimise any further disruption to the work of the Department, and for the delivery of services, Mr Corlett should remain there as Chief Executive for a further 12-month period. The post of Chief Executive, Department of Economic Development, will not therefore, as Hon. Members will understand, be advertised at this time, and neither will the post of Chief Executive, Department of Social Care, which is currently being undertaken by Mrs Yvette Mellor in Mr Corlett's absence.

705 Turning now to the second element of the Hon. Member's Question, both positions are within the Civil Service Corporate Leadership Group, and the current pay range minimum and maximum applicable to the roles, with effect from 1st April 2012, are as follows: for the Chief Executive, Department of Economic Development, the minimum scale is £94,873, and the maximum £118,493; and for the Chief Executive, Department of Social Care, the minimum is £76,068, and
710 the maximum is £94,986.

The Speaker: Mr Quirk, a supplementary.

715 **Mr Quirk:** Thank you, and I thank the Chairman for the response.

Can I ask the Chairman what are his thoughts on the particular movements taking place when we now have an additional Chief Executive who floats around in the abyss, and what sort of message is that giving out to those that we have recently endorsed a package where we are reducing the number of civil servants by 100 each year in a programme which, in another place,
720 we all supported?

The Chairman: Thank you, Mr Speaker.

First of all, I have to say that I do not agree that Mr Kniveton is floating around in the abyss. He has been given a specific role at the request of the Chief Secretary.

725 As the Hon. Member will know, the Isle of Man Government is going through a significant transformation programme and resources are required to deliver the Agenda for Change programme and reshaping and modernising services. There are two key areas of work within that of the Scope of Government Project and Rating and Revaluation Project 6 and Mr Kniveton has been appointed for a 12-month period, a limited-term appointment, to deal with this work.

730 In terms of the message that is being sent out, in terms of the Civil Service it is showing there are development opportunities available for those seeking to improve themselves and to raise their experience levels, and I think at the end of the 12-month period I hope there will be significant progress with the transformation of Government, which will have resulted in significant savings.

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

Mrs Cannell: Thank you, Mr Speaker.

740 Could I ask the Hon. Chairman whether or not the officer who is stepping up to the plate in Social Care is being financially rewarded with the proper pay, bearing in mind that they are doing the job of a chief executive?

The Speaker: Chairman to reply.

745 **The Chairman:** Thank you, Mr Speaker.
As far as I am aware, that is indeed the case.

The Speaker: Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

750 In a similar vein, if I could ask the Chairman could he provide to this Hon. House the costs which had been incurred by this temporary secondment to Sark of that is moving other officers up to different positions, in different roles. There must be an additional cost to Government.

The Speaker: Chairman.

755 **The Chairman:** Thank you, Mr Speaker.

First of all, in terms of the cost of Mr Kniveton's secondment, I can confirm that all his salary, travel costs and employer's National Insurance were indeed paid by Sark and that Mr Kniveton continues to contribute towards his pension.

760 In terms of the costs incurred by the other Departments, that is a matter for the Departments. All these moves have been supported by the Ministers and their senior teams. If he requires the costs, I will happily get them for him, but I will have to go to the Departments to ascertain that information.

765

Mr C Kniveton
Terms re appointment in Sark and return

770 2.7. The Hon. Member for Onchan (Mr Quirk) to ask the Chairman of the Civil Service Commission:

On what terms Mr C Kniveton's appointment in Sark was made; and what his terms of return were?

775 **The Speaker:** Question 7, Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.
I beg to ask the Question standing in my name, sir.

780 **The Speaker:** Again, the Chairman of the Civil Service Commission.

The Chairman of the Civil Service Commission (Mr Cannan): Thank you, Mr Speaker.

785 The Civil Service Commission has no information specifically about the terms and conditions applicable to Mr Kniveton's appointment as Interim Chief Secretary of Sark. Mr Kniveton was granted unpaid leave of absence for the period of his appointment in Sark and therefore the terms and conditions which applied are entirely a matter between him and the Sark authorities.

The terms and conditions applicable to Mr Kniveton following his return from Sark are exactly the same as the terms and conditions which applied to him prior to him taking up his appointment in Sark.

790

The Speaker: A supplementary, Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

795 Can I ask the Chairman, once again ó and I am quite happy if he would try and provide those details to Hon. Members because I think it should be done ó did this include any additional costs to Government, regarding travel, his salary, National Insurance contributions, any liabilities and accrued pension? Was any of that borne by the Isle of Man Government?

800 **The Speaker:** I think that has been answered.
Chairman.

The Chairman: Thank you, Mr Speaker.

805 Again, I can confirm that all salary, travel costs and National Insurance were covered by the Sark authorities and that Mr Kniveton continued to contribute to his pension.

WATER AND SEWERAGE AUTHORITY

810

IRIS
Peel; Knockaloe

815 8. The Hon. Member for Onchan (Mr Karran) to ask the Chairman of the Water and Sewerage Authority:

(a) What plans he has to implement the policy approved by Tynwald for a review of IRIS every five years should not all potential sites for locating a sewage treatment works to serve Peel be under consideration;

820

(b) which sites are being evaluated under the feasibility study for location of a regional sewage treatment works to serve Peel; and

(c) where on Knockaloe farm the site for study is?

The Speaker: Question 8, Mr Karran, Hon. Member.

825

Mr Karran: Vainstyr Loayreyder, I ask the Question standing in my name.

The Speaker: I call on the Chairman of the Water and Sewerage Authority, Mr Houghton.

830

The Chairman of the Water and Sewerage Authority (Mr Houghton): Thank you, Mr Speaker.

In answer to part (a) of the Question, I confirm the financial motion for phase 1 of the Regional Sewage Treatment and Sludge Disposal Strategy was approved by Tynwald in April 2011 and such an update will be provided to Tynwald no later than 2016.

835

In answer to part (b) of the Question, the sites which are currently under consideration within the feasibility study for the Peel sewage treatment works are the land currently zoned for industrial development and located between the Glenfaba Road and the disused railway line, and the Knockaloe site.

840

In answer to part (c) of the Question, the recently commissioned feasibility study will consider the whole of the Knockaloe Farm site to determine the suitability, availability and cost of a portion of the land as a potential site for sewage treatment.

Thank you, sir.

845

New sewage treatment works Planning approval

9. The Hon. Member for Onchan (Mr Karran) to ask the Chairman of the Water and Sewerage Authority:

850

Whether planning approval for the new works will be sought through normal planning application procedure?

855

The Speaker: Question 9. Hon. Member for Onchan, Mr Karran.

Mr Karran: Vainstyr Loayreyder, I ask the Question standing in my name.

The Speaker: Mr Houghton.

860

The Chairman of the Water and Sewerage Authority (Mr Houghton): Mr Speaker, planning approval will be sought through the planning process for the new sewage treatment works. The smaller integral rotating biological contractor sewage treatment plants serving the rural catchments will, however, be constructed within the conditions defined in the Town and Country Planning (Permitted Development) Order 2012, and therefore are deemed to have planning approval.

865

The Speaker: Mr Karran.

870

Mr Karran: Can I just ask the Chairman on this one, will the Chairman confirm the compliance at all timesí that the Island's Development Plan will be in operation as far as this issue is concerned?

The Speaker: Mr Houghton.

875

The Chairman: Mr Speaker, I so confirm.

The Speaker: Hon. Member, Mrs Cannell.

880 **Mrs Cannell:** Thank you, Mr Speaker.
Can the Chairman advise whether or not, in looking at the feasibility study ó whether or not to
submit a planning application, to actually go forward with this ó he has previously held any
discussions with DEFA? Is the Chairman aware that the likes of Knockaloe, for example, is a very
important asset for Government in different areas? I am hoping he will, Mr Speaker, be able to
885 give me some reassurance that he is in communication with the Department that owns the land
before moving any further with the feasibility study.

The Speaker: Chairman to reply.

890 **The Chairman:** Thank you, Mr Speaker.
In answer to Mrs Cannell's question, in respect of the landowner, which is the Knockaloe farm
site of course, being DEFA, when the feasibility study is put in place, which it has not at this point
in time, then appropriate contact will then be made with the Department.

895 **The Speaker:** Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.
Can I ask the Chairman in a similar sort of vein, regarding the bulk of the local authorities in a
particular area, that would be Patrick Commissioners and also Peel Commissioners, are they aware
of the situation and are they fully supportive of your moves?
900

The Speaker: Mr Houghton.

The Chairman: Thank you, Mr Speaker.
It is very nice to get another local authority question from the Member representing local
905 authorities in this House. *(Laughter)*
In answer to Peel, Peel is fully supportive and the Member should know this. If he is in touch
with his local authority colleagues in Peel, they will advise him that Peel are fully supportive of
the early implementation of a sewage treatment plant for Peel. So I am sure that they will have that
full support. They have asked this to be brought forward by the Water and Sewerage Authority and
910 we are undertaking to do that.

With respect to Glenfaba, I do not know, but I am sure that they will.

The Speaker: Hon. Members, that brings us to the end of Questions for Oral Answer.
There are four Questions for Written Answer and replies will be distributed.
915

Questions for Written Answer

TREASURY

920

MEA

Total annual interest payments

925

3.1. The Hon. Member for Michael (Mr Cannan) to ask the Minister for the Treasury:

- (a) What the total annual interest payment is in respect of all loans held by the MEA;
 (b) what the total annual interest payment is per individual loan; and
 (c) who pays these interest payments?

930

Answer: (1) The total annual interest paid by the MEA during 2011-12 in respect of all loans held was £15,194,000. The forecast interest figure for 2012-13 is £15,171,000.

(2) The component elements representing these interest figures are set out below:

	ACTUAL	FORECAST	LOAN BALANCE
	2011-12	2012-13	AT 31/03/2012
	£000	£000	£000
BANK	2,139	2,139	35,000
TREASURY BOND	9,944	9,944	185,000
CONSOLIDATED LOANS FUND	0	0	133,420
BGE FINANCE LEASE ¹	3,088	3,088	47,475
LOMBARD MANX LTD ²	23	0	0
	<u>15,194</u>	<u>15,171</u>	<u>400,895</u>

¹BGE Finance lease . forecast for 2012-13 is as previous year. To be calculated in detail at year end, but not expected to be materially different.

²Lombard Manx Ltd . this was a sale and leaseback finance arrangement for GT8. Final repayment in 2011-12.

(3) The interest payments are currently met by the MEA without any direct subvention from Government.

935

This information is included within the Manx Electricity Authority's Annual Report and Accounts for 2011-12 (GD055/12).

940

INFRASTRUCTURE

Road infrastructure Deterioration; maintenance

945

3.2. The Hon. Member for Douglas North (Mr Henderson) to ask the Minister for Infrastructure:

950

Whether there has been an identifiable acceleration in the deterioration of the Island's road infrastructure; what the causes may be; whether his Department is preparing a strategy to tackle this issue; and whether his Department will be readjusting its strategic capital programme to accommodate this issue?

955

Answer: The highway network is in a constant state of deterioration caused mainly by traffic using the roads and the effects of weather. As a result, it is necessary to carry out routine maintenance work such as cleaning road gullies, renewing road markings and carrying out minor repairs. However, throughout the life of a road, it is also necessary to carry out more significant maintenance works to repair, strengthen or renew the surface which is carried out using techniques, such as surface dressing or by completely renewing the surface course. Ultimately,

960 however, a road structure will reach the end of its effective life when the road foundations, where they exist, have eventually failed and subsequent routine maintenance work is insufficient and uneconomical.

At this point, it is necessary to completely reconstruct the road. In many cases the roads around the Island have evolved from nothing more than tracks and have no real foundation to them. This means that with the increases in traffic over recent years these roads are failing in a number of areas. Consequently, the Department has an ongoing programme of asset renewal to reconstruct roads to appropriate current standards, such that they will be good for many years to come, provided that routine maintenance is not neglected.

965 In order to assist in prioritising the highway maintenance programme, inspection and testing is carried out including deflectograph surveys every five years, which measure the strength of a road and hence its anticipated residual life, and scanner surveys every three years, which use laser techniques to assess the quality of the running surface. These surveys enable officers to assess and prioritise the need for major road repairs taking into consideration other factors such as traffic loading, visual inspections, ongoing routine maintenance costs, developments and accidents.

970 It is true to say, however, that the current levels of expenditure on maintaining this essential asset are not keeping pace with the rate of deterioration. To put this into context, the total road asset, comprising 725 miles of road in total would cost approximately £1.5 billion to construct from scratch, and it is estimated that currently about 30% of the network requires some kind of intervention whether that is full reconstruction, partial reconstruction, resurfacing or overlay.

975 A typical road is likely to last between 50 and 100 years depending on use and location and taking an average of 75 years, this means that if resources were available the Island should be spending about £21 million per annum on planned maintenance whereas we are actually spending about £6.5 million. This means that there is a serious backlog of maintenance work required of at least £100 million, as I have stated since my appointment. On top of that, each year that passes, sees that backlog grow larger as the rate of investment is lower than the rate of deterioration.

980 The Department's Capital Programme has in recent years reflected the need to invest in maintaining the asset that we already have through major maintenance projects, rather than carrying out significant improvement and realignment schemes or building new sections of road. Working with colleagues in Treasury, a programme of Capital Maintenance has been delivered each year since 2007 which has invested a total of approximately £14 million in road reconstruction and strengthening projects. This programme is continuing with current projects, such as the reconstruction of a section of Lezayre Road in Ramsey and with works having just commenced on the £5 million reconstruction of Peel Road, which forms one of the key routes into and out of Douglas.

995

WATER AND SEWERAGE AUTHORITY

Peel sewage treatment works

Construction; timescale

1000

3.3. The Hon. Member for Onchan (Mr Karran) to ask the Chairman of the Water and Sewerage Authority:

1005 *What timescale is proposed from now to commencement and completion of construction of the new sewage treatment works for Peel?*

Answer: The construction of the Peel sewage treatment works currently forms part of Phase 2 of the Regional Sewage Treatment Strategy which, subject to Tynwald approval of funding, and in accordance with the recently published 'Pink Book' will take place between 2018 and 2023.

1010

It may be possible to bring forward the date for construction of the Peel sewage treatment works if the construction costs can be contained within the overall Tynwald approved budget for Phase 1 of the Regional Sewage Treatment Strategy.

1015

In consideration of this, Peel Commissioners have requested the Authority to undertake a feasibility study to determine the most cost effective and environmentally sustainable solution for treating the sewage generated by the Peel sewer catchment.

**Meary Veg sewage treatment works
Volume treated**

1020

3.4. The Hon. Member for Onchan (Mr Karran) to ask the Chairman of the Water and Sewerage Authority:

1025

What the volume of sewage flow through Meary Veg treatment works for each year 2007-13 is; and what the population equivalent estimated to be connected to Meary Veg treatment works is?

Answer: The flows into the Meary Veg sewage treatment works for the years 2007 to 2012 are:

Year	Volume Treated per Year (Megalitres)
2007	8.99
2008	11.52
2009	11.14
2010	10.25
2011	10.33
2012	12.01

1030

The volume treated in 2013 is not available.

The population equivalent being treated at the Meary Veg sewage treatment works varies through the year and is dependent upon the population connected to the sewer systems, the number of visitors on the Island, the volume and strength (BOD) of any trade effluents being discharged to the sewer systems and the weather conditions.

1035

The average population equivalent biological load treated at the Meary Veg sewage treatment works in 2012 was 54,264. However, the maximum population equivalent biological load treated throughout April 2012 at the Meary Veg sewage treatment works in 2012 was 69,567.

Order of the Day

1040

BILL FOR SECOND READING

1045

Weeds (Amendment) Bill 2013 **Second Reading approved**

4.1. Mrs Beecroft to move:

1050

That the Weeds (Amendment) Bill 2013 be read a second time.

The Speaker: We turn to Item 4 on our Order Paper, Bill for Second Reading, which is the Weeds (Amendment) Bill, and I call on the Hon. Member for Douglas South to move. Mrs Beecroft.

1055

Mrs Beecroft: Thank you, Mr Speaker.

This Bill makes a number of amendments to the Weeds Act 1957, intended to introduce clarity in relation to the management and destruction of injurious weeds. In particular, the Bill introduces provisions enabling the Department to produce a code of practice on the management of ragwort, which is a subject close to those who own horses and to farmers.

1060

The code is intended as an educational tool to assist individuals to manage the growth of ragwort on the Isle of Man, rather than eradicate it completely, which is what is expected within the current Act. The current duty imposed within the 1957 Act has been identified as both unachievable and contrary to sound environmental practice.

1065

The changes recognise the fact that injurious weeds do have a role to play in the biodiversity and flora and fauna of the Manx countryside. The amendments will mean that the focus of injurious weed management will be in relation to animal welfare on agricultural land.

Mr Speaker, I move that this Bill be read a second time.

1070

The Speaker: Mrs Cannell.

Mrs Cannell: Thank you, Mr Speaker.

I am happy to second and reserve my remarks.

1075

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

Mr Singer: Could I ask just on one point that the Hon. Member just said? She said that these injurious weeds do have a part to play in biodiversity: can she possibly explain that a little bit further? If they are injurious, they do not seem to have much of a part to play in our countryside.

1080

The Speaker: Hon. Member, Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.

1085

A similar sort of Regarding organisations, have the Wildlife Trust and organisations been consulted on the matter and do they have any views; and if they are different from the Department's, could they be shared?

The Speaker: I call on the mover to reply, Mrs Beecroft.

1090

Mrs Beecroft: Thank you, Mr Speaker.

I thank Mr Singer for his question about this because it does seem a little bit contrary on the face of it, but the only way that this is injurious is to livestock, and so we do not want to eradicate it completely because it is good for other wildlife.

1095

Mr Singer: That is what I was asking.

Mrs Beecroft: Like bees for pollination etc, the flowers and all the things like that which actually ties up with Mr Quirk's question. It did go out for consultation and there were 17 responses. A draft Cushag Code was prepared and it was produced in October 2012 and it was

1100 written in partnership with the Department of Environment, Food and Agriculture, the Department of Infrastructure, the Manx Horse Council, the Manx National Farmers' Union and Wildflowers of Man. So they have all been consulted on it and have been part of the group that has formed this draft Code, which will have to go before Tynwald, obviously, before it is introduced anyway.

1105 **The Speaker:** And you beg to move?

Mrs Beecroft: Yes, I beg to move.

1110 **The Speaker:** In that case, I put the question that the Weeds (Amendment) Bill be read for the second time. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Hon. Members, that concludes the business of the House today. The House will now stand adjourned until the next sitting, which will take place at 10 o'clock on Monday, 18th March in this Chamber in order to elect four Members of the Legislative Council.

The House adjourned at 10.59 a.m.