



# TYNWALD COURT OFFICIAL REPORT

RECORTYS OIKOIL  
QUAIYL TINVAAL

## PROCEEDINGS DAALTYN

**HANSARD**

**Douglas, Tuesday, 12th December 2023**

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**Present:**

The President of Tynwald (Hon. L D Skelly)

*In the Council:*

The Attorney General (Mr W H Wannenburgh),  
Miss T M August-Hanson, Mr P H Craine, Mr P Greenhill, Mr R W Henderson,  
Mrs D Kelsey, Mrs D K Kinnish, Mr R J Mercer, Mrs K Sharpe  
with Ms J Corkish, Deputy Clerk of Tynwald.

*In the Keys:*

The Speaker (Hon. J P Watterson) (Rushen);  
The Chief Minister (Hon. A L Cannan) (Ayre and Michael);  
Mr J R Moorhouse and Mr T S Glover (Arbory, Castletown and Malew);  
Hon. T D Johnston (Ayre and Michael);  
Mrs C A Corlett and Mr C C Thomas (Douglas Central);  
Ms J L Faragher and Hon. C L Barber (Douglas East);  
Mr D J Ashford MBE and Mr J C Wannenburgh (Douglas North);  
Mrs S L Maltby and Mrs C S B Christian (Douglas South);  
Mrs D H P Caine and Mr A J Smith (Garff);  
Hon. K A Lord-Brennan and Hon. T M Crookall (Glenfaba and Peel);  
Hon. J P Poole-Wilson and Mr S G Peters (Middle);  
Mr R E Callister and Hon. J M Edge (Onchan);  
Hon. L L Hooper and Hon. A J Allinson (Ramsey);  
Dr M E K Haywood (Rushen)  
with Mr J D C King, Clerk of Tynwald.

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# Tynwald

*The Court met at 10 a.m.*

[MR PRESIDENT *in the Chair*]

**The Deputy Clerk:** Hon. Members, please be upstanding for the President of Tynwald.

**The President:** Moghrey mie, Olteynyn Onnoroil.

5 **Members:** Moghrey mie, Eaghtyrane.

**The President:** The Chaplain will lead us in prayer.

## PRAYERS

*The Chaplain*

## Leave of absence granted

**The President:** Hon. Members, I have given leave of absence to Mrs Kinnish, Ms Faragher and Mr Smith for this morning and Mr Ashford for tomorrow and Thursday if we are still sitting.

## Welcome to His Excellency the Lieutenant-Governor

10 **The President:** Hon. Members, I would like to welcome His Excellency the Lieutenant-Governor who is observing our proceedings today.

**Members :** Hear, hear.

## Bills for signature

15 **The President:** Now, Hon. Members, we have two Bills ready for signature, the Animal Welfare Bill 2022 and the Income Tax Bill 2023. With the consent of the Court, these will be circulated for signing while we proceed with other business. Is the Court content?

**Members:** Agreed.

**Papers laid before the Court**

**The President:** We turn to Item 1 and I call on the Clerk to lay papers.

20

**The Clerk:** Gura mie eu, Eaghtyrane.

Ta mee cur roish y Whaiyl ny pabyryn enmyssit ayns ayn nane jeh'n Chlaare Obbyr.

I lay before the Court the papers listed at Item 1 of the Order Paper.

*Items subject to motion that have had four weeks on the Register of Business*

Financial Provisions and Currency Act 2011

Energy Efficiency (Amendment) Scheme 2023 [[SD 2023/0290](#)] [[MEMO](#)]

Collective Investment Schemes Act 2008

Collective Investment Schemes (Investor Fund) (Exemption) (Revocations) Order 2023 [[SD 2023/0203](#)] [[MEMO](#)]

Companies Act 1982

Register of Recognised Auditors (Fees) (Amendment) Regulations 2023 [[SD 2023/0273](#)] [[MEMO](#)]

European Union and Trade Act 2019

European Union and Trade Act 2019 (Amendments) (DEFA) (Food and Feed) Regulations 2023 [[SD 2023/0284](#)] [[MEMO](#)]

Data Protection Act 2018

GDPR and LED Implementing (Amendment) (No.2) Regulations 2023 [[SD 2023/0234](#)] [[MEMO](#)]

*Reports*

Manx Utilities' Pricing Review [[GD 2018/0063](#)] [[MEMO](#)]

Housing and Communities Board - Homelessness Strategy 2023-2028 [[GD 2023/0119](#)]

Isle of Man Government Energy Strategy 2023 [[NN 2023/0010](#)]

*Items subject to motion that have not had four weeks on the Register of Business*

Climate Change Act 2021

Fossil Fuel Heating System Regulations 2023 [[SD 2023/0306](#)] [[MEMO](#)]

Health and Safety at Work, Etc., Act 1977

Gas Safety (Installation, Use and Management) (Application) Order 2023 [[SD 2023/0189](#)] [[MEMO](#)]

*Report*

Isle of Man Children's Champion (Revised) Report 2022-23 [[GD 2023/0116](#)]

*Items not subject to motion*

*Document subject to negative resolution*

High Court Act 1991

Rules of the High Court of Justice (Amendment) 2023 [[SD 2023/0228](#)]

Value Added Tax Act 1996

Value Added Tax (Drugs and Medicines) Order 2023 [[SD 2023/0292](#)] [[MEMO](#)]

Customs and Excise Act 1993 & Taxation (Cross-border Trade) Act 2018

Customs (Miscellaneous Amendments) (No.2) Regulations 2023 [[SD 2023/0293](#)] [[MEMO](#)]

Customs and Excise Management Act 1986

Customs (Safety and Security Procedures) Regulations 2023 [[SD 2023/0294](#)] [[MEMO](#)]

Customs and Excise Act 1993 & Finance Act 2021

Plastic Packaging Tax (General) (Amendment) Regulations 2023 [[SD 2023/0295](#)] [[MEMO](#)]

Customs and Excise Act 1993 & Finance Act 2003

Customs (Contravention of a Relevant Rule) (Amendment) Regulations 2023  
[[SD 2023/0305](#)] [[MEMO](#)]

Fisheries Act 2012

Inland Fisheries (Amendment) Regulations 2023 [[SD 2023/0266](#)] [[MEMO](#)]

*Documents subject to no procedure*

Highway Act 1986

Highways (Public Right of Way No.265, Billown, Malew) (Amendment of Definitive Map and Associated Statement) Order 2023 [[SD 2023/0267](#)]

Highways (Public Right of Way No.320, Meary Voar, Santon) (Amendment of Definitive Map and Associated Statement) Order 2023 [[SD 2023/0268](#)]

Trade in Animals and Related Products Order 2020

Trade in Animals and Related Products Declaration of Special Measures (Greece)  
[[SD 2023/0300](#)] [[MEMO](#)]

Immigration (Isle of Man) (Amendment) Order 2023

Immigration (Isle of Man) (Amendment) Order 2023 (Appointed Day) Order 2023  
[[SD 2023/0296](#)]

Immigration Act 1971

Immigration (Isle of Man) (Amendment) Order 2023 [[SI 2023/1090](#)]  
Statement of Changes in Immigration Rules [[SD 2023/0312](#)] [[MEMO](#)]

Treasury Notice – Age-related TV Licence Fee Concession (No. 2) Scheme 2020 (No. 3)  
[[GC 2023/0011](#)]

GDPR and LED Implementing Regulations 2018

Immigration Exemption Policy Document: Use of the immigration exemption under paragraph 6A of Schedule 9 to the GDPR and LED Implementing Regulations 2018  
[[GC 2023/0008](#)] [[MEMO](#)]

Energy Policy Board Terms of Reference [[NN 2023/0009](#)]

*Appointed Day Order*

Climate Change Act 2021

Climate Change Act 2021 (Appointed Day) (No.2) Order 2023 [[SD 2023/0307](#)] [[MEMO](#)]

*Reports*

Report to Tynwald: Department of Health and Social Care Manx Care Restoration and Recovery Programme Progress Update - November 2023 [[GD 2023/0121](#)]

Enterprise Act 2008 Annual Report for 2022 - 2023 [[GD 2023/0122](#)]

Legal Aid Review - Options & Recommendations Report by HM Attorney General [[GD 2023/0123](#)]

Response to HM Attorney General's Legal Aid Review Options and Recommendations Report [[GD 2023/0124](#)]

Financial Crime Strategy 2024-2026 [[GD 2023/0126](#)]

Manx Industrial Relations Service - Annual Report to Tynwald for the year April 2022 to March 2023 [[GD 2023/0118](#)]

Dormant Assets Act 2019 - Annual Report 2023 [[GD 2023/0127](#)]

Standing Committee of Tynwald on Public Accounts - First Report for the Session 2023-2024: Isle of Man Ferry Terminal Project [[PP 2023/0123](#)]

## Supplementary Order Paper

### 1. Standing Orders suspended to take Item 2 of the Supplementary Order Paper

The Minister for the Treasury to move:

*That Standing Orders 2.4(1A) and 10.9(1) be suspended to allow Item 2 on the Supplementary Order Paper to be taken.*

25 **The President:** Now, Hon. Members, as our first Supplementary Order Paper concerns laid papers, we will take this now and I will call on the Treasury Minister to move suspension of Standing Orders.

**The Minister for the Treasury (Dr Allinson):** Thank you, Mr President.  
I move that Standing Orders 2.4(1A) and 10.9(1) be suspended to allow Item 2 on the  
30 Supplementary Order Paper to be taken.

**The President:** Chief Minister.

**The Chief Minister:** I beg to second.

35 **The President:** Hon. Members, this is Item 1 on the Supplementary Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it.

### 2. Paper laid before the Court

**The President:** Hon. Members, we move to our main Order Paper – *(Interjection by the Speaker)* Oh, I call on the Clerk.

40 **The Clerk:** Gura mie eu, Eaghtyrane.  
Ta mee cur roish y Whaiyl yn pabyr enmyssit ayns aynr jees jeh'n Chlaare Obbyr Arbyllagh.  
Thank you, Mr President. I lay before the Court the paper listed at Item 2 of the Supplementary Order Paper.

*Item not subject to motion that has not had four weeks on the Register of Business*

*Report*

Council of Ministers' Response to the Standing Committee of Tynwald on Public Accounts Annual report covering activity during the Session 2022-23 [[GD 2023/0128](#)]

## Questions

### CHIEF MINISTER

#### 1. Statistics Isle of Man 2023 Population Report – Concerns raised about population increase

The Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse, to ask the Chief Minister:

*Whether the 2023 Population Report published by Statistics Isle of Man has raised any concerns about the Government's programme to increase the population.*

45     **The President:** Hon. Members, we now move back to our main Order Paper, as stated. We move to Questions and I call on the Hon. Member for Arbory, Castletown and Malew to ask the starred Question 1. Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President.

       I would like to ask the Chief Minister whether the 2023 Population Report published by  
50     Statistics Isle of Man has raised any concerns about the Government's programme to increase the population?

**The President:** I call on Ard-shirveishagh, Chief Minister, to reply.

55     **The Chief Minister (Mr Cannan):** Thank you, Mr President, and I wish to thank the Hon. Member for drawing the attention of the Court to this important document.

       If I may quickly summarise the contents of the Report, it has been estimated that the Island's population has grown by around 461 people between the census of 2021 and Q1 2023, with the rate of increase trending upwards towards the end of the period. I would also advise the Hon.  
60     Member to take into consideration the Report from the Select Committee on Population Rebalancing, which highlights that the demographic challenges should also be considered when discussing overall population numbers.

       To that end, the 2023 Population Report demonstrates that the average age of migrants settling on the Island is in fact lower than the population as a whole. In this way inward migration  
65     plays a role in moderating the impact of an ageing population and the rate at which the population ages. I do note, however, that the 2023 Report projects that the Island's population would reach around 92,000 in 2036 if current levels of inward and outward migration are maintained.

       Acknowledging the work so far undertaken by Locate Isle of Man, amongst others, there is clearly much to do if we are to realise the benefits of growth, but I am looking forward to  
70     continuing to work across all Government Departments to identify solutions which will increase our overall population, and rebalance our age demographics, to build a secure, vibrant, and sustainable future for this Island, Mr President.

       To that end, I am confident in our ability to address our population and demographic issues, and the first iteration of the Population Report highlights positive progress towards achieving our  
75     ambitions.

**The President:** Supplementary, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President; and thank you, Chief Minister.

80 With regard to retention, the Report suggests that around 35% of new residents leave the Island within five years of their arrival. Does that not raise serious concerns about the stick-ability of new residents and cast a shadow over the current strategy?  
Thank you, Mr President.

85 **The President:** Minister to reply.

**The Chief Minister:** Thank you, Mr President.

There is always expected to be a churn of residents in any society, and it should be recognised that some people will only intend to come and live and work here for short periods of time. To that end, we must continue to focus on inward migration as the primary method of increasing the working population to account for this churn, and indeed to achieve our greater population ambitions.

Nevertheless, Mr President, it is also important that those living here and contributing to society feel welcomed into our community and supported by the Government. I note that Locate Isle of Man for the past year or so have been holding networking events for those who have recently relocated to the Island, which makes it easier for those coming here to establish connections and friendships and to integrate into Island life. Improving, I hope, what I might term as their 'stick-ability' whilst also feeding back any experiences, both good and bad, of their relocation journey to relevant Government offices.

Clearly, however, this data is collated over a long period of time. Therefore, I would suggest it be another four to five years before we see the impact of these initiatives in the figures mentioned.

**The President:** Supplementary, Mr Callister.

105 **Mr Callister:** Thank you, Mr President.

I was also going to ask the question around the 35% of people who come to our beautiful Island and then leave, and that is a concern that is highlighted in the Report. But can I ask the Chief Minister, one thing the Report did highlight was the fact that 461 people have increased our population since 2021, that actually mirrors the evidence I gave to the Area Plan for the East, and that is over a 60 year period. As the Chief Minister highlighted there, we are expecting our Island population to increase to around 92,000 by 2035.

Therefore, can I ask the Chief Minister, is Government taking this policy and this document and the evidence, which is very clear over a 60-year period, in order to address the policies going forward around housing, education, schools, hospitals, doctors and everything else? Is the Chief Minister taking this evidence and driving it forward to put those policies in place in order to meet those population demands in the future?

Thank you.

120 **The President:** Chief Minister to reply.

**The Chief Minister:** I think in the short term the answer to that, Mr President, is yes. Of course with any statistical information it is based on certain assumptions at the time and to a greater or lesser extent therefore is somewhat arbitrary. And, of course, the purpose of the projections that have been forecast is limited to illustrating what *may* happen given certain preconditions and all else being equal.

But the short answer to the Hon. Member's question is over the course of this administration we have set clear targets around housing, for example, the population growth that we are expecting. And, of course, incorporated into our capital programme are various infrastructure requirements that are forecasted to assist where we perceive there to be growing added requirements on that infrastructure.

I would also point out, Mr President, that much of our infrastructure is also has additional capacity built in anyway, so it is capable of sustaining us in some cases up to the forecasted population as it currently stands.

135

**The President:** Supplementary, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President.

140

Just going back to the Chief Minister's initial Answer in terms of the advantage of the average age coming down being a good thing, that is quite true. But this is going to be influenced by the data we are looking at.

145

In terms of the zero to four, there is a projected increase of 859 or 26%, while there appears to be no actual increase in the number of females of childbearing age. Does the Chief Minister feel reassured that data is correct and if it is correct are the schools actually ready for that number of young people to be entering them in the near future?

Thank you, Mr President.

**The President:** Chief Minister to reply.

150

**The Chief Minister:** There is a projected rise, Mr President, in the number of children in this age group from 2023 onwards. There is, however, also a rise in the number of people of childbearing age, or range, from 15 to 49 from 2023 onwards. That is broadly commensurate.

155

It should be noted, of course, Mr President, as I have just alluded to, that these projections are based on quite broad assumptions and a relatively elementary methodology compared with the rest of the Population Report. This is acknowledged in the Report, both when introducing the projections and when it discusses limitations of the figures presented within and improvements planned for future iterations of the Report. These limitations are such that they may affect projections for individual age groups more than overall figures.

160

In simple terms, Mr President, I am confident that our projections are in line with our forecasted infrastructure planning. Also it is important, and it has become increasingly apparent, that when building our infrastructure we make sure it is futureproofed as much as possible going forward and that we do have the ability, where infrastructure is being built to certain predictions, that that infrastructure has the ability, I hope, at relatively little cost in the future to be expanded as appropriate, if the population growth indeed exceeds the projections that we currently have.

165

**The President:** Supplementary, Loayreyder.

**The Speaker:** Gura mie eu, Eaghtyrane.

170

Would the Chief Minister agree that for many years the hospitality sector has been supported by people who have come often from Eastern Europe for one to three years, sent money home and then followed back, as well as also secondees in professional services firms, accountants and the likes for again one to three years. So that the churn that is been cited by some Hon. Members is neither new nor concerning in the longer term.

175

**The President:** Chief Minister to reply.

180

**The Chief Minister:** I think that is fair, Mr President. The Hon. Member goes, quite correctly, to the hospitality industry as one clear example where one might expect to see churn and expect to see those reflected in the population figures, and I agree. The important thing is that we keep focusing on the big picture and keep focusing on this net inward migration figure in order to reach our targeted population growth requirements.

**The President:** Supplementary, Mr Thomas.

**Mr Thomas:** Thank you, Mr President.

185 In the light of the Population Report and in the light of the fact that the national outcome in respect of people is increased jobs in line with the Economic Strategy, does the Chief Minister feel it necessary to revisit the indicator of merely new jobs being created? It might be helpful to have a target for median earnings and an indicator of median earnings, because it is money and career prospects that often attract people.

190 And secondly, might it be helpful to have a target broken down by demographic characteristics for the new jobs, particularly age?

**The President:** Chief Minister to reply.

195 **The Chief Minister:** I think the target that we have made clear anyway, Mr President, and it has been very clear in Our Island Plan, is that we are looking to attract predominantly people of working age to the Island. The targeting of new jobs is certainly one very clear way that we can evidence and indeed drive performance throughout Government to achieve our overall objectives. I think already the figures are showing very positive in that respect, in that already  
200 between Q3 2022 and Q3 2023 we are showing a net increase of 1,500 jobs and 700 persons employed.

So I think the jobs target is applicable. We must be careful, of course, that the jobs are not duplicate jobs, but 700 persons employed is a good figure. And of course those other figures around median earnings, I think it is fair to say this Government particularly, but other  
205 governments as well, have always targeted to try and increase living standards by driving up the wage and the median wage earnings to ensure that people are able to adapt to the Island, some of the Island's higher costs of living. But also to ensure that we remain attractive for people to move here when compared to their current and existing locations.

210 **The President:** Supplementary, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President.

Were any initial concerns raised about the data set? With specific reference to the Population Report's projection for the years 2021 to 2026, there was the expectation there would be a small  
215 decline in the number of working age persons. That is based on 2022 figures and it is not looking at the current strategy that has been brought in. But to actually get the increase the Chief Minister is going for, they are talking about requiring to have a net rate of migration of around twice the level of 2022 remaining constant in all subsequent years. Is this something the Chief Minister actually thinks is possible?

220 Thank you, Mr President.

**The President:** Chief Minister to reply.

**The Chief Minister:** Again, Mr President, the figures are based on a set of assumptions and, of  
225 course, statistica ... those in charge of our statistics, (*Laughter*) will work on certain assumptions at the time. As I said, the clear evidence that we have is that we are driving towards meeting our targets.

I think the targets are very clear from a Department for Enterprise perspective in terms of the number of new jobs that they have to create. Those can be created, of course, within the existing  
230 businesses and economic infrastructure that we have or, of course, by creating new jobs by attracting new businesses to the Island.

I am confident from the figures that we have already got, Mr President, and I highlight that 700 persons figure over the year, in terms of the evidence that is already been presented, is clear evidence that we are working towards the 1,800 figure that we have forecasted in our original  
235 Island Plan in 2021, and I look forward to receiving further positive indicators in that respect.

**The President:** Supplementary, Mrs Christian.

**Mrs Christian:** Thank you, Mr President.

240 Regarding the figures that the Chief Minister has just said regarding jobs that have been created, he said that he needs to make sure that there are no duplications. Could he therefore give assurances to this Hon. Court that he will check those figures, that they do not have duplication, and come back to us at a later date?

Thank you, Mr President.

245 **The President:** Chief Minister to reply.

**The Speaker:** Making his list and checking it twice.

**The Chief Minister:** I will certainly look into that for the Hon. Member.

250 I think the important fact and figure that I referred to in that Answer was the 700 persons employed as being actually a much better indicator. I did indicate that that 1,500 jobs could include some duplication, i.e. people taking on further employment. So I will do my best to try and answer that question, but I would probably refer the Hon. Member to that 700 persons on the employment register who are now registered for employment taxes.

## TREASURY

### 2. Mannin Cancer Centre – Treasury work enabling DHSC lease

The Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse, to ask the Minister for the Treasury:

*When Treasury will complete the work necessary to enable the Department of Health and Social Care to sign a lease for the Mannin Cancer Centre.*

255 **The President:** We move on to Question 2. I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President.

260 I would like to ask the Treasury Minister when Treasury will complete the work necessary to enable the Department of Health and Social Care to sign a lease for the Mannin Cancer Centre?

**The President:** I call on the Shirveishagh Tashtee, Treasury Minister, to reply.

265 **The Minister for the Treasury (Dr Allinson):** Thank you, Mr President; and I would like to thank the Hon. Member for his Question.

As I outlined when answering the Question from Mr Ashford on 28th November in another place, the Treasury first received a paper on this matter on 6th November. A number of questions were raised to understand the implications of the proposal and to ensure that the proposed long lease would not affect any future expansion or redevelopment at the Hospital site, amongst other issues. It was important to fully understand the proposal, since it commits the use of land under a lease agreement for 99 years, but was to be implemented outside of the usual policy for the disposal of land and buildings, as contained within the financial regulations.

270

I can confirm that the Treasury board considered the matter on 6th December to try to assist in achieving a solution to this matter and have approved the request from the Department of Health and Social Care for an exemption from the necessary requirements and financial regulations.

Thank you.

**The President:** Supplementary, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President; and thank you, Minister.

Just to clarify that last point about the meeting on 6th December, does that now finalise everything? Is everything now in order to go forward?

Thank you, Mr President.

**The President:** Minister to reply.

**The Minister:** Thank you very much, Mr President.

Just for clarification, this was one of our weekly Treasury board meetings. This agreed the exemptions necessary for the Department of Health and Social Care to agree the lease and move forward on this project.

Thank you.

### **3. Cost-of-living payment to pensioners – Cost; means testing**

The Hon. Member for Douglas North, Mr Wannenburg, to ask the Minister for the Treasury:

*Why a cost-of-living payment of £300 to pensioners was made to all pensioners irrespective of their financial position; and what consideration was given to means testing.*

**The President:** We move on to Question 3 and I call on the Hon. Member for Douglas North, Mr Wannenburg.

**Mr Wannenburg:** Thank you, Mr President.

I would beg to ask the Minister for the Treasury why a cost-of-living payment of £300 to pensioners was made to *all* pensioners irrespective of their financial position; and what, if any, consideration was given to means testing?

Thank you.

**The President:** I call on Shirveishagh Tashtee, Treasury Minister, to reply.

**The Minister for the Treasury (Dr Allinson):** Thank you, Mr President.

In answering this Question I have assumed that the Hon. Member for Douglas North is referring to the second round of the long-term benefits support payment, which was worth £300 and was paid to pensioners and recipients of certain other long-term benefits who were not in receipt of Income Support back in January this year. Hon. Members will recall that the long-term benefits support payments were given to help pensioners and certain other individuals manage the significant rises in domestic fuel tariffs and food prices which occurred in 2021 and 2022.

It was imperative that those payments were provided without delay. It was simply not feasible to have introduced a means test, which would most certainly have involved a claim and assessment process for up to 9,000 individuals in a very short space of time.

315 Whilst some recipients of the long-term benefits support payments may not have experienced financial distress, many others with low and fixed incomes did. It was Treasury's view at the time that it was better to provide a more universal benefit to allow all those requiring support to receive it quickly.

320 Mr President, for 2024 and beyond we have restored provision for the winter bonus, which was suspended while the cost-of-living support payments were provided instead. The winter bonus – which in the vast majority of cases is worth £350, and is paid in January each year – is payable only to certain recipients of Income Support, including pensioners. As Income Support is a means-tested benefit, entitlement to the winter bonus is, by consequence, also means tested.

Thank you, Mr President.

325 **The President:** Supplementary question, Mr Wannenburgh.

**Mr Wannenburgh:** Thank you, Mr President; and I thank the Minister for his Answer.

330 Of course, I do not mean to question whether those people who received it should have in fact received it. It is the top end of the pensioners who maybe did not require it, who did receive it, who should maybe not have been given it. Could I get an assurance from the Minister that, as he has said in the past, he is capable of making hard decisions; capable of making difficult decisions? Can he make the decision to save money wherever he can? And I would suggest means testing would be a way to do that.

Thank you.

335 **The President:** Minister to reply.

**The Minister:** Thank you very much, Mr President; and I thank the Hon. Member for his comments.

340 I do agree. Actually, in 2022 we did try to do this through the variable rate energy support payment, which became extremely cumbersome because we had to means test people who were not actually in receipt of benefits. And so it showed some of the inherent problems with our benefit system that we are trying to resolve, both in terms of the digitalisation of the application systems, but also by making it far simpler but far fairer, both for those people who need it, but also for the taxpayer.

345 Thank you.

**The President:** I call on another supplementary, Mr Moorhouse.

350 **Mr Moorhouse:** Thank you, Mr President.

Will those receiving the additional payment receive any additional communication to make it clear that this is a one-off payment?

Thank you, Mr President.

355 **The President:** Minister to reply.

**The Minister:** Thank you very much, Mr President.

360 We are going back to what happened in January this year, and the Hon. Member for Arbory, Castletown and Malew at the time was quite vocal in terms of people being given the knowledge that these support payments were one-off payments, but were coming at certain times of the year. That was communicated through both the press and also through the conversations in this Hon. Court.

Thank you.

365 **The President:** Supplementary, Mrs Christian.

**Mrs Christian:** Thank you, Mr President.

Could I ask does the Minister know if his Department established a threshold in the analysis creating this universal benefit? And if they did create a threshold, what was the actual expected cost to the taxpayer that they feel that perhaps they have over-distributed?

370      Thank you, Mr President.

**The President:** Minister to reply.

375      **The Minister:** Thank you very much, Mr President; and I thank the Hon. Member for her question.

The total cost of the January long-term benefit support payment was £5.75 million. In terms of the threshold, as I said, this was a universal benefit paid to all those who were receiving pensions but also on long-term benefits and so that could be calculated relatively easily because they were already on our database.

380      Thank you.

**The President:** Supplementary, Mr Thomas.

**Mr Thomas:** Thank you very much, Mr President.

385      It is settled Tynwald policy, Government policy, that there will be an annual report on universality of benefits payments, on needs assessment and on means testing. In that policy, there is an approved recommendation about an annual report on the implementation of that policy. Is that annual report prepared; who receives it; and is it publishable?

390      **The President:** Minister to reply.

**The Minister:** Thank you very much, Mr President; and I thank the Hon. Member for his comments.

395      Certainly in terms of some of the work he has done previously in terms of *needs* assessment rather than *means* assessment, I think that is incredibly important, as the benefits system evolves and becomes more refined and also deals with some of these issues of fairness.

I am not aware of the need for an annual report in terms of this, but I will certainly look into that.

400      Thank you.

**The President:** Supplementary, Loayreyder.

**The Speaker:** Gura mie eu, Eaghtyrane.

405      I appreciate the Minister's difficulty in finding the right balance between fairness and simplicity in the system and the data that is available. But has he, for example, considered those who were in the 20% tax bracket in the previous year and dialling those out? that is information that they will have.

410      **The President:** Minister to reply.

**The Minister:** Thank you very much, Mr President; and again I thank the Hon. Member, Mr Speaker, for his comments.

415      We did at the time look at trying to get a more refined but simplified system. But one of the issues was trying to share the details from the taxation department with the benefits department and dealing with that became quite cumbersome. But certainly as we move forward in terms of linking some of these databases, that would be our ambition in terms of trying to assess people's

wealth, trying to assess people's needs, but also deal absolutely specifically with their needs requirements.

Again, I think we have gone through three years of quite exceptional circumstances where we have had to act very carefully, but very quickly in terms of supporting our local economy and our community, and this was one of the examples of this. But going forward, we will be looking at ways we can refine the system in terms of the information we have on the various people in our community.

Thank you.

**The President:** Supplementary, Mrs Christian.

**Mrs Christian:** Thank you, Mr President.

Let me put it another way, Minister: could you advise this Court what was the estimated risk cost in paying a universal credit of £5.75 million? What was the amount that was actually at risk? Thank you, Mr President.

**The President:** Minister to reply.

**The Minister:** I thank the Hon. Member for her question.

In terms of risk, I do not think there was any risk paying this to people. Obviously, it is difficult to know those people on fixed incomes, particularly pensioners, who were facing financial distress at the time. But again, what we constantly said at that time and going forward into this winter is if people are struggling with their finances, if they are finding that paying, particularly their fuel bills or food bills, is becoming a strain on them, please do reach out both to the benefits service but also to the third sector. Because there is a lot of help and advice that *is* there to try to support them through what can be a difficult time for many households.

Thank you.

**The President:** Supplementary, Mr Wannenburg.

**Mr Wannenburg:** Thank you, Mr President.

I have no doubt that the benefits department is trying its best to give assistance to those people who need it, but my question originated from the fact that I am trying to do my part to protect the public purse and stop payments being made to people who just do not need the money. (A Member: Hear, hear.) And there are pensioners, there are *some* pensioners, who do not need the money. Of course there are many who do need the support, but why should everybody get it when some people do not need it? That is my angle, not anything else.

Thank you.

**The President:** Treasury Minister to reply.

**The Minister:** Thank you very much; I thank the Hon. Member for his comments.

I think if you look at the way our benefits system has changed over the last decade or two, we have moved away from universal benefits far more into targeted benefits. That is both a political and a practical solution to a growing benefits system bill but also the desire to make sure, in essence, that everyone is provided for and does not have to *rely* on benefits, either because their median incomes increase or because they have sufficient pension income or sufficient savings to survive.

Again, we have gone through some incredibly difficult times and no doubt there will be difficult times ahead. It is absolutely right that the Government works to support our local economy and our local community, particularly those who may be in need, but often for a whole range of reasons will not reach out for help. Some of that is pride, some of that is the inability to do so, but

by signposting where that help is available and providing that financial support, I think we can make sure that we continue to support our entire community.

Thank you.

**The President:** Supplementary, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President.

Given the concern that has been raised about some people receiving the payment that they do not actually potentially require or want, is there any mechanism in place that will enable these people to return the payment?

Thank you, Mr President.

**The President:** Minister to reply.

**The Minister:** Thank you very much, Mr President; and I thank the Hon. Member for his comments.

I am not sure I have been faced with anyone who contacted me saying they did not want a payment. What we are talking about is the *need* for it and particularly the necessity of it.

I think we live in a community which is incredibly generous to charities and our third sector. Certainly if anyone got payments at that time who feel that they do not need it, I am sure that there are a whole range of charities who would be more than willing to take donations to help those people who *are* in genuine need through this winter.

Thank you.

## EDUCATION, SPORT AND CULTURE

### 4. Southern Community Swimming Pool replacement – Plans

The Hon. Member for Arbory, Castletown and Malew, Mr Glover, to ask the Minister for Education, Sport and Culture:

*Whether a replacement for the Southern Community Swimming Pool is contained within plans for the new Castle Rushen High School; and, if not, what alternative plans there are for a replacement pool.*

**The President:** We move on to Question 4 and I call on the Hon. Member for Arbory, Castletown and Malew, Mr Glover.

**Mr Glover:** Gura mie eu, Eaghtyrane.

I seek leave to ask the Minister for Education, Sport and Culture whether a replacement for the Southern Community Swimming Pool is contained within plans for the new Castle Rushen High School; and, if not, what alternative plans there are for a replacement pool?

**The President:** I call on Shirveishagh Ynsee, Spoyrt as Cultoor, the Minister for Education, Sport and Culture, to reply.

**The Minister for Education, Sport and Culture (Ms Edge):** Thank you, Mr President.

At this stage, the document that has been circulated is not a confirmed scheme or plan. It is a broad vision of what may be possible to maximise the use of the site, but is subject to funding and

design specification. No decisions have been made to date by the Council of Ministers regarding a proposed new pool in the south.

**The President:** Supplementary, Mr Glover.

510

**Mr Glover:** Gura mie eu, Eaghtyrane.

On the plans that we have got it does say 'a sports hall', but the Minister will be well aware that that does not give any indication as to whether the pool is included in a sports facility. Furthermore, the Minister will also be aware that the current swimming pool in the south of the Island has tiles falling off the walls and is hanging on, basically. So what plans are there in the interim before *this* scheme is completed in 2029?

515

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President; and I do thank the Hon. Member for his questions this morning.

On the plan that we circulated to all Hon. Members, we have a sports block identified and he is quite right, we have not specified what would be in that sports block to date, but Members will also be aware that I previously advised in October, the regional sports hubs long-term strategic plan is due to be presented to Tynwald at the January sitting. My Department continues to support the Southern Swimming Pool with adequate funding for delivery in managing their budget until Tynwald takes a decision regarding the future arrangements of regional pools, as noted in the motion from the January sitting to this Hon. Court.

525

**The President:** Supplementary, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President.

Could the Minister please give us an indication of how fluid the plans are? I have the recollection from February that when we saw a previous version of the plans there was a clear indication there would be a pool on those. Has that purposefully been removed or has something else happened there?

535

Thank you, Mr President.

**The President:** Minister to reply.

540

**The Minister:** Thank you, Mr President.

Our priority for the southern site clearly is Castle Rushen High School. Obviously Hon. Members for the south have been pushing to see that. What we have done with this plan of the overall site is to make sure that where the school is placed on that site gives us the maximum opportunity to utilise the rest of the site for other situations.

545

All Hon. Members have received a timeline of how we expect to progress with Castle Rushen High School design stage, and certainly we will be sticking to that. There is another meeting being arranged with the Project Management Unit, which hopefully will be in early January.

**The President:** Supplementary, Dr Haywood.

550

**Dr Haywood:** Thank you, Mr President.

The Minister has already referred to the regional sports hub report, which is due for discussion in January. So I assume that will be on the Register of Business within the next week. Can she just confirm that contained within there are plans to address the Southern Swimming Pool issue?

555

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

560 The pool report is still to be discussed in the Council of Ministers, so it would not be appropriate for me to comment on that at this stage.

**The President:** Supplementary, Mr Thomas.

**Mr Thomas:** Thank you, Mr President.

565 Am I right in remembering that the Department of Education is the client in respect of both the school and leisure facilities? The Project Management Unit under Department of Infrastructure is the project manager and obviously Treasury and Tynwald are the funder. And plans are one thing but actually having the finances is another, and there are competing priorities in Government.

570

**Mrs Christian:** Hear, hear.

**The President:** Minister to reply.

575 **The Minister:** Thank you, Mr President.

I totally agree with the Hon. Member, and that governance process for any scheme coming forward is key and obviously is our priority as a Department, to make sure we go through the right governance for anything that is brought forward.

580 **The President:** Supplementary, Mr Glover.

**Mr Glover:** Gura mie eu, Eaghtyrane.

585 I just want to build on what was said by my friend from Rushen there, Dr Haywood. In the October sitting we were told that the regional sports Hubs policy would be brought to the January sitting. If it has not actually been addressed by the Council of Ministers, it is not on the Register of Business yet, is she still confident that it will be before Tynwald in January? That clock is really ticking.

**The President:** Minister to reply.

590

**The Minister:** Thank you, Mr President.

595 I am confident that there will be a report before this Hon. Court in January. I think Hon. Members need to be very aware of the work that has had to be taken by my officers to try and gather all the relevant information for all of the swimming pools from all of the relevant boards. These are independent swimming pool boards operating swimming pools in our communities. The Department has done that piece of work and I am confident it will be before this hon. place in January.

**The President:** Supplementary, Mr Moorhouse.

600

**Mr Moorhouse:** Thank you, Mr President.

For reasons of clarity, could the Minister please confirm that the pool has been removed from the plans that were shown to Members only hours before the 2023 Budget statement was given?

Thank you, Mr President.

605

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

Is the Hon. Member talking about the Budget presentation to Tynwald? (*Interjections*) I am not aware of a plan that has been presented.

**Mr Moorhouse:** Yes, it was a plan that was shown to Tynwald Members in the –

**The Speaker:** In the Members' Room.

**Mr Moorhouse:** – Members' Room several hours, perhaps the day before the statement was given by the Minister when she unveiled the plans at that point.

Thank you.

**The President:** Minister.

**The Minister:** Thank you, Mr President.

I am happy to confirm that the current plan that has been circulated to all Hon. Members has a sports block included within it.

**The President:** Supplementary, Mr Glover.

**Mr Glover:** Gura mie eu, Eaghtyrane.

But as we have already established, the sports block does not necessarily mean a pool at the moment.

I just want to ask the Minister, she did give some reassurance on the current pool and its status and continuing to provide finance to it. Can she just build on that, that while this first community pool that the Island was lucky enough to have *limps* on as a very valuable community service, that her Department will continue to look after the interests of southern swimmers and leisure-goers, and that the pool will receive financial help in the interim?

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

The Hon. Member I am sure is very aware that the southern community pool is operated by the Southern Pool board. Obviously my responsibility ... and I believe it was an amendment from the Hon. Loayreyder that my Department will continue to support the Southern Swimming Pool board with adequate funding until Tynwald takes its decision regarding the future arrangements of regional pools.

**The Speaker:** A very good amendment too.

## ENVIRONMENT, FOOD AND AGRICULTURE

### 5. Domestic animal breeding for sale legislation – Last review; current legislation adequacy

The Hon. Member for Douglas North, Mr Ashford, to ask the Minister for Environment, Food and Agriculture:

*When primary and secondary legislation concerning domestic animal breeding for sale was last reviewed; and whether the current legislation is considered adequate.*

**The President:** We move on to Question 5 and I call on the Hon. Member for Douglas North, Mr Ashford.

650 **Mr Ashford:** Thank you, Mr President.

I beg to ask the Minister for Environment, Food and Agriculture when primary and secondary legislation concerning domestic animal breeding for sale was last reviewed; and whether the current legislation is considered adequate?

655 **The President:** I call on Shirveishagh Chymmyltaght, Bee as Eiriny's, Minister for Environment, Food and Agriculture to reply.

**The Minister for Environment, Food and Agriculture (Mrs Barber):** Thank you, Mr President.

660 The relevant primary legislation that would cover the breeding of domestic animals is currently the Breeding of Dogs and Cats Act 1981. As part of the preliminary work for the Animal Welfare Bill my Department broadly reviewed this legislation and recognised that it is outdated and should be improved. Therefore there are plans in place to review the existing legislative provisions relating to the breeding of domestic animals in detail, and to update these by bringing forward secondary legislation under the Animal Welfare Act, which I was delighted to sign following its  
665 Royal Assent being announced in this place today.

Any new legislation will be subject to full public consultation and I hope that by using secondary legislation, the provisions can be kept up to date and relevant more easily in the future.

Thank you.

670 **The President:** Supplementary, Mr Ashford.

**Mr Ashford:** Thank you very much, Mr President, and can I thank the Minister for that Answer and the fact the Department has recognised that the Act, of course, is 42-years-old now.

675 Can I ask the Minister what the timescales are likely to be around this secondary legislation? That was not quite clear. And have there been any reports to DEFA about issues around puppy/kitten farming and potentially the deformities that can come from that?

**The President:** Minister to reply.

680 **The Minister:** Thank you, Mr President.

In terms of a timeframe, that is anticipated towards the end of 2024. We have published a list of proposed secondary legislation and anticipated timeframes online and I am happy to share that with Hon. Members. The first batch of secondary legislation will include: the Animal Welfare (Codes of Practice) Order; Animal Welfare (Complaints Retention) Regulations; Animal Welfare (Data Subject Access) Code of Practice; and the Animal Welfare Appointed Day Order. But  
685 obviously this will be part of a sequencing around that.

In terms of some of the challenges around breeding where it is done inappropriately, I am aware of some of the challenges there and certainly I know that my Chief Veterinary Officer and the team are very aware of some of those things and know what to look out for. I would say that  
690 anything that would fall under the Cruelty to Animals Act would also, of course, be reportable to the Police, even now as things stand.

So we are aware that there are concerns. I am aware that there is a current petition that has been talked about in this regard, but in terms of any specific complaints, at present they would be more likely to be referred to the Police than to my team.

695 **The President:** Supplementary, Mr Ashford.

**Mr Ashford:** Thank you, Mr President.

700 In terms of the domestic animal breeding for sale, can I ask the Minister does DEFA in any way monitor via the vets any concerns or reports in relation to potential deformities in animals due to the way they have been bred? Is that reported in from the vets into her Department? And, if not, does she not believe that would be potentially a very valuable tool and statistic to have?

705 **The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

Obviously the current legislation does require people to have a breeding licence if they are breeding dogs and cats. However, as I said, we are cognisant that there are gaps in that legislation that we would seek to fulfil.

710 In terms of the data sharing, one of the challenges we have is that under the current legislation there are not any formalised routes for data sharing, so no, I do not have that data fed in on a regular basis. But it is one of those areas I would suggest where certainly my Chief Veterinary Officer is aware of anecdotal evidence in those areas, but not anything specific in order for us to be able to act on. And, of course, with the legislation as things stand we are limited in terms of  
715 action we might be able to take anyway.

**The President:** Final supplementary, Mr Ashford.

**Mr Ashford:** Thank you, Mr President.

720 In light of that can I ask the Minister when the new legislation comes forward will it make provision to allow that data sharing to occur?

**The President:** Minister to reply.

725 **The Minister:** Thank you.

Certainly the detail of the policy has not been confirmed at this point. We will be going to a full public consultation but I would anticipate that those sorts of data sharing agreements would be part of that.

## **6. Red meat import restriction – Conflict with UK-EU Trade and Co-operation Agreement; imposition consideration**

The Hon. Member for Douglas North, Mr Wannenburg, to ask the Minister for Environment, Food and Agriculture:

*Whether a restriction on the importation of red meat into the Island would conflict with the Trade and Co-operation Agreement with the EU; and what consideration has been given to imposing such a restriction.*

730 **The President:** Moving on to Question 6 and I call on the Hon. Member for Douglas North, Mr Wannenburg.

**Mr Wannenburg:** Thank you, Mr President.

I would beg to ask the Minister for Environment, Food and Agriculture whether a restriction on the importation of red meat into the Island would conflict with the Trade and Co-operation Agreement with the EU; and what consideration has been given to imposing such a restriction?  
735 Thank you.

**The President:** I call on Shirveishagh Chymmyltaght, Bee as Eiriny's to reply.

740 **The Minister for Environment, Food and Agriculture (Mrs Barber):** Thank you, Mr President.  
Before I begin, I would like to note my position as director on the board of Isle of Man Meat Company Ltd and of course my position as Minister for the Department of Environment, Food and Agriculture, which is the G shareholder of the same company.

745 In 2010, the Island lost its ability to control red meat imports into the Isle of Man via the red meat derogation, which was deemed anti-competitive by the European Union as it was overprotecting the Isle of Man market from competition. Whilst derogation would appear to some to be ideal for our industry and would undoubtedly benefit our red meat sector, the current EU-UK Trade and Co-operation Agreement is underpinned by provisions ensuring a level playing field and respect for fundamental rights, with both parties keen to support a free trade zero tariff  
750 approach.

Although we have not recently approached DEFRA for their views on establishing a new mechanism to restrict the import of red meat into the Island, it would appear to go against their general direction for free trade and removal of anti-competitive behaviour. From my Department's perspective, we are aware of the challenges faced by the red meat sector and are  
755 seeking to enable the industry to work through these. However, we have not formally considered imposing such a restriction.

Instead, we are working to understand the volume of meat consumed and imported on Island and the options as to how to balance these in favour of local produce. It is naturally an ambition to replace imports with local products where possible and my Department and the industry are  
760 seeking to work towards this. This, however, is likely to be achieved through a series of other means in the first instances, and at this juncture consideration is not being given to changing import legislation.

Finally, it is important to note that any changes to legislation would be just one part of a wider piece.

765 **The President:** Supplementary, Mr Wannenburg.

**Mr Wannenburg:** Thank you, Mr President.

770 The Minister mentioned that it is not a priority for her Department. I am sure it would be a priority for those red meat suppliers. So could she tell us more about what other means she has referred to earlier on?

Thank you.

**The President:** Minister to reply.

775 **The Minister:** Yes, Mr President, I would be happy to do so and obviously, I say again, I am talking from the perspective of both DEFA and my position as a director of the Isle of Man Meat Company Ltd, who are particularly interested in the processing and sale of red meat.

780 The best means by which to reduce importation is to reduce the need *for* importation, and this can be achieved through increased consumer purchase of local on-Island products. The team at DEFA and that wider team at Isle of Man Meats are seeking to achieve this through establishing a consistent supply of quality local produce and developing secure routes to market with our strong consumer relationships. Marketing and advertising of the product and support to recognise the benefits from local meat all need to also take place.

785 In short, the availability and access for the community to our local product is key and it is absolutely essential that our communities support our agricultural sector, and I would use this again as an opportunity to say I would encourage everyone to buy local where they can.

**7. Wright's Pits East and North –  
Monitoring regime; nearby coastal erosion rates; other results recorded**

The Hon. Member for Garff, Mrs Caine, to ask the Minister for Environment, Food and Agriculture:

*What the monitoring regime is for Wright's Pits East and North; what the rate of nearby coastal erosion is; and what other results have been recorded.*

**The President:** We move on to Question 7 and I call on the Hon. Member for Garff, Mrs Caine.

790 **Mrs Caine:** Thank you, Mr President.

I would like to ask the Minister for Environment, Food and Agriculture what the monitoring regime is for Wright's Pits East and North; what the rate of nearby coastal erosion is; and what other results have been recorded?

795 **The President:** I call on Shirveishagh Chymmyltaght, Bee as Eirinys to reply.

**The Minister for Environment, Food and Agriculture (Mrs Barber):** Thank you, Mr President.

800 The current monitoring regime for Wright's Pits East and North requires the operator to submit an annual interpretative data report that assesses all field and laboratory analysis data, including data from a network of 33 groundwater monitoring wells and a surface water sample collected from the western lake. The annual reports for 2021 and 2022 are published on the DEFA Environmental Protection Unit website.

805 The planning permissions for the site include a requirement for the operator to monitor coastal erosion. Other results included in the annual report include basic water quality parameters, such as hardness, conductivity, chemicals, heavy metals, nutrients, PAHs and PCBs, as well as methane and carbon dioxide gases that are monitored.

Thank you, Mr President.

810 **The President:** Supplementary, Mrs Caine.

**Mrs Caine:** Thank you, Mr President.

815 Can the Minister tell us what the action would be in terms of the levels, particularly of PAH and PCBs, which I think there is no safe limit? The environmental impact assessment on the recent planning application found levels of all the monitored pollutants are increasing. At what point would her Department be concerned and what action would be taken?

**The President:** Minister to reply.

820 **The Minister:** Thank you, Mr President.

In terms of the exact levels, I do not have those with me today, in terms of the point at which action would be taken. However, the regulation perspective that the Department works from is to work initially with operators to identify where there are concerns and to try and seek solutions. Ultimately the only thing that we can do, should we be completely dissatisfied with the management of a site, is to revoke the direction. However, I would highlight that would not necessarily resolve the ongoing challenges that might be presented by existing waste.

**The President:** Supplementary, Mrs Caine.

830 **Mrs Caine:** Thank you, Mr President.

I refer the Minister to the report where her Department submission said of particular concern is the potential impact of leachate contamination into the Ayres gravel pit area of special

protection for birds just to the west of Wright's Pit North, as well as the West Coast Marine Nature Reserve (MNR) and Ramsey Bay MNR to the north and east.

835 A condition of the planning permission to continue its operation, requested by the DEFA ecosystems officers, is that operations shall cease if any frogs, lizard or ground-nesting birds are found on site. So I am wondering who monitors for those and how frequently? Is DEFA undertaking the wildlife monitoring, or is that all left to the operator, which is the DoI?

Thank you, Mr President.

840 **The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

I do not hold that exact data, but I am happy to arrange a response and circulate that to all Members.

845

**The President:** Supplementary, Mr Thomas.

**Mr Thomas:** Thank you, Mr President.

850 I could not help but notice just then that the Minister talked about a 'direction' to the operator, and an issue that has been raised is the lack of a waste licence. Can the Minister explain quite clearly the difference between a licence and a direction and whether this is a recent innovation?

Secondly, there is a lot of focus on Wright's Pit, but there are other dissimilar disposal facilities potentially; Ballacallow, the Raggatt, Middle River landfill, Kewaigue landfill, Port St Mary landfill, Billown pulverisation plant waste landfill. Does the Department monitor those with equal rigour as it does the Wright's Pit North facility?

855

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

860 If I start with the second bit first, in terms of the monitoring of all sites, I have not brought the data for all sites with me today, because the Question was specifically about Wright's Pit North, but in circulating the previously requested information, I would be comfortable to circulate that as well.

865 In terms of the difference between a licence and direction, I know there was a lot of discussion around this in terms of the most recent planning application, but it was decided, on balance, that a direction was most appropriate. But in terms of the detail around why that was decided, again, rather than try and answer that here and risk making a mistake in terms of how I state that, I would rather circulate that, Mr President.

870 **The President:** Supplementary, Mrs Caine.

**Mrs Caine:** Thank you, Mr President.

875 In respect of Wright's Pit East, given it is an unlined sand and shingle gravel pit, with the coast currently less than 50 metres away, what consideration has been given to the impact of climate change, such as rising sea levels on the rate of erosion and the leachate from the site? Will there come a time in the next 20 to 40 years when the contents of Wright's Pit East have to be collected either from the gravel pit or from the coast and trucked to a more suitable facility? I wonder if the Minister and her Department are content that we are actually leaving a terrible legacy for the next generation?

880

**The President:** Minister to reply.

**The Minister:** Thank you very much, Mr President.

In terms of the coastal erosion point, because it is part of the planning application, that would be monitored by the operator of the site. So in this case that would be DoI.

In terms of the leachate, obviously that is part of what we are monitoring and I would reaffirm to this Hon. Court that is absolutely the reason why we are committed, in terms of our policy, to move away from dilute and disperse landfill. Evidence is clear that this is not the most appropriate way to manage and the reality is we are faced with legacy situations here on the Island that we absolutely want to address.

The current planning application I am not going to talk about. Obviously that remains until the end of this sitting a live application and I wish to respect it in that regard.

In terms of, as I said, the future, I would hope that once an alternative site is brought forward by the DoI, we would then be in a position to discuss the remediation of the existing sites and that is something that I absolutely would want to work with the DoI, because ultimately it is in all of our best interests to remove any legacy problems for future generations of this Island.

**The President:** Final supplementary, Mr Thomas.

**Mr Thomas:** Thank you very much.

I really appreciate the Minister being so frank about legacy problems. So I return to my original question, and I welcome the circulation of further information: does the Minister agree with me that we need to focus on the residents of Peel in the light of the Raggatt situation, which is a legacy issue? And we also need to focus on the residents of Douglas in the light of the Kewagie and the Middle River situation just as much as we are focusing on Wright's Pit North?

Furthermore, does the Minister agree with me that we really do need to implement the action plan that has been in place for quite a few years now and have funding that is appropriate for that action plan to actually address these legacy issues?

And finally, does the Minister agree with me it would be helpful to circulate the internal audit report, which actually has many recommendations for DEFA about how to deal with these legacy issues?

**The President:** That is widening the Question, but I give the Minister an opportunity.

**Mr Henderson:** Hear, hear.

**The Minister:** Thank you, Mr President.

I agree, this obviously does widen, but I would certainly agree with my hon. colleague that the funding around this is going to be critical, because none of this is going to come for free.

Thank you, Mr President.

## HEALTH AND SOCIAL CARE

### 8. Primary care at scale – Delivery progress

The Hon. Member for Douglas North, Mr Ashford, to ask the Minister for Health and Social Care:

*What progress has been made in delivering primary care at scale.*

**The President:** We move on to Question 8 and I call on the Hon. Member for Douglas North, Mr Ashford.

**Mr Ashford:** Thank you, Mr President.

925 I beg to ask the Minister for Health and Social Care what progress has been made in delivering primary care at scale?

**The President:** I call Shirveishagh Slaynt as Kiarail y Theay to reply.

930 **The Minister for Health and Social Care (Mr Hooper):** Gura mie eu, Eaghtyrane.

I would like to thank the Hon. Member for his Question and the opportunity to talk about one of the key transformation projects.

In 2022, a target operating model and a five-year implementation programme for primary care at scale were approved. However, given broader challenges across primary care, in August 2023  
935 the Health and Care Transformation Board approved a period of stabilisation of primary care services before continuing with the wider work on primary care at scale, alongside continuing to progress prototypes which continue to test the possible future model for primary care on the Island. This period of stabilisation remains ongoing and is necessary to ensure that a solid foundation is built within the primary care services before the agreed primary care at scale work  
940 starts in earnest and further improvements and changes are implemented.

The stabilisation work encompasses seven workstreams which are: virtual, which means telephone or video GP services to increase capacity and resilience in the system; provision of an optional salaried GP model, mirroring what has been delivered at Ballasalla; developing and piloting the primary care hub model; developing community pharmacy services to make greater  
945 use of the facilities and skills available, and to further strengthen the financial sustainability of the services; developing work on frailty, such as community-based frailty and falls clinics; delivering on electronic transfer of prescriptions, also referred to as an electronic prescription service; an extension of the provision of first contact practitioners, musculoskeletal, mental health and dermatology services; and bringing additional pharmacy support into primary care.

950 Progress to date includes that a salaried GP model has been drawn up and is nearly ready for wider consultation across the GP practice network. A salaried GP practice is already in place in Ballasalla, which reports say is working well. Similarly, a salaried dental model is also in place at Hillside Practice in Douglas.

A primary care hub model is up and running in the north of the Island, with active  
955 multidisciplinary clinics being run with a GP, geriatrician, community teams and well-being partnerships working together for the benefit of patients. First contact practitioners, such as physiotherapists for musculoskeletal (MSK), are now in place in Ballasalla and Kensington GP practices, seeing appropriate patients. Primary care-led dermatology services have been launched across Peel, Kensington and Palatine Group practices and will be rolled out to the south of the  
960 Island in the new year. This will be followed by the east and then the north to complete this element of the project.

To summarise, Eaghtyrane, progress is continuing, but slower than planned due primarily to the need to stabilise existing primary care services. Primary care at scale offers significant opportunity for wider system change, including the transfer of a broader range of services from  
965 the Hospital and into the more appropriate settings within the community.

Once stabilisation has developed further, it has been agreed between the Department and Manx Care that the agreed target operating model and five-year plan will be rolled out, with each initiative having agreed success measures which will be assessed as the initiative develops and if, as expected, is successful, will continue to be implemented fully.

970

**The President:** Supplementary, Mr Ashford.

**Mr Ashford:** Thank you very much, Mr President.

975 I thank the Minister for the very detailed Answer, but one thing the Minister did not say there was how long this supposed stabilisation is going to last before we start moving forward. Is this a

never-ending stabilisation, where we never get to the end of primary care at scale?  
(Mr Wannenburg: Hear, hear.)

The Sir Jonathan Michael Report, as the Minister himself said in his Answer, saw this as a key transformation target, because if Manx Care is to unlock the efficiency targets and saving targets, then we need primary care at scale in order to do that. The actual prototypes originally were supposed to be live on 31st March 2022 and are now showing red on the Transformation Programme. So can I ask the Minister what the new timescales are for that, and also when this stabilisation period may well come to an end?

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

That is, I suppose, the question that I cannot unfortunately answer. The key work that is going on around stabilisation is to make sure that primary care services are at such a state that they can deal with the transformation work that is needed. The key is making sure that services are not disrupted and that patients can continue to access primary care services whilst transformation is ongoing.

It was envisaged as a short-term project, so the intention I think is to make sure that we get the stabilisation period as short as we can possibly make it, I suppose is the answer I am going to have to give. But unfortunately I cannot give a more firm date or timeline as to when that is going to happen.

I can go back to the Transformation team and ask the question around what the new revised proposed timescales are in terms of rolling out the target operating model. I do not have that information with me, but I will ask the team and I will get that circulated.

**The President:** Supplementary, Mr Ashford.

**Mr Ashford:** Thank you very much, Mr President.

The Minister has laid out that the primary reason for this is the stabilisation, but is finance also a consideration? In the Transformation Annual Report on the rather lucky number page 13, it states that:

The Manx Care Board (early 2023) were asked to consider the agreed Strategic Business Case for [primary care at scale], and in particular to commit to the movement of necessary funding within the 5 years of planned implementation ...

It goes on to say that:

The Manx Care Board, whilst absolutely committed to [primary care at scale] –

– which is how these sentences always seem to start –

– as outlined in the strategic business case, are not able to commit to the full strategic business case outturn at this time, due to the current financial position.

So is it finances and an unwillingness of Manx Care to transfer funding that is also now holding up primary care at scale?

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

Like I said, the primary reason is around the stabilisation of primary care services, but funding is also a factor. I think it is well-known that Manx Care are not going to be coming in on-budget this year. That has been openly discussed by Manx Care for some time. The financial situation of

the Health Service is such that it cannot accept a significant amount of transformation. It is one of the reasons the Transformation Programme was temporarily paused, which I have already talked about.

So this is not around willingness, this is not around a lack of commitment. It is simply the reality that we are facing in terms of making sure that services are as stable as they can be and also the financial situation that we find ourselves in.

**The President:** Supplementary, Mr Ashford.

**Mr Ashford:** Thank you very much, Mr President.

Does the Minister not fear that we are in great danger of ending up in the vicious circle that the Transformation Programme was supposed to break, of where the funding is not available to fund the services that ultimately will release funding and actually improve the efficiency of services, thereby making more value for money? Is the Minister not concerned that we are at the point potentially with primary care at scale of falling into that vicious circle?

And can I ask the Minister as well, when he says obviously it is about getting primary care at scale into a fit state to take on the transformation, to get the primary care services able to take that on, what sort of level is the Minister aiming at? If we are waiting for a perfect system, it will never happen, Mr President. We will just keep talking about it and talking about it and saying they are not quite there yet and primary care at scale will never actually happen.

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

I actually would agree with the Hon. Member that this is the core problem, really, if you do not fund the services and the investment today, the growth in healthcare funding is exponential, as Sir Jonathan clearly outlined in his Report.

So I am concerned that if we do not resolve that long-term funding question and properly fund healthcare services, we do end up in that vicious downward spiral where we will have to constantly be fighting and chasing our own tail.

I would absolutely agree with that and it is definitely a live risk. I think if you look at the transformation reports that are produced, the key risk, inevitably, is always going to be funding. It is a real challenge for us. But I would say that I am not expecting a perfect system to be in place before we can progress with this. It is about stabilising the system as far as is reasonably possible.

I think the Hon. Member is absolutely right: if we are aiming for perfect, we will never make any progress. I think some difficult choices are going to have to be made over the next few months around how we divert funding, I suppose, from current service provision to service development, to make sure we are dealing with the longer-term challenges that Sir Jonathan quite rightly identified in his Report.

**The President:** Final supplementary, Mr Ashford.

**Mr Ashford:** Thank you, Mr President.

Can I ask the Minister then, in relation to the stabilisation he refers to, does the Department have key metrics to measure that, so that they actually know when their optimum period of stabilisation has been reached?

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

It is not really about metrics of the service, it was around a number of key events that were happening almost all at the same time in a perfect storm. So we have had, as we know, a particular

1070 issue with a dental contract being handed back, a particular issue with a GP practice, particular  
issues with the pharmacy network across the entire Island in terms of commercial transactions  
that were under way. So it was more about a lot of things happening at the same time that were  
pushing change that was happening at a pace that the system was not able to adapt for.

1075 So it was not about particular things that were not working. It was a series of events that  
needed to be allowed to progress to their natural conclusion before things could start to be made  
better. Most of those events have now taken place. As we know, the pharmacy network is  
stabilising. Like I said in my Answer originally, the service down at Ballasalla seems to be working  
quite well. These kinds of things appear to be, at least from my perspective, we are getting over  
the hump. So I do think that we are going to be in a position in the relatively near future to start  
1080 progressing with some of this transformation work.

**The President:** I did miss one earlier; I will call a supplementary, Mrs Corlett.

**Mrs Corlett:** Thank you, Mr President.

1085 I would just like to ask the Minister what level of impact this delay will have on the  
transformation and efficiency of other services? How big is that knock-on effect?

**The President:** Minister to reply.

1090 **The Minister:** Thank you, Mr President.

I do not think that the knock-on effect of this short-term delay is going to be as significant as  
the significant delays we had at the start of the project. So the Hon. Member for Douglas North  
has already identified some of this work should have been done by 2022. Obviously a lot of this  
stuff has been knocked well out of the park by things like COVID. So there has been a much larger  
1095 impact at the start of the whole Transformation Programme.

Whilst the delay will have an effect, in some ways it is actually helping us. It has created a bit  
of space for us to develop the salaried GP model, for example. That kind of work is still ongoing,  
so I am not really sure there will be a significant impact in terms of delivery. But that is of course  
provided we can get everything back up and running, which comes back to Mr Ashford's question  
1100 around funding. So ultimately, if we can tick all the boxes which we think we are in the process of  
ticking, actually, things should start moving again relatively quickly.

## **9. Appointment letters –**

### **Cost savings issuing six weeks in advance; other considered communication options**

The Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse, to ask the Minister for  
Health and Social Care:

*What the projected cost savings of issuing appointment letters six weeks in advance are; and  
what other options for communicating this information to patients were considered.*

**The President:** We move on to Question 9 and I call on the Hon. Member for Arbory,  
Castletown and Malew, Mr Moorhouse.

1105 **Mr Moorhouse:** Thank you, Mr President.

I would like to ask the Minister for Health and Social Care what the projected cost savings of  
issuing appointment letters six weeks in advance are; and what other options for communicating  
this information to patients were considered?

Thank you.

1110 **The President:** I call on Shirveishagh Slaynt as Kiarail y Theay to reply.

**The Minister for Health and Social Care (Mr Hooper):** Gura mie eu, Eaghtyrane.

1115 Manx Care has recently launched a pilot in the speciality of orthopaedics to send out appointment letters to patients six weeks ahead of their appointment. Until now, appointment letters had been issued even if the appointment is over a year away. It has been found that sending out appointments so far in advance increases the risk of the appointment being rescheduled due to clinicians being on leave, given that the policy for leave is for clinicians to give six weeks' notice of planned leave.

1120 Sending the letters out six weeks in advance therefore should reduce the chance of the scheduled clinic being cancelled and Manx Care having to send out a second letter rescheduling the appointment. The aim is that patients are to be inconvenienced less and can plan with more certainty, knowing there is a lower chance of their appointment being cancelled.

1125 This is a pilot to test an approach to giving appointments in a reasonable timeframe, and to see if the number of 'did not attends' (DNAs) can be reduced, especially in those specialities with longer waiting lists. Currently, nearly one fifth of all appointments in the Hospital are DNAs, which is a significantly higher rate than seen elsewhere in the British Isles. The primary driver for this is therefore not to save money, but to increase efficiency by making sure that clinics are fully attended, which will reduce the overall average waiting times for all patients and minimise disruption.

1130 Other communication channels have been considered but are constrained by the technology platforms in use across Manx Care. The system used in primary care does provide greater integration with a tool to enable electronic communication and supports both email and SMS communication alongside traditional post. Unfortunately, the patient administration system in use within Noble's and Ramsey hospitals, which is Medway, is less flexible.

1135 It is intended that the Manx Care Record will address these issues by providing a more flexible digital platform for patients. In the meantime, Manx Care are also reviewing the SMS text messaging reminder service with the Government's telecommunications provider.

1140 **The President:** Supplementary, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President; and thank you, Minister, for such a comprehensive Answer.

1145 The current system allows diary conflicts to be detected relatively quickly. Will the new system mean that patients will have to wait months for a letter, only to find out that they cannot potentially attend the appointment? And at the moment, that means that people go right back to the end of the queue, or at least there is a substantial wait. Has that been considered as being a potential problem and is there a solution there? But also, in terms of if these people are having to wait a lot longer, then the cost savings that potentially could have happened will not be there.

Thank you, Mr President.

1150 **The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

1155 Like I said in my original Answer, this is not about saving money. This is not intended to generate significant cost savings. It is about making sure that clinics are full and that process is more efficient. In tandem with these changes and the changes to the notification of appointments, there are also significant changes happening in the booking of appointments. Strictly speaking, this means that appointments will not be booked into the next available slot. Instead, referrals will sit on an outpatient waiting list until the next available appointment is six weeks away, at  
1160 which point they will be booked and a letter issued.

So from the patient perspective, they will not notice any difference in terms of when they are notified of their appointments, but it will avoid the current practice of any cancellations resulting in the patient effectively going to the back of the queue, which Manx Care accept is an unacceptable practice.

1165

**The President:** Supplementary, Mr Glover.

**Mr Glover:** Gura mie eu, Eaghtyrane.

1170

I have had a couple of constituents express concern over this, particularly elderly and vulnerable, who are waiting for an appointment. And if they are only getting a six-week notification, the rest of their life is effectively on hold until they get that six-week notification. Would the Minister agree that the end user has got to be just as important here as ...? I get the admirable want to get DNAs down, but a little bit more notice to patients, particularly the elderly and vulnerable, would be desirable.

1175

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

1180

Like I said at the outset, the key rationale behind this is to try and minimise disruption to patients. So Manx Care have advised that currently Noble's Hospital cancels approximately 1,600 appointments per month due to clinician unavailability. If this system works as intended, that number will be significantly reduced and so you will massively reduce the chance that someone has a longstanding appointment that is then cancelled at relatively short notice, only to be rescheduled for *another* long wait time.

1185

The intention behind this is to try and make things easier for patients and give them a lot more certainty, so when they get an appointment date, they can be more confident that that is going to be their appointment, as opposed to the practice currently where you can get an appointment date that is quite far in the future and as that arrives, you receive a cancellation letter.

1190

So yes, I appreciate what the Hon. Member is saying. Ultimately what you are looking at is trying to make sure patients are as informed as possible and can be as certain as possible that when they are given a date, that is the appointment date. There is always going to be a conflict between how much notice you would like to be able to give people and quite practical operational considerations, like, for example, clinicians booking holidays and staff rotas, which are naturally much shorter time timescales.

1195

I said at the outset this is a pilot. It is a trial that Manx Care are running in orthopaedics to see what impact it has. So as this trial progresses, we will be able to see has it worked as intended, is it working for patients, is it working for the Hospital. If the answer to those questions is no, obviously Manx Care will have to go back and rethink.

1200

**The President:** Supplementary, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President; and thank you, Minister, for that additional information.

1205

I am just going to focus on that for slightly longer in terms of the Minister is really quite clear this is a pilot and not the introduction of a new system. In the previous answer he made reference to the indicators that were being considered in terms of whether this will be seen as a success. But I think a lot of people are concerned that it is being actually tested over the Christmas and New Year period, when Noble's is not working at full capacity, when many people are on holiday and it is going to give potentially a false reading. Is that something that will be taken into account and considered?

1210

Thank you, Mr President.

**The President:** Minister to reply.

1215 **The Minister:** Thank you, Mr President.

I am not sure that makes a great deal of difference, actually, in terms of the time of year that you are doing this. Ultimately patients will have appointments over the Christmas period as usual. So in terms of whether those appointments are cancelled at short notice, what we are looking at here is clinician cancellations, rather than patient cancellations.

1220 Obviously if the patient chooses to cancel their appointment, that is their decision. What we are trying to avoid is the instances where people's appointments, largely due to clinician unavailability, are being cancelled by the Hospital. Like I said, I do not think the Christmas period will have much of an impact there. It is an annual occurrence and the Hospital is relatively good at dealing with things that are frequently occurring like that.

1225

**The President:** Supplementary, Mr Ashford.

**Mr Ashford:** Thank you very much, Mr President.

1230 Can I start by saying I welcome the pilot that is being trialled and the Minister probably is in a damned if you do, damned if you don't situation. But would the Minister accept that actually one of the risks potentially of doing this with the six weeks is actually flipping the system and instead of Manx Care cancelling the appointments, it is the patients cancelling because they have not got enough notice to be able to organise their life around that appointment. So will that be being monitored as part of it as well, Mr President?

1235

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

1240 Yes, I think it will, but ultimately if a patient cancels an appointment with six weeks' notice, Manx Care can then reissue that appointment to somebody else. So from a healthcare system perspective, provided the Hospital is able to utilise that appointment to see a patient, if another patient has decided, 'That doesn't quite work for me, could I have a different date?' that is the patient's choice, and actually I do not think that is unreasonable. Ultimately the aim here for the Hospital is to drive their attendance rates up to as high as they possibly can be, which is making best utilisation of services.

1245

1250 So if I am a patient and I choose to cancel my appointment, I think that is absolutely fine, from my perspective. That happens anyway. What we need to happen, though, is that when that is cancelled, that appointment needs to be reissued to somebody else. And I think the problem we have with the current system is that is much harder to do. One of the things this system, or rather the changes that are happening in the background behind this change it should do, is hopefully get those attendance rates up and get the DNA numbers down. So that should be another positive consequence ... *[Inaudible]*

1255 Like I said, it is a pilot, it will be reviewed. If Members do have concerns or get feedback from constituents that this is not working, please feed that into the team at MCALS to make sure we have got as much data as possible in terms of making a decision on whether this is the right thing to do going forwards.

**The President:** Final supplementary, Mr Moorhouse.

1260 **Mr Moorhouse:** Thank you, Mr President.

Several constituents have made reference to emails and texts, and the Minister made reference to this in his initial Answer, in terms of the challenges of doing this going forward. Is there an indication of whether this potentially could happen? It was quite clear, just in terms of

the structural issues that are preventing this at the moment, but he spoke about reference to GTS and possible ways going forward. Is there any indication when this might well happen?

Thank you, Mr President.

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President.

Not GTS, it was the Government's telecommunications partners. So it would be the telecoms firms.

I do not have an indication as to how quickly some of those changes can be rolled out. We have seen quite a lot of changes in terms of the appointments and booking system anyway. The text messaging system I think is now much more widely embedded than it was in the past and I know Manx Care are keen to look at whether they can have system solutions like sending emails rather than letters, for example. Some of that is dependent, though, on the Manx Care Record work, and it does not make a lot of sense in my mind to invest in the short term in new systems and new development if we know we are going to be replacing those systems in the near future anyway.

So it is something Manx Care are looking at, something that we are very keen on to, make sure people have got ultimately all the information they need in the palm of their hand; some kind of app would be the best long-term solution. We are not there yet and so Manx Care are working on some interim fixes, interim measures, like I talked about in my Answer, that hopefully will happen a lot more quickly. But hopefully we will see things happening in the next couple of months. If not, I am sure I will get asked another Question by the Hon. Member, and I am happy to provide an update at that time.

## INFRASTRUCTURE

### 10. New Douglas sea wall – Alternatives considered

The Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse, to ask the Minister for Infrastructure:

*What alternatives to a new sea wall in Douglas have been considered.*

**The President:** We move on to Question 10 and I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

**Mr Moorhouse:** Sorry, technical issue.

**The Speaker:** Do you want a copy of this ...?

**Mr Moorhouse:** Ah, thank you.

Thank you, Mr President. I would like to ask the Minister for infrastructure what alternatives to a new sea wall in Douglas have been considered?

**The Speaker:** If you answer it quickly, he won't find his supplementaries.

**The President:** I call on Shirveishagh Bun-troggalys to reply.

**The Minister for Infrastructure (Mr Crookall):** Thank you, Mr President.

1305 In 2014, JBA Consulting produced an Isle of Man flooding and wave overtopping study which said Douglas is at risk of serious wave overtopping and still water flooding. Options were considered for different risks along the length of Douglas Bay; a setback wall, a raised seawall, beach recharge, which is the moving around of the sand and the stones on the beach, and a rock revetment. A multi-criteria analysis was carried out and the combination of raised sea walls, setback sea walls and rock revetment at Strathallan were considered to be the most appropriate, and details of this can be found in the report, which is available on the Government website.

1310 Following the 2014 JBA report, the section of wall around the bottom of Broadway has been prioritised and planning permission obtained. Planning permission has also been obtained for a section of wall at the Bottleneck car park to protect the roundabout in easterly storm conditions. It is important to recognise that the designs are, and will be, a compromise between the level of protection and the impact on the environment. A decision on development along the rest of Douglas Promenade has not been taken at this time and is not a current priority.

1315 Thank you, Mr President.

**The President:** Supplementary, Mr Moorhouse.

1320 **Mr Moorhouse:** Thank you, Mr President; and thank you, Minister.

Having chosen a partial sea wall, has any assessment been made of the potential impact on the areas north of that addition in terms of the water and energy and the potential impact on traffic flows, residents and businesses further up the promenade?

Thank you, Mr President.

1325 **The President:** Minister to reply.

**The Minister:** Yes, Mr President. That is why the design of the wall is the length it is, the height it is and where it is supposed to be and it is there to protect that particular area, which is the vulnerable part.

1330 Thank you.

**The President:** Supplementary, Mr Moorhouse.

1335 **Mr Moorhouse:** Thank you, Mr President; and thank you, Minister.

I recognise it is going to protect that part of the coastline, but I am slightly concerned that it will have an impact on other areas. In terms of that additional impact, has that been taken into account?

Thank you, Mr President.

1340 **The President:** Minister to reply.

**The Minister:** Yes, Mr President. It has all been taken into account at this time and, as I said, there are no further works planned at this stage.

1345 Thank you.

**The President:** Final supplementary, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President; and thank you, Minister.

1350 Just in terms of additional works not being planned, work is currently being done in Laxey to remove some material from the coastline. Similar concerns have been raised about the area that is not going to be benefiting from the sea wall in Douglas in terms of the high level of the beach. Has the Department actually considered removing some of that material, so when the waves of

material are diverted in that direction, there is going to be less impact for local residents and businesses and commuters?

Thank you, Mr President.

**The President:** I call on the Minister to reply.

**The Minister:** Thank you, Mr President.

As I said, the length of the wall has been done to protect that area of the beach or that area of the promenade that is susceptible to the overtopping more than the other end. At the end of the day, you cannot protect against another bigger storm. We are doing our best with what we have at the moment.

With regard to moving stone and the beach and taking it away from that wall, there is an optimum. You need to leave some of the wall there to dissipate the power out of the waves. If you level the beach off, or if you take it the right way down, the wall will get absolutely battered and take the full impact of the waves. So if you have like a rock revetment or a beach revetment where it slopes, it does actually take the power out of the waves somewhat. In a high tide with a good storm, you will never take all the power out, as we have seen and Douglas Corporation gardens saw three or four years ago, whatever it was. When the storm is big enough and high enough and strong enough, it will still do damage no matter what we put in its way.

**The President:** I will allow one further supplementary, Mr Thomas.

**Mr Thomas:** Thank you very much, Mr President.

Does the Minister agree with me that all the plans for ... *[Inaudible]* years, even decades along Douglas Promenade to address overtopping and also other flood risks were laid out very clearly in the promenade masterplan, which was on display in the Sea Terminal for three months before last Christmas?

And secondly, does the Minister further agree with me that in Laxey, the Department of Infrastructure, the commissioners, the community have worked very closely together and in actual fact stone has been raised at some parts on the wall and reduced on other parts of the wall? So the situation needs to be understood in its entirety.

**The President:** That is partially widening, but I will leave the Minister to reply.

**The Minister:** Thank you, Mr President.

I am more than happy to agree with the Member who has just resumed his seat. That is absolutely the case and the Department does work with local authorities, as we do with Douglas, Laxey and others, just to make sure that what work is going on is considered to be the best and the most protective at the time.

Thank you.

#### **11. Arbory Street and Malew Street pedestrian areas – Planned improvement update**

The Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse, to ask the Minister for Infrastructure:

*If he will provide an update on the planned improvements to the pedestrian areas on Arbory Street and Malew Street.*

1395 **The President:** We move on to Question 11 and I call on the Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President.

1400 I would like to ask the Minister for Infrastructure if he will provide an update on the planned improvements to the pedestrian areas on Arbory Street and Malew Street?  
Thank you.

**The President:** I call on Shirveishagh Bun-troggalys to reply.

**The Minister for Infrastructure (Mr Crookall):** Thank you, Mr President.

1405 I am more than happy to give an update. The Department is awaiting a decision on the planning application submitted in April 2021. The scheme was re-advertised in May 2023, following the submission of a heritage statement and amendments to the proposed surface treatments in response to feedback from DEFA's conservation officer. The application is currently under consideration and a decision is expected very shortly.

1410 **The President:** Supplementary, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President; and thank you, Minister.

1415 Has the Department identified the source of funding for the work or has a budget submission – or potentially both – been submitted to the Treasury?  
Thank you, Mr President.

**The President:** Minister to reply.

1420 **The Minister:** Thank you, Mr President.

No, new costs will have to be established if planning is approved. Inflation has been very high from the last estimate we have and we will have to revalue that.

1425 **The President:** Supplementary, Mr Glover.

**Mr Glover:** Gura mie eu, Eaghtyrane.

So is this a case of planning permissions in, but no budget is available?

1430 **The President:** Minister to reply.

**The Minister:** At the moment, yes.

**The President:** Supplementary, Mr Moorhouse.

1435 **Mr Moorhouse:** Thank you, Mr President; and thank you, Minister, for showing some hope in terms of where are we going.

Just in terms of a timeline, can the Minister give us any indication of how quickly this work can be done? I recognise there is an issue in terms of the planning and the finance, but has he got a vision of how quickly we can do this?

1440 Thank you, Mr President.

**The Speaker:** Get in the queue.

**The President:** Minister to reply.

1445 **The Minister:** No, obviously, Mr President. If we were to get planning, I think we will be given probably four years to do that work, but as I said, we have got to get the funding from that and that is obviously something else that will join a list of works that need doing around the Island.

**The President:** Final supplementary, Mr Moorhouse.

1450 **Mr Moorhouse:** Thank you, Mr President; and thank you, Minister.  
Could I suggest that at the moment, when we are looking to attract all these additional people to the Island, the Island needs to look as good and attractive as it can do, and having these improvements will not only benefit the people Castletown, visitors to Castletown, but people from right across the Island? Given that situation and the current issues with safety, is there any possibility that this project can be moved forward because it can make a real difference?

1455 Thank you, Mr President.

**The President:** Minister to reply.

1460 **The Minister:** Mr President, I applaud the Hon. Member who keeps going on and on about his constituency and looking after it as much as he can, but as I said in my last answer, there are other places around the Island as well as (**Several Members:** Hear, hear.) that I would think Hon. Members (*Interjection and laughter*) would bend my ear if I was to give in to the Hon. Member so quickly. (*Interjection*)

1465 **The President:** Thank you.

## JUSTICE AND HOME AFFAIRS

### 12. Standard scale fine levels – Timescales for any review

The Hon. Member for Douglas North, Mr Ashford, to ask the Minister for Justice and Home Affairs:

*What the timescales are for any review of the levels of fines on the standard scale.*

**The President:** We will move on to Question 12 and I call on the Hon. Member for Douglas North, Mr Ashford.

1470 **Mr Ashford:** Thank you, Mr President.

I beg to ask the Minister for Justice and Home Affairs what the timescales are for any review of the level of fines on the standard scale?

1475 **The President:** I call on Shirveishagh Cairys as Cooishyn Sthie to reply.

**The Minister for Justice and Home Affairs (Mrs Poole-Wilson):** Thank you, Mr President; and I thank the Hon. Member for his Question.

1480 In order to answer this Question, it may help to set some context. The standard scale for offences punishable summarily was introduced by the coming into operation of the Interpretation Act 2015 on 1st January 2018. The Fines and Penalties Bill, currently going through another place, seeks to reflect this in the current statute book for transparency and ease of reference. As outlined in that Bill, the levels on the standard scale range from level 1, which equates to a £500 fine, to

level 5, which equates to a £10,000 fine. The level on the scale associated with an offence is based on the individual piece of legislation that creates the offence.

Under the Interpretation Act 2015, the Council of Ministers may substitute the financial elements of the standard scale by Order, subject to Tynwald approval. At present, there are no plans to review or to recommend to the Council of Ministers that the financial figures attached to each level are changed.

In terms of reviewing whether the level of fine is appropriate for each offence, this is a matter for each Department to monitor and address as necessary. As such, I cannot comment on the entirety of the statute book in this regard. However, I can say that the levels of fines attached to offences that are within the remit of the Department of Home Affairs will be considered and addressed in line with our legislative programme. For example, as part of our preparation to consult on firearms and offensive weapons legislation, we are considering the levels associated with offences under the relevant laws, and will incorporate any proposed changes as part of that work.

Thank you, Mr President.

**The President:** Supplementary, Mr Ashford.

**Mr Ashford:** Thank you very much, Mr President.

Would the Minister accept that actually it should really be the case that the ... *[Inaudible]* fines on the standard scale should be reviewed regularly, because otherwise we run the risk of inflation eroding what the actual value of that penalty actually is? For instance, we are in a situation where – and I know this is what the Bill going through in other place is trying to address – for instance, we have fines dating back to 1947 that were £200 that in today's money would be about £6,500.

So would the Minister undertake that there should be something programmed in regularly, even if it is every three years, just to look at the level of fines that are there on each of the levels of the standard scale to ensure that they do remain up to date and are actually relevant and in today's or tomorrow's money?

**The President:** Minister to reply.

**The Minister:** Thank you, Mr President; and I thank the Hon. Member.

Indeed we touched on this in another place at the Second Reading of the Fines and Penalties Bill. I think the point he makes in general terms is absolutely correct. I think it is important, though, to distinguish, as I referenced when I first answered ... there is a difference between the table in the Interpretation Act and whether the numerical amount associated with each level is appropriate. And indeed a factor such as inflation might be the sort of thing that would prompt a recommendation to the Council of Ministers to review the monetary amount attached to each level in the Interpretation Act.

I think his wider point about where a figure has been set in a piece of legislation, and he referenced in particular the Air Guns and Shot Guns etc., Act 1968, whether those levels, when they are specified in a particular piece of legislation, when they ought to be reviewed, as I have said, that is a matter for each Department in terms of the legislation that they have responsibility for.

That particular piece of legislation will be looked at by the Department of Home Affairs in terms of its work on updating and modernising the overarching firearms legislation and I think there is a responsibility of Departments, when they are reviewing and updating legislation, to take into account levels of fine.

Thank you, Mr President.

OFFICE OF FAIR TRADING

**13. Gas disconnections –  
OFT discussions with provider regarding cut off vulnerable customers**

The Hon. Member for Douglas North, Mr Ashford, to ask the Chair of the Office of Fair Trading:

*What discussions have been held between the Office of Fair Trading and Manx Gas about vulnerable customers cut off before the pause in disconnections; and what action is being taken to reconnect them.*

1535 **The President:** We move on to Question 13 and I call on the Hon. Member for Douglas North, Mr Ashford.

**Mr Ashford:** Thank you, Mr President.

1540 I beg to ask the Chair of the Office of Fair Trading what discussions have been held between the Office of Fair Trading and Manx Gas about vulnerable customers cut off before the pause in disconnections; and what action is being taken to reconnect them?

**The President:** I call on the Caairliagh Dellal Cair, Chair of the Office of Fair Trading, to reply.

1545 **The Chair of the Office of Fair Trading (Mr Glover):** Gura mie eu, Eaghtyrane.  
From mid-September to mid-November of this year, the OFT was contacted by 28 very concerned customers who had either been disconnected from the gas supply or warned of disconnection. So far the OFT has liaised directly with Isle of Man Energy about 22 of these cases. At this juncture, I do not have the exact figures of how many customers have been reconnected or remain disconnected, as it is a fluid situation with OFT officers continuing to liaise with Isle of Man Energy. However, I am aware of many positive outcomes for customers due to the OFT making representations on their behalf.

1550 In tandem with this important ongoing work the OFT contacted senior management at Isle of Man Energy and met with the Managing Director on 20th November. Following constructive talks at the meeting, as well as a subsequent meeting between Isle of Man Energy and the Chief Minister, a short but significant joint media release was issued by Isle of Man Energy and the OFT on 21st November.

1555 It is worth reiterating what was said in the media release:

Isle of Man Energy has agreed to a short pause in gas disconnections for domestic customers who are in debt and struggling to pay their bills.

[...]

The pause will give time for the [OFT] to review a number of cases lodged by Isle of Man Energy customers who have raised concerns ... [about] disconnection.

Isle of Man Energy has also made a commitment not to disconnect vulnerable customers who are on the company's Priority Care Register and to ensure those who may be struggling are signposted to appropriate support.

Isle of Man Energy has also committed to review and update its disconnection policy ...

Isle of Man Energy and the Isle of Man Government will continue to monitor the situation closely and will meet again to review the developments.

1560 Isle of Man Energy has now published its disconnection policy on its website. Two points of note in that policy are that Isle of Man Energy's priority care customers will be investigated with the correct care and attention and signposted accordingly with the support of OFT, with disconnection always being a last resort; and that Isle of Man Energy will not disconnect customers after the second week of December and now that is through to the second week of January.

It should be noted that for the customer to request to be classified as a priority care customer, it is up to the customer. The request information is on Isle of Man Energy's website, but for

1565 customers who are not able to access the website and are not digitally enabled, please contact the OFT and will help take them through that whole process. Going forward, the OFT will continue to work with Isle of Man Energy to go through each and every case that the OFT has in front of it to determine what the facts are and the next steps.

1570 **The President:** Supplementary, Mr Ashford.

**Mr Ashford:** Thank you very much, Mr President.

1575 Can I thank the Chair of the Office of Fair Trading for that response. It is good to hear that there are some positive outcomes that have occurred, but of course that is not much comfort to those who have not had a positive outcome.

Can I ask the Chair, what is a short pause? So how long is this short pause for? We do not seem to be able to get to the bottom of that. And also, can the Chair confirm does the OFT know how many people on the priority care register are currently disconnected? Of course, as I said, this Question is about those vulnerable customers who were cut off prior to the announcement of the pause, so how many people on that priority care register are currently disconnected?

1580

**The President:** Chair to reply.

**The Chair:** Gura mie eu, Eaghtyrane.

1585 That is really the nub of the issue that the Member for Douglas North has come up with. Of the 22 cases that the OFT is dealing with, registered with Isle of Man Energy as priority care was just one. The OFT considers that being classed as vulnerable of those 22, 14 are in that category. So that really is the nub of the issue and that is why we are working closely and have asked for that code to be published, so that there is complete clarity around vulnerability in terms of what the OFT has looked at.

1590

It is worth just mentioning that the reasons identified by the OFT as being vulnerable include elderly, medical issues, pregnancy, at least one young child, baby or disabled child, or a combination indeed of all of those cases.

1595 **The President:** Supplementary, Mr Callister.

**Mr Callister:** Thank you, Mr President.

1600 Having listened to the comment on the radio this morning from my colleague from Douglas North about the number of people who have been cut off, can I just ask the OFT Chair if there is actually any cost involved of reconnecting somebody? I have not actually heard that or seen it anywhere. I cannot find it. So I do not know if there is a cost attached. And if there is any sort of legislation or guidelines around how long it actually should take someone to be reconnected if they do find themselves cut off over Christmas?

1605 Again, I know there is comment from my colleague from Douglas North saying there are people being disconnected and remaining unconnected for over five weeks. Surely there should be legislation around the company reconnecting somebody as fast as possible, regardless of their circumstances?

**The President:** Chair to reply.

1610

**The Chair:** Gura mie eu, Eaghtyrane.

I agree with what the Member for Onchan is saying, and I also at this point welcome the Chief Minister's Gas Regulatory Review Committee Report, which is pointing and giving more powers to have measurable customer service standards and community obligations, fuel poverty, social and vulnerable persons aspects.

1615

So I think things are working in, because has the OFT any power to prevent disconnections? Put simply, no it has not, and that is where we need to strengthen the hand of both CURA and indeed the OFT in where their responsibilities lie. I am not aware of cases that the OFT has dealt with that there was a cost for the reconnection, but I will look into that further (**Mr Callister:** Thank you.) for the hon. gentleman.

**The President:** Supplementary, Mr Ashford.

**Mr Ashford:** Thank you very much, Mr President.

Can I ask the Chairman of the Office of Fair Trading, in relation to people who have been disconnected who are trying to get reconnected, what sort of timescales are being worked from? I can give an example of one constituent who, through begging friends and family, was able to get the money together to get reconnected and then spent just over a week and a half trying to ring the call centre in Edinburgh to get reconnected and pay the bill. (**A Member:** Hear, hear.) They kept saying they would ring back and they never did.

I have got to praise actually the CEO of Manx Gas in the Island who intervened and that actually got it resolved, but does the Chair of the Office of Fair Trading believe that people should be having to chase for a week, week and a half, to actually hand over their money? And again I will ask the Chairman because, forgive me if I missed it in that second answer, but I still did not quite catch how long the short pause actually is.

**Mr Callister:** Hear, hear.

**The President:** Chair to reply.

**The Chair:** Gura mie eu, Eaghtyrane.

The short pause is until the second week of January rather than now before Christmas that I think was given out previously. Once payments have been made, I feel that the reconnection should be done at very short notice. I think a week and a half is far too long, and I would urge customers in that situation again to get in touch with the Office of Fair Trading, who will assist in trying to make sure that that happens in a very quick timescale.

**The President:** Supplementary, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President.

The former Chair stated on 21st November that a board member would actually review all disconnections before the action took place. That was not included in the statement on 21st November and the former Chair said that will be something that will be looked at and considered. Is that something that the current Chair is still considering, and is that something that could be pushed before the disconnections actually start again in the second week in January?

Thank you, Mr President.

**The President:** Chair to reply.

**The Chair:** Gura mie eu.

The short answer is yes, and just talking about recommencement of disconnections coming later in January, I hope that is not the case. I hope that the energy provider here has taken on board that a disconnection should be very much a last resort, (**Mr Moorhouse:** Hear, hear.) particularly that is carried out, I know, by Manx Utilities. It is very rare that a customer is disconnected there. So we will work very hard indeed for that to be the case.

**The President:** Supplementary, Mr Ashford.

**Mr Ashford:** Thank you, Mr President.

1670 Just before I ask the supplementary question, I should clarify for the Chairman, because I think he misheard me, the week and a half was not from payment to reconnection. The week and a half was just trying to pay the *money* over, because he could not get anyone to actually take the money off him!

1675 Can I ask the Chairman of the Office of Fair Trading what conversations have taken place with Manx Gas for those who are disconnected around being realistic about payment plans? One of the issues that people who are disconnected have faced is they are being asked for sums of money that they are just never going to be able to do.

1680 So again, for instance, one person I have spoken to has been asked for £500 up front and then an ongoing direct debit every month of £250. They could agree to that, and they could probably through begging and speaking to people get the £500, but they know they will default immediately on the £250 because they have not got that each month.

So can I ask what conversations have taken place about ensuring that any agreement that is reached is actually realistic? An unrealistic deal does not help the consumer and it does not help Manx Gas either, because they end up in a vicious circle of having to chase debt again.

1685 **The President:** Chair to reply.

**The Chair:** Gura mie eu, Eaghtyrane.

1690 That is why, again, I would urge people to come to the Office of Fair Trading, where we do have the expertise in debt counselling, and will make a realistic – and that is the key word here, ‘realistic’ – repayment plan with Manx Gas. So again, rather than try and negotiate with the gas provider on their own, please come and seek the expert help from a very hardworking, very small team (**Mr Wannenburgh:** Hear, hear.) at the Office of Fair Trading.

**A Member:** Hear, hear.

1695

**The President:** Supplementary, Mr Callister.

**Mr Callister:** Thank you, Mr President.

1700 What concerns me, and it probably concerns a lot of other Members as well, is the fact that potentially some people could be cut off over the Christmas period. There is no counter on the Isle of Man and, as my colleague from Douglas North has said, it is almost impossible to get through. I have had constituents call me on the exact same point.

1705 So what advice will the OFT be publishing ahead of Christmas should somebody find themselves cut off or in trouble over the Christmas period, when the OFT’s hardworking team will be taking a well-deserved rest at the same time? What information will be put on their public-facing website should anyone find themselves in a difficult situation over Christmas?

**The President:** Chair to reply.

1710 **The Chair:** Gura mie eu, Eaghtyrane.

I will come back again to the Member with more detail on that, but we do have this embargo in place that they will not be cutting people off from when we were notified, at the beginning of December now, until the second week in January. If that is breached, we do not have the powers, but we will take a very dim view on that as a situation from our gas provider.

1715 And again, I would urge anyone in that position, for example, we found out that there should be, and in fact there are multiple warning letters ahead of a disconnection in the UK. Whereas here, and the new policy that has been put in place and advertised by the OFT, is you have to have at least two letters pointing this out and then a disconnection notice. Were warning letters received from Isle of Man Energy in the 22 cases? Eleven were yes, eight were *no*, no warning

1720 letters whatsoever, which I personally feel is a shocking indictment of the gas provider, and three as yet are not known.

**The President:** Supplementary, Mr Ashford.

1725 **Mr Ashford:** Thank you very much, Mr President.

Can I ask the Chair of the Office of Fair Trading has the OFT engaged with Manx Gas and actually asked of those disconnected how long some of those individuals have been disconnected? I am aware there is a possible case where someone has now been disconnected since September, which would be nearly a quarter of a year, which is deeply concerning because it is a family unit as well. It is not an individual. So has the OFT sought information from Manx Gas around how long some of these disconnection periods are happening for?

**The President:** Chair to reply.

1735 **The Chair:** Gura mie eu, Eaghtyrane.

I do not have that information to hand. I am happy to go away and find that out for the Member for Douglas North. And maybe if he could just refer that case that he mentions to me, I will have that looked at further as well.

1740 **The President:** Final supplementary, Mr Callister.

**Mr Callister:** Thank you, Mr President.

Again, I do thank the Chair of the OFT for all of his information this morning. I do thank him for that embargo around customers being cut off. But it is not just about cutting customers off. One of the other main concerns at the heart of this is the fact that some customers have been facing double, triple the normal amount they have paid. That has caused some of the problem.

What is the OFT doing to try and assess these payments and these demands, which have doubled and tripled for some customers *unfairly*? That is causing the concern as well. So what action is the OFT taking with Manx Gas to make sure those payments or those requests are fair?

1750 **The President:** Chair to reply.

**The Chair:** Gura mie eu, Eaghtyrane.

We do not have the power on that. CURA is the (*Interjection by Mr Callister*) authority that does the pricing. But as I said, anyone with any concerns, I would encourage them, because the OFT here are trying to be the consumer champions, not the regulator, please get in touch with the OFT.

**The President:** That concludes our Questions, Hon. Members.

**Announcement of Royal Assent –  
Animal Welfare Act 2023;  
Income Tax Act 2023**

1760 **The President:** I now can announce that Royal Assent has been given for the Animal Welfare Act 2023 and the Income Tax Act 2023.

## Order of the Day

### Procedural

**The President:** Now, we go back to continue with our Order Paper. I have had a request from the Hon. Member from Douglas North, Mr Ashford, to take Item 7 at this point in the sitting. This is because the Member has leave from today. Is the Court content? (**Members:** Agreed.)

1765 Thank you, Hon. Members.

### 7. Housing and Communities Board – Homelessness Strategy 2023-2028 – Debate commenced

The Chair of the Housing and Communities Board, Mr Ashford, to move:

*That Tynwald approves the Housing and Communities Board – Homelessness Strategy 2023-2028 [[GD 2023/0119](#)].*

**The President:** I will call on the Chair of the Housing and Communities Board to move.

**The Chair of the Housing and Communities Board (Mr Ashford):** Thank you very much, Mr President; and can I thank the Hon. Court for giving that permission.

1770 I am delighted to be able to stand before this Hon. Court today to move the Homelessness Strategy. To be quite frank, it is long overdue and much-needed. When we talk about housing provision, it is very easy to end up talking about first time buyers, social housing, shared equity, rent to buy and the many other faces of housing. But sometimes it is forgotten that there are those who have no housing provision, nowhere they can call home.

1775 Mr President, in my view, there is nothing more important in someone's life than them having a place they can call home. I am sure we all look forward sometimes to going to our homes and locking the doors behind us, shutting out the outside world. But for many people that is not an option.

1780 On our Island we are lucky in the fact we do not tend to have the same sort of homelessness issues as experienced by the adjacent isle. We do not tend to have people sleeping in doorways or begging in the street. That means the issue of homelessness is not as obvious and in our face in the same way as if we visit some of the cities across the water. But make no mistake, it is there.

1785 Here on Island, we have people who are sofa surfing, moving between friends or relatives, and also between temporary accommodation, which provides no stability for those individuals and nowhere they can truly call home. That is what this Strategy not just recognises, but seeks to try and start addressing.

1790 The first thing I feel needs emphasising is that although this Strategy is badged up as the 2023 to 2029 Strategy, that does not mean that it is the end of the journey or set in stone. Far from it. For this Strategy to succeed, it needs to be a living document, adaptable and changeable over its lifetime. Many of the assumptions in this starting document may well change as it evolves and we start implementing parts of the Strategy.

1795 This Strategy is not meant to be an end in itself, nor should it be. It is the first stepping stone on the journey, and as we move forward, both the pit stops and end destination will evolve and change. One of the key Island Plan vision statements is everyone having a suitable and affordable place to call home, and flowing from that, one of the six workstreams established by the Housing

and Communities Board was a focus on a 'housing first' approach, the purpose of which was to facilitate emergency housing access and establishing support services.

For this purpose, the Housing and Communities Board commissioned a cross-government strategic review to understand the challenges posed by homelessness. Make no mistake, Mr President, homelessness is not a simple matter. There are many complex reasons and needs behind homelessness, and one size most certainly does not fit all.

Any suggestion homelessness can be fixed simply by creating a night shelter underestimates the challenges and also the true needs of those who find themselves in that situation. As such, one of the fundamental aspects of the strategic review was to actually work with providers in this space to understand the needs of those who actually have been experiencing homelessness. But also, crucially, to look at longer-term prevention as well by understanding the root causes of the issues people face and trying to address those to prevent people from ending up in that situation in the first place.

The old adage 'prevention is better than cure' is no more apt than when applied to what is needed in terms of homelessness support.

The strategic review that took place highlighted the groundwork that had already been laid by various Government Departments and the third sector organisations over the years. It acknowledged the organic evolution of many initiatives that were driven by a desire to aid those most in need. However, it also shed light on the strain and daily pressures faced by different areas and the need for improved co-ordination, relationships and collaboration across all sectors.

It also highlighted very clearly that no one single organisation can singularly resolve all of the issues. As a result, a number of themes were identified that needed to be addressed.

Firstly, clear pathways to housing; the need to establish accessible routes from homelessness to suitable and affordable housing.

Secondly, the need in legislation for a housing duty to address homelessness and to have a proper definition of homelessness.

Thirdly, the need to develop a unified data source for tracking homelessness accurately and the needs of service users. It is essential that we understand what the actual needs of the service users are, not what may simply be the perceived need. Also, the need to push forward initiatives on an ongoing basis to prevent homelessness in the first place by identifying and tackling both current and future needs.

At this point, I would just like to acknowledge and thank Fiona Robinson, one of the lay members of the Housing and Communities Board, for very ably chairing the strategic partnership and bringing to it her vast array of experience in this area. Also the third sector partners, the Salvation Army, Housing Matters and Praxis Care, who all brought their unique skill sets to the table. And of course the Departments across Government who committed to driving this forward, which include the Cabinet Office, DHSC, Home Affairs, DoI and Public Health.

One of the big challenges in the development of this Strategy before the Hon. Court today, and I do not think this will surprise anyone, Mr President, was the disparate data sources available. There was a distinct lack of accurate data to accurately define the extent and scale of the problem. During the review, it was difficult to quantify the number of people of no fixed abode on the Island and gaining a full, accurate understanding of what support services people required, where and when. There were – and again, I do not think this will surprise anyone – multiple data collection sources that did not interact with each other, making the task of learning about definitive root causes almost impossible.

So what is the purpose of this Strategy? Firstly, it is to acknowledge that there is a homelessness problem on the Island and take responsibility for addressing this. To define, plan and co-ordinate the response in relation to homelessness and, crucially, recognising that support is more than just a home. It is not a case of putting a roof over someone's head and ticking a box and thinking, 'Job done.' It is about ongoing support to ensure that the root causes of that individual's or family's homelessness are addressed, to ensure that they do not simply and future

end up back in the same vicious circle. It is also about looking to deliver long-lasting change that is preventative and accessible to anyone, at any time of need.

1850 In order to do that, there are five focus areas that have been created based on the learning from the strategic review. Focus 1 is clear pathways; focus 2, legislation; focus 3, core data; focus 4, needs assessment; and focus 5, prevention. All of those focus areas are interlinked and the success of one depends on the actions of another. The focus areas have been designed to be a balanced mix of requirements to ensure the vision and mission of the Strategy can be realised.

1855 In terms of the first focus area, clear pathways, the aim is to formalise the emergency overnight provision, provide wraparound support services for those accessing that provision and also have those support services engaging with those individuals and families to look to stabilise their housing situation to prevent repeat needs to access the emergency pathway. It also, crucially, Mr President, looks to establish a single-entry point pathway to ensure that a proper needs assessment can be carried out for users.

1860 Focus area 2 of legislation looks to provide that housing is a right for every person living on our Island; that we develop statutory requirements to prevent and address homelessness; to bring into statute a definition of homelessness; and to modernise existing housing legislation. Mr President, no one should be under any illusions that this is a huge piece of work. It is not going to be completed quickly. It will take time to develop and be worked upon. But we do need to start on this journey now.

Hon. Members, Mr President, will have many times over the years, long before I took on this role, heard me talk in this Hon. Court about the need to modernise and consolidate housing legislation. It is not a simple task, nor a quick one, but it is a journey we need to commence.

1870 In relation to the third focus area of core data, we need to ensure there is a core data set to consistently support the provision of homelessness support services. As I have already mentioned, Mr President, it has been difficult to quantify the number of people of no fixed abode. This focus area will look to create a centralised data host for all relevant homelessness information, a single source of data recording, the number of people at risk of and experiencing homelessness, and also to accurately record and monitor homelessness on the Island. Time will be spent finding ways to effectively and accurately collect data to identify housing and support needs, and to ensure the development of services is needs led.

1880 The work is already under way, working with all stakeholders to look at how we can establish a consistent method for the collection, recording and reporting of data across all relevant stakeholders and organisations. This will, as a result, improve communication and relevant data sharing to improve responsiveness to individual needs and make multi-agency partnership working much more effective.

1885 I think one of the key things I should emphasise at this point is that while accurate data is important and needed to develop services, it should not be seen as the holy grail, as things must not be progressed at the expense of not having the data. Data is important, but it must not delay the implementation of the development of services on the ground. What matters most is what we see outside at the coalface, so to speak.

1890 For this Strategy to succeed, it needs to provide real, tangible, meaningful change to those outside in our community who suffer from the blight of homelessness and those on the cusp of doing so. That is what matters. So while data is important and those data sets need to be developed, it should not be a reason to delay the development of services or support on the ground.

1895 No one's life has ever improved, Mr President, simply because someone developed a data set. **(The Speaker: Hear, hear.)** Data sets need to be complementary to the services we develop and any services we develop need to be responsive and flexible enough to be adaptable to changing data. If we wait for a perfect set of data, we will be waiting forever, as there will always be something to be tweaked or adapted, and therefore the development of support services needs to be alongside the development of physical services.

The fourth focus area is about ensuring there is a regular set of processes to review the needs of people requiring homelessness support services now and into the future. In 2016, Graih completed a health needs audit and the audit provided crucial health intelligence of people experiencing homelessness. There needs to be a regular return to this exercise.

One of the absolutely crucial things, if we are to look to address people's needs and prevent homelessness in the first place, is that the voices and views of those with lived experience of homelessness are heard. This is one of the key areas of this focus. Hearing those voices will help us gain insight into the effectiveness of services and support mechanisms so that areas of improvement can be identified and that links nicely into the fifth focus area, prevention.

This is about ensuring that the actions we take in all parts of the system prevent, rather than contribute to homelessness. So for example, where short-term fixes are put in place, it is with a long-term aim towards prevention. There are many policies, procedures and processes in existence across Isle of Man Government Departments, public sector services and third sector services that may unintentionally cause, contribute to, or exacerbate issues resulting in homelessness. So this focus area looks to identify, review and amend relevant policies in respect of housing, addiction services and other relevant services to support homelessness prevention.

It will also look to ensure that there are effective ways to signpost individuals, families, agencies and organisations to the most correct and up-to-date information and services within the homelessness pathway. A cynic looking at this Strategy before the Hon. Court today, Mr President – and of course, I am never known for being cynical or having any form of cynicism *whatsoever* – may say there is an awful lot in there about processes and procedure, but what about the stuff that is actually going to physically change things for people on the ground? **(The Speaker: Hear, hear.)** What will be different in 12 months' time to what is there now?

It is correct the Strategy has a lot of processes and procedural change within it. And also, as I have mentioned before and touched on, the need to establish better data. But as I said earlier, while that needs to be developed, it should not come at the expense of the development of services on the ground.

For me, the key priorities have to be those things that are tangible to individuals, such as the formalisation of the emergency overnight accommodation support pathway, a single entry point, work with the third sector and individuals to understand their individual needs and looking to address those and the root causes for preventing reoccurrence of homelessness. Ensuring that those in need can have not just a temporary roof, but a stable roof over their heads, is an absolute priority. In other words, a place they can call home.

Much of that work has already commenced and particularly the formalisation of emergency accommodation is progressing. But I emphasise again, Mr President, this document is the start of the journey. It is not the journey in the entirety and I have no doubt that even over the next 12 to 18 months, as assumptions change and we engage with those experiencing these difficulties, the Strategy will need to adapt. It is very much a living document.

In my personal view, Mr President, homelessness is a blight on society. It prevents people achieving their full potential, has impacts on physical health, with those experiencing homelessness being more susceptible to suffering from a range of health challenges and are more vulnerable to being exploited, and adds considerable stress and danger to those individuals' lives, and can also result in diminished mental health and overall well-being. It is no surprise that various studies over the years have shown that the average lifespan of those experiencing homelessness is considerably shorter than others not in that situation.

I will conclude by coming full circle, Mr President, back to where I started. While here on our Island, homelessness is not as visible as it may be across the water. It still exists. My personal view is in the past it perhaps has been a case of the old adage 'out of sight, out of mind' and although it may well be out of sight, it most certainly must not be out of mind. If we want to be the compassionate society that we always talk about in this Hon. Court, then the blight of homelessness needs to be very much in our minds.

1950 Is the Strategy in front of us the be-all and end-all? Most definitely not. But it is the start of a journey that we need to take so that we can ensure, Mr President, that everyone has a place that they can truly call home.

**The President:** I call on the Chief Minister.

1955 **The Chief Minister:** I beg to second and reserve my remarks.

**The President:** I call on the Hon. Member, Mr Callister.

1960 **Mr Callister:** Thank you, Mr President; and I do thank the Chairman of the Housing and Communities Board for the homeless Strategy 2023-28 report.

1965 As I mentioned in October, becoming homeless, or even the fear that this could potentially occur to someone, is one of the most difficult experiences that can happen to any individual or family on the Island. I do, as I have said, appreciate the publication of this report by the Board, but I am not entirely sure, having read the report several times, that this is the homeless Strategy that sets out a very clear and comprehensive plan to address homelessness on the Isle of Man. However, I do acknowledge all of the points raised by the Chair this morning that this is a starting point.

1970 Although it is great to see the Housing and Communities Board working towards integrating and modernising all housing policy, law and provision on the Island, I do feel the Strategy document appears to be missing key information or vital data, in order to give us a genuine overview of the scale of homelessness on the Isle of Man, and how we intend to fully address those serious concerns.

1975 For example, on page 3 of the report, there is a pie chart, something I mentioned during the Member's presentation, but there is actually no data to support it. So we have no understanding of the scale of demand, the complexity, or the amount of support that will be needed to end homelessness on the Isle of Man. But again, I do ... [*Inaudible*] the Chairman's comments around data set. The report also fails to mention how many individuals or families are considered homeless on the Island at the moment, and neither does the report give an overview of how many individuals or families are actually facing a potential homeless situation this Christmas. We really do need to understand the scale of homelessness first before any action can be taken.

1980 On page 8 of the report, the committee sets out their ambition and vision, which I fully support. Although, tongue in cheek, there is part of that vision statement that does look like a straight copy and paste from the Department of Health and Social Care's Annual Report, when it mentions about the right service, the right housing, at the right time.

1985 With regard to the eight mission statements, one of them talks about defining homelessness on the Isle of Man and that statement does surprise me. Because as I mentioned last month, a Tynwald Select Committee looking at accommodation for vulnerable young people on the Isle of Man in 2018-19 made a recommendation that legislation should be introduced into the Branches containing a definition of homelessness on the Isle of Man and that was *four* years ago.

1990 At the time the Council of Ministers said that the Department of Infrastructure and the Department of Health and Social Care were asked to commission a feasibility study around that particular point, and therefore I am surprised that this recommendation was not formally transferred to the Housing and Communities Board when it was established in November 2021 by the current Chief Minister.

1995 Personally, I would have expected to see a very clear definition of homelessness on the Isle of Man within the first couple of pages of this very important document. That said, I fully acknowledge that the Exceptional Needs Grants and Budgeting Loans (Amendment) Regulations 2022 do give us an insight to what the Island's (**A Member:** Hear, hear.) definition of homelessness could look like. Because those Regulations talk about a person 'threatened' with a homeless situation, or a person is likely to become homeless within a period of 56 days. It also

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confirms that a person on the Island is considered homeless if they have accommodation, but cannot gain entry.

So it is very clear. We really do need to define homelessness here on the Isle of Man in order to help shape policy, frameworks and to be able to draft the right legislation and regulations around this very important topic. Because as I mentioned previously, homelessness impacts different people in so many different ways.

So does the Chairman or the Board actually have any solid data around how many people or families on the Isle of Man could be described as homeless at the moment, especially if we use that 56-day period which was highlighted in the Exceptional Needs Grant and Budgeting Loans regulation? We must have some understanding how many people are potentially homeless today and how many people potentially could be homeless if we use that 56-day figure that was in the regulation.

Mr President, I would also like to thank the Chairman and the Board for looking to introduce a single entry point, in order to allow individuals and families to access support and services. But we need to ensure that that happens right across Government; all Government Departments, boards and the third sector, and the utility companies on the Island, in order to help reduce the number of people who appear to be struggling in silence at the moment. There is still a mountain of work to be done, as the Chairman has said, and I do wish the Board and the Chairman all the very best and I hope we can make serious progression with this particular item over the next 12 months.

Thank you.

**The President:** I call on the Hon. Member, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President.

In October 2023, when I brought a motion linking to homelessness, it was a signal of frustration that many local people have with regard to the housing challenge on the Isle of Man. We now have a Strategy which can be seen as positive. And perhaps even more important than that is we have got an enthusiastic Chair. The really hard work and the push really starts today, but we have got a key document that is going to provide some guidance and support for that to ensure that action can take place and will take place. This is really page one of a new start and hopefully we can achieve a lot in this area.

Thank you, Mr President.

**The President:** I call on the Hon. Member, Mr Mercer.

**Mr Mercer:** Thank you, Eaghtyrane.

I too would like to congratulate the Board and the Chair for bringing this important Strategy to Tynwald. This is a very well laid out and clear report with measurable objectives and expected outcomes. It is easy to understand what is hoped to be achieved by when and by who. I think it is a great example. I sincerely hope the recommendations and actions outlined in it receive the support and the resourcing necessary to tackle the blight of homelessness. And I agree: we cannot call ourselves a caring society without doing this.

Some of the action dates, though, are many years into the future. For example, the items lodged against the Dol as the lead authority have 2029 as the target date and there is a big gap between actions expected between 2026 and 2029. So is the intention that there will be any work leading up to that point? Is the Dol sufficiently resourced and focused on being able to deliver change as well as their business-as-usual requirements? Do they have any change management capability?

I recognise actually that these are probably questions for the Dol Minister, rather than the Chair of the Housing and Communities Board. Perhaps the Shirveishagh might comment on this.

Gura mie eu, Eaghtyrane.

**The President:** I call on the Hon. Member, Mr Thomas.

2055 **Mr Thomas:** Thank you very much, Mr President; and I, too, congratulate the Chair and the Board and the officers and the charity partners and everybody else who has contributed to this so much over the years.

2060 The first point to make is a list of achievements of this document, which I wanted just to lay out incredibly clearly. The first one is that this is further acknowledgement that we have a homelessness issue. That was first conceded back in 2018 with the Cold, Hunger, Homelessness Action Plan and it is very importantly that ... Previously there had been sort of a denial that we had a homelessness challenge, but this is clear recognition and acceptance of that situation.

2065 The second one is that just as again laid out in the Cold, Hunger and Homelessness Action Plan and also in the Poverty Committee's considerations of housing and homelessness, you have got a clear statement in this document that I appreciate, which is that we are going to have to work with the third sector on this and I am delighted that we have set up the strategic partnership to develop the strategy around this. Because, just as laid out in the introduction to the Cold, Hunger and Homelessness Action Plan, there are things that the third sector can do, using Government and public funds in many cases, that the Government itself could not do. That is absolutely vital, to accept that.

2070 The third point is that I want to congratulate the Board on finally acknowledging the importance of Manx Care in this, because for a long time Manx Care was not at the table as much as the Department of Health and Social Care and DoI and Cabinet Office, and I can see now that Manx Care is coming forward with actually provisionally allocated funds to Manx Care. That is absolutely vital.

2075 Leading on to the next point, which is that this is about emergency overnight accommodation, *not* a night shelter. Fine, if somebody wants to put in place a night shelter, so be it; there is a wonderful community in the Isle of Man. But this has to be about a one-stop place where you get accurate information about benefits, wraparound support, housing, getting on to housing lists and all of those things, which is something that Manx Care has acknowledged through its well-being partnerships perhaps, or perhaps working in another way with the third sector. That is absolutely vital.

2085 It leads on to another point, which is we now have the concept of personalised pathways of housing and wraparound support inside a generalised system, and that is absolutely necessary. That is what we first heard two and a half years ago as part of the strategic thinking about this and that is absolutely vital, to capture that.

And that leads on to what is probably the point that has not been stated clearly enough, but I do want to state it now, so that we have it on the record that this is what we are doing.

2090 Essentially, there is a crucial sentence in here, which did not actually appear in the Chair's speech, which is that we are adopting a housing first approach without housing readiness conditions, necessarily, and without testing intentionality normally. In other words, we are saying a house, a roof above your head, is the most important thing. Even if you are a drug addict, even if you have got massive social issues that are at primary cause: housing first. You need a roof over your head. (**Mr Callister:** Hear, hear.) And that is huge. It has all sorts of implications, and there will be huge backlash potentially, but that is actually in this document and we need to say it very clearly.

2095 Many people will say they have brought their own troubles on them and they do not need any support, but that is not the case. What we are saying here is an incredibly bold thing. We are saying housing first, including housing, without necessarily housing readiness conditions and without testing intentionality of making yourself or causing your own homelessness in some way, necessarily. That is incredibly bold and we need to have it laid out very clearly that that is what we are adopting today.

2100 I take the point that the Chair has said very clearly about data and as we talked about in the Barrool Suite, Michael Manning from Graih, a huge thinker in this space, who has been nagging

2105 me since 2016, 'Just don't obsess about data, Chris. Just fix the problem. I find you data, you tell me it is rubbish data, you made me send me off to find more data and we just go round in circles hunting for data.' We need to fix the problem and we do that by defining homelessness, providing adequate supports and accepting this approach to housing first.

2110 The next point I wanted to raise, and I am delighted that Mr Callister picked up on this so clearly, which is that we do already have a definition of homelessness in the July 2022 Exceptional Needs and Budgeting Loans (Amendment) Regulations from Treasury. They were not original. That definition was not original. It has been kicking around since 1996 in the United Kingdom. All we did was borrowed what was in the homelessness definition in section 175 of the UK legislation.

2115 So all we need to do is actually decide whether or not we can just adopt what has been around for nearly 30 years across and bring it in place here, and then put the funding round a statutory obligation. It is not difficult. It is even a challenge, perhaps, that the Poverty Committee can rise to.

2120 Because if the issue is that there is nobody who has got the right drafting instructions capability and time to prepare some sort of piece of legislation, why couldn't the Poverty Committee actually be preparing the drafting instructions about whether or not the UK definition is actually something that we can do straightaway and take ownership of that piece of legislation, so we can have it on the statute book? Even as an amendment to the Local Government Bill, which is now delayed for some time, which will be a real cunning plan.

2125 If we could actually do it just by bringing in a homelessness definition and working out the responsibility, whether it is going to be the new housing association or whether it is going to be the local authorities, some of the larger housing authorities. We can have a definition of legislation to get the necessary funds, because it is a statutory responsibility, within a year if the great minds of the Poverty Committee set their heart and minds to it.

2130 And finally, I just wanted to put another bit of context on it. I really congratulate the Chair and the whole committee for moving so enthusiastically the great 1945 Clement Attlee, Ernest Bevin, Aneurin Bevan Labour Party vision of homes for all so enthusiastically in the Isle of Man in the 2020s. *(Interjection)* That is where that phrase came from. It was about planning, it was about sorting out private ownership, it was about private renting, it was about building new social houses. It was about all of those things and it is so wonderful to hear a young Tory in the day *(Laughter)* espousing a Labour Party vision of 1945 and believing in it and believing in it so passionately. *(Interjection)*

2135 I think the Chair inadvertently mentioned 2029 as the Strategy date. It is actually 2028. It is obviously just a hard-pressed policy team of two or three people in the DoI are finding it hard to do everything at once without any more resources. So I think it is actually 2028 is the deadline. I think 2029 signals it is not going to happen inside this Strategy unless something else happens.

2140 And that is why I set the challenge to the homelessness work of the Poverty Committee to actually make this a statutory obligation.

2145 And finally, it is better to understand the foreword as it is written if you remember it is written actually in March 2023. So in a way, it is a shame we did not get this document published when it was actually written, because the 12 months and the dates only actually make sense if you accept that the foreword was written in March 2023, rather than in November 2023. But they all do really make sense when you combine it with the rest of the information that is in this document.

I congratulate the Chair, the committee, the volunteers, the officers and everybody else involved with massive milestone progress on dealing with homelessness and many other aspects of housing in this.

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**The President:** I call on the Hon. Member, Mrs Sharpe.

**Mrs Sharpe:** Gura mie eu, Eaghtyrane.

2155 I read this Strategy with interest and I would like to thank the hon. mover for bringing it before us today. I am fully in favour of the fact that the Strategy attempts, not just to deal with homelessness, but to prevent homelessness in the first place. This is essential if we are to help

halt the endless cycle of homelessness, an issue that this Hon. Court has been trying to deal with since at least the 19th century.

2160 As you know, Eaghtyrane, I was a member of the Board at the start of this administration when we commissioned the cross-government strategic review, and this strategy has come off the back of that review. I remember that when we voted in favour of having a review, I was reticent and the reason was that what I did not want to see was Government going off and researching endlessly, but not actually producing any tangible results; in other words, making real change on the ground. In fact, I said I would only support a review if it meant that the review would bring  
2165 back actual numbers of units needed to solve the care leaver accommodation issue.

I am not naïve enough to think that no cross-government research was necessary. Of course we need to look at all the moving parts of Government and outside as well into the third sector, and work out how charities and possibly a housing association might be able to work together to achieve lasting results. To that end, I am pleased to see on page 6 the Homelessness Strategic  
2170 Partnership, which is a very positive piece of work.

I am also pleased to see that the Strategy itself here is before us. It is well laid out. As Mr Mercer said, it is very clear about where it is going, which is excellent. However, I would ask why it has taken so long for the review to be completed and the Strategy to be drawn up. My understanding was that when the review was commissioned, the results of the review were due much earlier,  
2175 which would mean that we would have seen this strategy earlier too.

I do understand the frustrations of trying to collect reliable data, which I believe was a major issue. However, I am not convinced that we have been putting enough resource into this research. If housing is the number one priority of this administration and Mr Thomas has put so eloquently the *dream* of this administration, then surely we should have had a large team of officers working  
2180 solely on this review so that we would be further forward right now? (**A Member:** Hear, hear.) I am really pleased to note on the final page that a homelessness co-ordinator will be employed to work to the Board from 2024-28 to keep actions on track, which is really positive.

The Strategy threw up some questions for me, for example, on page 18, with reference to the action and implementation plan 1.1, where the timescale says July 2024, what is the actual change  
2185 on the ground going to be here? Where it says support services engaging with individuals and families, is that going to be any different to what we are already offering today? What exactly will have changed by July?

1.2: why will it take over a year to implement a single entry point pathway? Will this be someone on the end of a phone who has access to various agencies, for assistance? I am not  
2190 criticising the point, but I just need to understand the timescale better.

I notice on page 22 there are a lot of references to exploring and reviewing and enabling and finally to undertake a deep-dive analysis of the strategic needs assessment to create a homelessness prevention report. This is due in March 2026. In the meantime, is the hon. mover  
2195 content that enough change will occur on the ground before 2026 in terms of practical support for people who are homeless and practical measures to prevent them becoming homeless again in future?

Gura mie eu, Eaghtyrane.

**The President:** I call on the Hon. Member, Mr Glover.  
2200

**Mr Glover:** Gura mie eu, Eaghtyrane.

I think nearly all the points have been made, so I just want to highlight a couple and obviously a thanks, as everybody else has said, for this really important document.

I am just seeking reassurance, on behalf of the Loayreyder, that a Strategy has been produced,  
2205 but it is not just to throw something further down the road for a number of years. And also a strategy does of course need resourcing, not just financially, but in terms of people getting behind it and the will as well of those people to get behind it. So I share Mr Mercer's concern over the targets going up to 2028 and the capability with Infrastructure to help this Strategy be met.

2210 Data! What a surprise, eh! A lack of data. How many times have we heard that in the last two years? Starting to lose actual count of how many times, but I will try and keep a handle on that so that we do have data on how much data has come up as a subject within this Hon. Court and elsewhere. (*Interjection*) So we really need to fix that issue. It is across Government and it would make life so much easier if we were able to tap into meaningful and valuable data very easily.

2215 Certainly in homelessness that I have come across in dealing with constituent matters is sofa surfing more than anything else. I just want to make sure, and he may not be able to answer it because of the lack of data, but has sofa surfing been accounted for in the figures that he has managed to get of people I think he referred to as no fixed abode?

So I thank him for bringing this forward and those are the points that have already been made that I would just like to re-emphasise.

2220 Gura mie eu, Eaghtyrane.

**The President:** The Hon. Member, Mrs Christian.

**Mrs Christian:** Thank you, Mr President.

2225 I just wanted to raise I guess matters of importance for me that I hope that the Chair will take away and consider and I do apologise that I was not able to come to the briefing due to a prior commitment.

2230 So I guess the first area is I would hope that the immediate access to housing should be without any preconditions, as it is really important, as the Hon. Member Mr Thomas said, that we are really saying that this is for everybody and that does include people without having any preconditions.

2235 It does talk about choice, and having a service user-centric idealism, but I would say that I agree with that, it should be client-led so that the individual chooses the timing, chooses the nature, chooses the extent of the services that are offered. I think that is something that we really need to make sure that we are taking it that step further.

2240 One of the other areas that I am concerned of is how will we separate housing and treatment of the service users. So my thoughts are taken to, if having treatment is part of the housing strategy, the Homelessness Strategy, we need to make sure that they, even if they do not engage in that treatment, still have access to housing. So just to have those assurances that those people will be protected.

I have got concerns about specific areas, such as service users moving out of the criminal justice system, particularly those on short-terms sentences. Also those who perhaps are in crisis, immediate crisis, and nowhere safe to stay just for one night or two nights.

2245 And what sort of help will be to those with family pets as well, because sometimes that can be their only family and can be their only people that ... well, pets that they have a good relationship with is ... Pets are important to all of us and I know that is something that perhaps we have not looked at.

2250 The one thing that is not in this, and it is about prevention and early intervention. I would like to have seen something about how are we going to prevent this from happening. It is great having the Strategy *if* it happens, but actually, what is tying in with other areas about prevention and early intervention? It is great that we are going to have the access to support and the services, and provide an integrated, person-centred system, but actually we want to stop this from happening. So I would like to see a bit more in the Strategy about prevention.

2255 Thank you, Mr President.

**The President:** Now, Hon. Members, I was going to call on the mover to respond, but noting the time, I think I will give him the lunch break to ponder his thoughts and give that reply after our lunch break.

**Procedural**

2260 **The President:** But just before we do take our lunch break, I would just like to remind Hon. Members, we are live to the nation and beyond. Your microphones are highly sensitive. Therefore background noise can prevent people who wish to listen and hear what you have got to say clearly. So please bear that in mind with any background noise that you may have. So thank you very much for that and at this point we shall adjourn for lunch until 1.30.

*The Court adjourned at 12.28 p.m.  
and resumed its sitting at 1.31 p.m.*

**Housing and Communities Board –  
Homelessness Strategy 2023-2028 –  
Debate concluded –  
Motion carried**

2265 **The President:** Hon. Members, we shall resume at Item 7 and I call on the hon. mover, Mr Ashford, to respond to the debate.

**The Chair:** Thank you very much, Mr President.

Can I start by thanking all those Hon. Members that took part in the debate on this crucial Strategy.

2270 Starting with Mr Callister, who spoke first, he mentioned that homelessness is one of the most difficult experiences and he is absolutely correct. It is one of the things that affects people very badly. It is something that a lot of people find very difficult to get out of. They can end up in a perpetual loop where they have got no stability whatsoever. And not having a stable home then has other effects as well, that basically means that people cannot get on with their life, they are  
2275 stuck in this constant trap.

He stated that he is not sure it sets out a clear plan and it is, as I said in my opening remarks, a starting Strategy. It is a starting point, it will evolve over time. My ambition is to actually assuage Mr Callister's scepticism in that regard. And that has to be the duty of the Housing Board, to ensure that this is co-ordinated across Government, that it *is* delivered and that it does actually have an  
2280 effect on people out there on the ground.

Mr Callister said the Strategy document was missing vital data, and it actually does, Mr President. I am not going to try and hide that fact. It does miss very vital data, simply because those data sources do not exist. What data we do have is not necessarily very accurate and I do not think portrays the true scale of the problem.

2285 We could have filled this document with a load of data that we are not confident on and I do not think that actually would have benefited anyone whatsoever. So he mentions, for instance, the pie chart that does not contain any data as such. The pie chart is supposed to show part of the split as to the different situations facing people. But again, to put the numbers in there, it is very hard to do because that joined-up data source does not actually currently exist.

2290 He mentioned as well about the scale of homelessness, and again we do need accurate data on that, from the sofa surfers, to the people living with relatives, to the people who are actually in danger of becoming homeless as well, because that is just as important.

And he mentioned, tongue in cheek, about the HSC's slogan, 'The right service, at the right time' and it being in the Strategy – it is showing joined-up Government, Mr President, (*Laughter*)  
2295 the fact we have actually got a slogan that crosses over from Departments into strategies. So Mr Callister should welcome the fact that it is actually there in the document.

**Mr Callister:** Saves them money!

2300       **The Chair:** In terms of the data though, because he did ask what data do we have, and I have just done all the caveats around we need to be very careful about this and representing this as being the size of the homelessness problem, the data we *do* have and we *do* know is obviously regarding the number of individuals that have been supported through the emergency overnight accommodation pathway. And between February 2023 and October 2023, that was 20.

2305       So there was 20 people, but I think that does not really give a true indication of the homelessness problem, because there are an awful lot of people out there who will not have needed to access the emergency overnight provision due to the ability of relatives, friends, etc., to be able to house them temporarily.

2310       Mr Callister mentioned about the definition of homelessness, the feasibility study four years ago, and it has been frustratingly slow. Again, I am not going to try and hide that fact. This is something that should have been developed a long time ago. Mr Thomas referred to the fact of a definition going back to the 1990s, 1996, and the very fact it is still not there and it is still not in law I think says an awful lot, and we need to move to ensure that it actually is going forward.

2315       But what is also important is that we do get the definition right, because once it is written into legislation it is in there, and we need to ensure that although there are definitions out there in the UK, that any definition we apply is right for us and that it is encompassing enough to capture all those in different circumstances. What we do not want to do is get it written into legislation and then find that there is a cohort of people that as a result are falling through the gaps. So it will take time to actually do.

2320       It does have to be cross-government, which Mr Callister also referred to. As with a lot of these things, if we are going to succeed it needs buy-in from all the relevant Departments and also, crucially, the stakeholders outside of Government as well. I listed off in my opening speech different stakeholders, including the third sector stakeholders that have been involved, such as Housing Matters, Salvation Army and Praxis Care. And again, I will put on record my thanks to  
2325       them for engaging with this process and their enthusiasm in wanting to drive this forward and be a part of the solution.

      In relation to Mr Moorhouse, he said about there being frustration out there and I fully agree. I think there has been built-up frustration out there and people feeling the system has not been right for them.

2330       He said the real push starts today. Well, the real push has already started. There is emergency accommodation and help available out there, which I will come on to in a minute.

      He also used the phrase, 'Action can take place and will take place.' As I said in my opening speech, for me, you can have as many strategy documents as you like, you can collect as much data as you like, but what actually matters is out on the ground. And the success of any strategy  
2335       is do people who suffer from homelessness or are at risk of suffering from homelessness feel there has been a change, feel they are getting support to actually be able to change their lives? And that, for me, is actually the crucial thing that will decide whether this Strategy is working or not.

      In terms of Mr Mercer, the Hon. Member of Council, he mentioned about action dates being many years in the future. In terms of 2029, most of those are the legislative changes. And as I laid  
2340       out in my opening remarks, being brutally honest, it is going to take time. There is no point putting a legislative strategy in there that says it is all going to be delivered in 2025-26 and then be coming back to this Hon. Court, knowing full well we were never going to deliver on the 2025-26, and say, 'Well, actually it's going to be further out.'

2345       But the way I view the legislative changes is that what we also need to do is as we move along, if as we are delivering services out there we find there are particular legislative blockers, change those as we go along, alongside the all-encompassing work to actually bring all the housing legislation together. We should not be holding up services because we are waiting for this all-encompassing legislation. Again, it is down to something we have spoken about several times

today: not waiting for the dream scenario where everything is perfect, but ensuring that we do things in a staged manner and actually get on with the job.

In terms of funding, there is actually funding available in the Housing Board fund. The fund currently has a budget of £3 million. If the Treasury Minister is minded at any point to chuck a bit more our way then we are not we are certainly not going to say no, but there is £3 million sat there to help to develop this.

Dol does sit on the Board, both at a political and officer level, and has input. In fact at the Housing Board meeting that we had only yesterday, we actually went through the action plan for the Board and reprioritised. One of the key messages that came out of that was what needed to be prioritised were the things that would make a difference to people on the ground first. So again, while it is great to have all this data and while it is great to have all these strategies, it was the things that impacted individuals that needed to be prioritised at the Board and that is what we have just done yesterday.

In terms of Mr Thomas, Mr Thomas said the Strategy is a further acknowledgement that we have a homelessness challenge and it most certainly is. It sounds ridiculous in this day and age that we need to make that statement, but we do. It is important that we emphasise it and that it is in the front of our minds. Because our homelessness challenge, as again I said in my opening remarks, is not so much people out on the physical streets or people being seen in doorways, it is more of a hidden challenge. And because of that, I think, again, to use the phrase, it can be out of sight, out of mind, and it very much needs to be kept in mind.

He mentioned about the importance of Manx Care, Mr President. Manx Care is crucial to the delivery of the Strategy around homelessness. They hold many of the support services within their remit and their involvement has been crucial. Their involvement, in fact, in setting up emergency accommodation has been absolutely crucial. And again, I will move on to that in a moment.

Mr Thomas says this has to be about a one-stop place for services and I fully agree. That is what is important: is having everything joined up together, so people are going to *one* place to access the different services that they require and not having to make multiple pit stops along the way and trying to navigate through the bureaucracy.

He mentioned about a housing first approach, which is the phrase that is being used, and the roof above your head is the most important thing. It is absolutely huge to people's lives. It gives people confidence, it gives them the stability and it gives them the peace of mind to then be able to focus on other problems in their life.

The Strategy does set out as well to try and dispel some of the myths around homelessness. So page 4 of the Strategy is a myth-busting page, is the way I would describe it, because there are still, unfortunately, a lot of myths out there around people who find themselves in the situation of homelessness, and I think it is important to actually try and dispel some of those myths.

Mr Thomas also mentioned about the data circle. Again, both himself and myself are aligned in relation to that. You can end up in the vicious data circle, where you are forever trying to get that holy grail of perfect data and as a result you do not actually deliver anything, but you have a wonderful potential data set to tell you you have not delivered anything! That is exactly what we need to avoid and that is exactly what we will not be going down the route of, because what we actually need to do is fix the problem.

In terms of the Exceptional Needs and Budgeting Loans Regulations, that does indeed provide a definition, but as I said in answer to Mr Callister, what we need to do is ensure that any definition that we do is right for us, not just import what has been around in the UK for many years, and ensure that we do not have people falling through the gaps if we do actually put any definition in place such as that.

Mr Thomas said that the environment is key to supporting individuals and it is. Again, the Strategy, I think, recognises that.

Also it is probably the first and only time, Mr President, anyone will use Clement Attlee and Ernest Bevin and my name in the same sentence! I do not think that has ever been done before, although I must say in my rather extensive library of books I do own biographies of both of them.

But maybe it is sitting between the two Manx Labour Party members. Maybe they are sending off signals that is subtly brainwashing me as the sittings go on! Time will tell. (*Laughter*)

In relation to Mrs Sharpe, the Member of Council and her concern about a review, I think there were concerns out there about how the review would actually ... what it would result in, would it actually result in any changes. Mrs Sharpe mentioned, of course, about a topic I know is very close to her heart, and I have had conversations with her about it, the care leaver accommodation issue.

That is something that does need to be resolved, because what we need to ensure is that those people who have already had a difficult life do not fall through the gaps the first time they go back out into society, they are potentially vulnerable individuals, and that they are not finding themselves in a situation of having no stable home life or in fact not having a roof over their head at all. Because if they are homeless or sofa surfing at that young age, then their lives are being blighted from the very start and so are their opportunities. They do not have any chance really, if you do not give them that opportunity early on. So it is something that I think does need to be on the agenda and something that needs to be addressed.

In terms of why has it taken so long, I cannot really answer that. I am probably not the best person to answer because I only took on the role relatively recently in political terms. The Strategy, we managed to get it out within a week and a half, I think, of me taking on the role but what went before then I cannot say.

What I do know though, from conversations I have had, is that of course if we are going to deliver this Strategy there has to be a cross-government approach, including pulling the third-sector providers together and by necessity, I think, that has taken some time to ensure that we have been able to engage with all stakeholders to make sure that we have got buy-in for the Strategy. Because there is no point bringing a strategy to this Hon. Court and then finding that those at the coalface and the third sector that are dealing with this have not got the buy-in. It was important that we did that, so I think that has been one of the things that has delayed it.

In an ideal world you *would* have a large team of officers. I would love to have a large team of officers working on this, but in order to deliver it we actually need buy-in from across Government, so not just officers dedicated to housing, but we need officers, for instance, in the Cabinet Office, we need officers in Manx Care, we need officers in DoI and we have to be honest and realistic that they do have day jobs as well.

So that is why the prioritisation of the action plan, which, like I said, the Housing and Communities Board went through yesterday, is going to be so crucial because we have got to recognise that in an ideal world we could do 110 things. In reality, if we try to do 110 things, we will end up with 110 things that are all 50% done and what we have got to do is prioritise the things that matter to those out there who are suffering from this problem.

In terms of the funding, of course, as I said, there is the funding, the £3 million that is in the Housing and Communities Board fund, and we will be, where necessary, looking to dip into that to support various different workstreams.

The Hon. Member of Council also raised the challenge of are support services going to look different, and I believe they will. Because one of the key fundamentals is about having one point of call instead of having individuals having themselves to engage multiple services. So I think it will look very different for people and the true test of a change in service is the fact that people using it think that is the way it has always been, that they sail through the service, for me. They do not notice that there are all these things joining together in the background for them – they go to one point and that provides the services that they need.

In terms of the emergency pathway, many parts of that are actually now in place. And again, I will come on to that in a few moments.

Am I confident about the change? Actually, I am. I am very enthused by this Strategy. What I have seen in my short time in my role with the Housing and Communities Board is that the officers are very dedicated to delivering this, the political members of the Board are very dedicated, and we are very lucky with the lay members we have as well. We have a wide range of

experience on that Board that all bring something different to the table. So I am actually confident that we can get this right and it is absolutely crucial that we do get this right.

2455 In terms of Mr Glover, the Hon. Member for Arbory, Castletown and Malew, he said about it is not just a need for financing, but also people behind it. And I fully agree you can have as much money sat there in the world as you like, but if there are not the people to be able to drive the strategy forward, then you are not actually going to get anywhere. And like I said, that is why we spent yesterday at the Housing and Communities Board prioritising the action plan. The very clear direction, as I said, that came out of that was that the priorities had to be the things that people  
2460 would actually see change.

In terms of data, he was not shocked. I do not think anyone was really shocked. It is our intention to create a single consistent system for collecting and analysing data and this does require work between statutory services and third sector organisations. Again, I would like to praise the third sector organisations that have been involved in this for the way they have engaged  
2465 and the data they have shared, and the fact they have recognised there needs to be consistency of that data in order for us to tackle the problem.

I mentioned already about the resourcing of the Strategy in the £3 million in the Housing and Communities Board fund, which will significantly help. But like I said, if the Treasury Minister suddenly finds a spare million down the back of the couch anywhere, then by all means shove it  
2470 our way.

In terms of Mrs Christian, Mrs Christian stated about access to housing should be without any preconditions. I fully agree. It should not be, 'We can house you, *but*' or, 'if you do'. We need to actually park any preconceptions or judgements at the door, and this is very much about ensuring that people have a roof over their heads.

2475 The Hon. Member asked about how to separate housing and the treatment of service users, and it is about ensuring that the services are joined up and working together. So while I mentioned in my opening remarks about addiction services, it is about giving people the option. It is about people having the ability to actually engage with those services from one point, rather than them themselves having to go out to multiple different points at a point when they are in crisis. So it is  
2480 about joining all those services up, but it is certainly by no means about setting any form of precondition to say, 'If you do not do that, you do not get a roof over your head.' That would be, from my point of view, completely inappropriate.

In terms of service users moving out of the criminal justice system and those in immediate crisis, there is already a support mechanism available, and I am happy to get this on the *Hansard*  
2485 now in public. That is provided in DHSC by the Adult Services Access Team that can be contacted, for those who have an *immediate* emergency need for housing, on 686179, and they will look to provide emergency overnight provision for any individuals.

In terms of provision for pets, it is something I have had conversations with people around. I have got to be honest, it is rather difficult because it is about having the right environment for  
2490 not just the individuals but those pets as well. And it is a challenge because for most people their pets are part of their family, they are part of their family unit. I know it is a struggle now even in the private sector, in some cases, in terms of getting places for people to rent with pets and it is something, as part of the wider housing piece maybe, that needs to be looked at, not just in terms of homelessness.

2495 In terms of prevention, it is one of the key parts of the Strategy. It is focus 5, towards the end of the Strategy. What we need to do is absolutely crucial in ensuring that people do not keep ending up in that cycle of homelessness. And the only way we will do that is by understanding the issues that are causing it and speaking to those who need the services.

There is actually no point in having a set of services being developed around what we think the  
2500 problem is. Rather, what we actually need is to speak to the people with the experience and the people who are experiencing these challenges and find out from them what are the actual problems they need ... We cannot design a nice square and then try and shove people into it. We need to ensure that any services developed are adaptable to people's individual needs.

2505 The other plan as well is to establish a community-based referral mechanism to support individuals at imminent risk of becoming homeless. So this is around early intervention and ensuring that we recognise the signs and that *all* different agencies, if they come across someone who they feel is at risk of homelessness, can refer them into those pathways so we can try and prevent it from occurring in the first place.

2510 I used the phrase in my opening remarks about 'Prevention is better than cure' and like with a lot of things in this area, much of the success will never be able to be measured because if you prevent someone becoming homeless, you will never actually have a figure around that. But that is what we actually need to try and do.

2515 And it is about providing accommodation that is suitable for individuals rather than what we think is suitable. The Hon. Court knows I love my quotes and there was one from the American author Daniel Quinn, who once said:

Don't try to drive the homeless into places we find suitable. Help them survive in places they find suitable.

And I think that is a very apt quote because the services need to be responsive to the individual, not the other way round.

2520 So in conclusion, Mr President, I will leave it with what I said in my opening remarks in terms of is this Strategy the all-encompassing final product? No, it is a living document. It *will* change. Like I said, I would be amazed if some things do not change over the next 12 to 18 months. But it is how we actually deliver that Strategy and what effect it has on the people outside that is what matters. And for me, it is all around the individuals and the changes they will actually see.

I will leave it there, Mr President.

2525 **The President:** Now, Hon. Members, we come to vote on this Item, Item 7, as laid out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Item 7 therefore carried.

### 3. Tax Strategy – Statement by the Minister for the Treasury

2530 **The President:** We now return back to our normal sequencing, which is Item 3, Tax Strategy, and I call on the Treasury Minister to make a Statement.

**The Minister for the Treasury (Dr Allinson):** Thank you, Mr President.

Our Island's first tax strategy was approved by this Hon. Court in 2000 and modified in 2002, as changes were announced in the budget to implement it. Throughout the following decade, responses were made as the Island adapted to a rapidly changing international tax landscape.

2535 In January 2013, the Manx Taxation Strategy 2013-2016 was unanimously approved by Tynwald and its key principles still stand the test of time. Fiscal sovereignty, economic stability and adherence to international standards have enabled the right environment for sustained economic growth and investment.

2540 The 2013-16 Strategy aimed to deliver an Income Tax and National Insurance regime which was fair, supported economic development, was easy to understand and comply with, was simple to administer and upheld the Island's reputation as an international finance sector. But over the last decade, we have lived through a series of worldwide financial crises, the disruption caused by Brexit, a global pandemic in which the state intervened to support individuals and the local economy like never before, and now a war in Europe, with increased energy price volatility, inflationary pressures and a rise in historically low and stable interest rates.

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Whilst our Island has continued to grow and prosper economically, median wages have remained flat and Government income has not kept pace with the need for extra investment in key public services such as health, social care, education and our emergency services. Our Island Plan seeks to redress this, to reset the priorities for this administration and revitalise our economy, our community and our future prospects.

The medium term financial plan focuses on securing a financially sustainable future and long-term stability by reducing the amount of reserves required to fund both revenue and capital expenditure over the next five years, aiming to achieve a balanced position in the 2027-28 financial year.

To achieve this, the level of income generated needs to increase to a sufficient level to cover the expenditure of our essential public services, investment in our infrastructure and to support economic growth. We need a Tax Strategy to ensure we have sufficient Government revenue, whilst also protecting the financial reserves built up over decades to allow inward investment and the security of our state pension commitments.

In an ever-changing world, it is essential that our Island remains competitive. It is essential that we retain and recruit people, businesses and international companies to be part of our Island community. The new Tax Strategy will seek to contribute towards a sustainable fiscal position, whilst endeavouring to protect the Island's competitive position, and sets out three key objectives for the duration of this administration.

Firstly, we will raise sufficient tax to meet our needs through a sustainable and diversified tax system that has the flexibility to adjust as and when circumstances change. The Economic Strategy clearly demonstrates our current dependence on personal tax and the need to widen the taxation base. As announced in May this year, Treasury is already working with the other Crown Dependencies on plans to implement a minimum tax rate of 15% for large multinational companies covered by the OECD's Two-Pillar Solution. However, Treasury is also aware that actions to broaden the tax base will necessarily take time to bring in the additional tax revenues, and there is uncertainty about the amount they will generate.

Secondly, we will ensure that the tax system is fair and equitable, that the tax and benefits regimes result in a progressive system and that the tax burden is kept as low as possible. Treasury has already announced that it is working on proposals to address fairness in relation to owner-managed businesses, following the review in relation to National Insurance completed in 2021. It also intends to consider further incentives to increase the economically active population, as well as enabling greater productivity.

The third, final objective in the new Strategy will be to continue to comply with international tax standards and strengthen our roles as a responsible and reputable tax jurisdiction.

I have already mentioned the work that is under way to adapt the Island's corporation tax system in light of the OECD Two-Pillar Solution. In addition, I am pleased to announce last month that the Isle of Man has committed to implement the Crypto-Asset Reporting Framework (CARF), a new international standard on the automatic exchange of information between tax authorities from 2027. A total of 54 jurisdictions have now committed to this new standard.

Greater exchange of information to counter tax evasion and facilitate tax compliance, both at home and globally, is part of maintaining our role as a responsible and reputable tax jurisdiction, but also helps maintain a stable environment for our economically important financial services sector.

It was my intention to present the completed Strategy to this Hon. Court today, but recent events have meant further work is necessary to prepare the foundations for February's Budget and the steps which then need to be taken to rebalance our finances. However, I can today describe some of the essential elements of the Strategy.

Treasury is committed to retaining the current range of taxes. This means we will retain the current Customs and Excise Agreement with the UK. Every five years we undertake surveys to collect data that is vital in our negotiation with the UK to determine almost a third of our national income derived from the VAT-sharing agreement. One of these surveys, the Household Income

and Expenditure Survey, is currently under way and I would encourage anyone invited to take part in this important piece of work to complete their spending diaries and help us secure the right settlement for our community. The business survey will be launched in the new year.

We will retain the National Insurance system. Members will be aware that in the UK autumn statement, the Chancellor announced that the payment of class 2 National Insurance contributions would be abolished for most self-employed individuals from April 2024. The UK have yet to publish full details of how a self-employed person will continue to access the current suite of NI-funded benefits that they currently do.

Due to this uncertainty, I do not feel it is appropriate to follow the UK when significant details have yet to be published, and therefore I can confirm that the current class 2 payment process will continue for the 2024-25 tax year and the proposal to move the collection of class 2 National Insurance into the Income Tax assessment will now not go ahead.

Once Treasury fully understand the impact of the changes announced by the UK, a decision will be made on how we will proceed in the Island. I will be returning to this Hon. Court next year for a wider debate about the sustainability of our NI Fund, and how we can ensure that it continues to meet the needs of pensioners now and in the future.

We will retain the personal tax system and not introduce new taxes on capital or wealth. However, we must balance the money we receive against the aspirations of Our Island Plan and delivery of extra funding for public services. Next year's Budget will need to raise sufficient revenue to gradually eliminate our dependence on drawing down on reserves, and the Tax Strategy, together with the other budgetary measures, will contribute towards accomplishing this.

As I have said, we must remain competitive and attractive as a base for our people, our businesses and our entrepreneurs. We will retain the Zero-10 Corporation Tax for the vast majority of companies which call our Island home or wish to become established here.

Mr President, all tax systems have two main functions: to raise sufficient revenue to fund public services; and to support economic, social and environmental aims by income and wealth distribution and behavioural change. But as part of our commitment to widen the tax base and reduce the burden on working families, we will also look to develop a competitive taxation system to apply to offshore energy production.

Key to any Tax Strategy is stability, certainty and fairness. I aim to return to this Hon. Court in February with the completed Strategy and discuss it with next year's Budget. However, I believe such a strategy deserves more detailed debate and scrutiny, so it will be my intention to allow Members to digest the contents in conjunction with the Budget, and then have a further debate in March, when we can fully appreciate the long-term challenges we face, but the significant opportunities we can grasp to secure a more sustainable financing for our Island way of life.

Thank you.

**The President:** I call on the Hon. Member, Mr Glover.

**Mr Glover:** Gura mie eu, Eaghtyrane.

I thank the Minister for the Statement, which is obviously long on words and short on the full details. So I welcome that commitment to a fuller debate in March. But if I can just ask how much of reserves does he expect to use before a balance is achieved in 2027-28; and what protection is he going to be offering to the National Insurance Fund in those intervening years?

**The President:** Minister to reply.

**The Minister:** Thank you very much, Mr President; and I thank the Hon. Member for his comments.

In terms of the drawdown on reserves, these were pointed out in the February budget over the next five years. We are currently working on the end-of-year aspirations for this financial year

to make sure that we comply with those, if not drawdown less for the reserves, and I will be presenting that update in February to this Hon. Court.

Obviously, in terms of the National Insurance Fund, one of the objections from Members in February was the use of interest of the National Insurance Fund to balance the budget and I gave that commitment that that would not happen again with next year's budget. We are currently looking at the long-term sustainability of the National Insurance Fund, in line with the government actuarial department report, which showed that if nothing was done, it would run out between 2045 and 2047.

So one of the serious conversations we need to have as a Court, and in fact as a community next year, is what we can do to maintain that sustainability of the National Insurance Fund into the future and there are a range of options there that I would like to bring to this Hon. Court to discuss. Some of them are relatively straightforward, others are slightly more complicated, but there are ways that we can secure that, whilst still balancing the need for economic growth and not depending on working people for increased taxation to fund what will be provided in the future.

Thank you.

**The President:** I call on the Hon. Member, Mrs Caine.

**Mrs Caine:** Thank you, Mr President.

I thank the Minister for his Statement, but he will enlighten me, I think it is pretty unexciting. We are not actually doing anything new, or at least not announcing anything new just yet in terms of taxes, capital, wealth, Income Tax, NI for self-employed.

So two questions: how is this making anything more equitable or fair for the Manx public; and also is the only new tax that he has announced this taxation system to apply to offshore energy production? Can he give us any more information about that, please?

**The President:** Minister to reply.

**The Minister:** Thank you very much, Mr President.

I apologise for not presenting the completed taxation strategy. Strategies are the framework on which we pin further work going forward for the rest of this administration. The taxation strategy we are working on deals with this administration, rather than further in the future, because that will determine how the budget works and how we rebalance our economy in terms of drawing down less on reserves and getting to the point where we can replenish reserves.

In terms of her specific questions, there will be some other measures brought out in the Tax Strategy that we are currently developing, both in terms of the long-term sustainability of the National Insurance Fund, but also various methods to make sure that we can meet and address the healthcare funding gap, which was pointed out quite clearly in February's Budget as a real issue going forward that needs to be addressed.

Secondly, in terms of her other question regarding offshore energy production, what the Treasury are doing is working quite closely with the sector to understand how we can maximise the benefits to the Isle of Man's people from the developments in our territorial seas, while still making sure that we remain a competitive jurisdiction for the significant investment that would need to take place, whether that be in terms of offshore wind generation or whether it be hydrocarbon extraction. And make sure that any taxes or regimes that we want to bring in do not in any way inhibit that investment, both now and in the future going forward, so we can maximise those benefits.

Thank you.

**The President:** I call on the Hon. Member, Mr Moorhouse.

2700 **Mr Moorhouse:** Thank you, Mr President.

This is certainly a limited update, with far greater emphasis on where we have been, rather than a road map to take us forward. Why is there no emphasis on growth and what we can potentially do? It is good to hear the point that has been reached in terms of the reserves being conserved. Could we have a little bit more detail in terms of what level of conservation he is going for in terms of that protection, please? The Minister reflected on the challenges to come; that is no surprise. I worry that without a clear vision, people are going to become more concerned about going forward.

One area for protection which concerns me, and the Minister will not be surprised by, is the Zero-10. I recognise how significant that has been in the past in enabling us to arrive at where we are today, but is it not time, in 2023, that we actually looked at what a small tax take on companies could do to the Island? And the way in which, in 2023, entrepreneurs have much more emphasis on the environments in which they live, where their families and friends grow up, where they are entertained, their lifestyles?

I am worried that the Island has become very functional and this Statement is saying we are going to continue being functional rather than sharing a vision of hope and belief that gets us really excited and banging the drum and going, 'Yes, this is where we want to be.'

So in terms of that protection, I can recognise what the Minister is saying in terms of a conservative approach, but is that going to be locked in to forever? He indicates this afternoon that is going to be locked into in the short term, but how far out are we looking at?

With these statements, there is always a rabbit in the hat. The Minister had to dig deep to find the rabbit in the hat and it was basically down to the speculative offshore energy production revenues. How soon can we expect or hope to see revenue coming from that area? It is a great hope that many of us have and Mr Peters has been banging that drum for many years, but how realistic is it?

2725 Thank you, Mr President.

**The President:** Minister to reply

2730 **The Minister:** Thank you very much, Mr President; and I thank the Hon. Member for his series of questions. I will try to answer them all, because I was taking some notes.

He talked about an emphasis on growth. Again, we need to understand that this administration has brought forward an Economic Strategy, then has brought forward Our Island Plan. That is the way that we deliver that growth, that is the way we deliver those aspirations. The Budget and Treasury's job is to try to fund that and so they are quite separate.

2735 But what I have said in my Statement is that anything we do should be about economic growth, but for the benefit of all the people of this Island, and sustained growth, so that we can actually balance what taxation and what revenue we are collecting with that investment for long-term benefits.

In terms of his other points, he talks about the protection for reserves, and again, that is very important. We have talked about this in the past in this Hon. Court. Those reserves have been accumulated over decades by hardworking people on this Island. This should not be squandered by me or anyone else in my position.

2740 However, we need to make sure that those reserves are used for the best interests of this country, that they get the right interest and revenue gained from them, but they also are invested in our people and in our critical national infrastructure. And so whilst I am absolutely committed to protection of those reserves, I think we do need to maximise the benefit of them to the Isle of Man's people, rather than see them as money tucked under a mattress.

2750 In terms of his one wish for a vision, I hope that I can inspire him in February with the Budget and certainly coming on to the Statement I have made today, I have been quite clear that the Zero-10 strategy has served us very well in the past. It gives stability for the majority of companies

based on the Isle of Man, which are small and medium size, and means that they can plan for the future and invest. And certainly this administration has no intention to deviate from Zero-10.

2755 What we are saying is that those large multinational companies that will come under the Pillar Two solution, that will be expected to pay 15% minimum Corporation Tax, should pay it here as they would do anywhere else in the world. This is trying to create a level playing field for those large corporations. So we will work with them to make sure that we can provide the same level of support here as they would get anywhere else in terms of making sure that we retain our competitive nature.

2760 I agree with him that the emphasis really should be, and is in the Island Plan, this emphasis on the Isle of Man being a great place to live. I think the days where we were just selling ourselves as a low-tax jurisdiction have gone. There are other low-tax jurisdictions round the world, we remain competitive with them, but this should not be a race to the bottom. This should be a race to having decent public services, to being a good place to remain, but a good place to also relocate to.

2765 He was talking about a rabbit out of a hat. Again, I will ask him to wait until the Budget, when most chancellors and ministers of treasury like to pull very various animals out of various headwear, (*Laughter*) but what I would say is that the situation we are in at the moment is serious and the future that we can see around the world is very uncertain. What we need on our Island, through a well-balanced budget, is that certainty and stability that will allow people to live their lives here without it being intruded in on by Government, but also allow them to invest in the future and particularly companies investing on our Island.

2770 So in terms of rabbits out of the hat, the seabed and the maximising of our territorial seas is not a quick solution. There are various revenue streams, such as the seabed licences, which were organised by DEFRA and the DoI in the past, that do bring in theoretically a small amount of revenue early on. But many of the taxation regimes look at income and look at profits. Obviously the income and profits of some of these long-term infrastructure investments may come in the future.

2780 What we need to do now is prepare the right regime, whereby those people investing know exactly what they are investing in and have that certainty in terms of their future revenues and how we will work with them to make sure that they can develop their business plans in the right way going forward.

Thank you.

**The President:** I call on the Hon. Member, Mr Thomas.

2785 **Mr Thomas:** Thank you, Mr President; and to the Treasury Minister for that very helpful Statement.

2790 The first point is I think the absolute major announcement today, and this is a question to the Treasury Minister, does he agree, is this announcement about a competitive taxation system for offshore energy production, because previously we had royalties inside secondary legislation for hydrocarbons; for gas. But at the time of the Economic Strategy the assumption was only made that we would have tens of millions of pounds from what KPMG called, in their 'Our Big Picture', on page 83, Volume 3, 'Sustainable tax policy: monetising the *green* economy'.

2795 So it is quite a big change to put in place this new system for offshore energy production from what was only there a year and a half ago in terms of monetising the green economy. So I wanted to comment about whether that is really the major change that it sounds to be.

2800 The second one is words like 'progressive' are used, but I wondered whether the Treasury Minister could flesh out what that means? Particularly in the light of the fact that the basic tax policy at the moment seems to be to freeze allowances. People are getting more salary and wages because inflation is so high, so effectively we have got what is called across a financial or fiscal drag going on, where it will be people in the middle, and poorer people even, who pay the extra taxes, not people at the top end because of that trend.

Combined with that, years ago, with the current Chief Minister, we had a go at the Government last but one about the drip, drip, drip of what is called here sleechy taxation, and I think somewhere across they call it stealth taxes. That seems to be going on as well. So I really want to know what he means by progressive taxation.

And then thirdly, again taking the KPMG Big Picture document, at that time, it was very much about a wider review of corporate taxation, and we were talking about utilities companies, oil companies, more financial services companies. Can the Treasury Minister confirm that everybody will be captured by just adopting OECD Pillar Two; and we are not planning in actual fact to follow Guernsey and Jersey, who do tax a wider range of corporates even inside their Zero-10 regimes?

**The President:** I call on the Minister to reply.

**The Minister:** Thank you very much, Mr President; and I thank the Hon. Member for his four points.

First of all, in terms of the offshore energy, he is absolutely right. In 2018, the Department of Infrastructure introduced the Petroleum (Royalties) Regulations 2018 and at the time that was I think developed with informal discussions with the Income Tax Division. They looked at the design in terms of how this, rather than a tax measure, could be introduced.

Going forward with that though, obviously we have been looking quite closely at other jurisdictions, particularly the Republic of Ireland and the United Kingdom, who have brought in a range of different taxation regimes. Back in 2010, the International Monetary Fund published the 'Taxation of Petroleum and Minerals: Principles, Problems and Practice' and they were quite specific in that they said that:

The design of fiscal regimes is a critical factor in shaping perceptions of an oil and gas basin's competitiveness.

And also:

If fiscal terms are too generous government returns are weakened and this could plant the seeds for an adverse reaction towards investors.

But:

If the terms are too tough, the incentives to the oil companies to invest in exploration, development and production can be severely damaged.

And I think we need to get that balance right going forward.

He also talked very much about what is a progressive taxation system, and talked about what is known as fiscal drag and the freezing of allowances. Certainly, I would like to increase tax allowances both in terms of National Insurance and Income Tax, but we also need to be very aware of our income demographics on the Isle of Man, which are particularly low and middle income over here. So any small changes at the base rate or the lower thresholds can have a significant impact in terms of Government revenue and this is at a time when we are trying to invest in key national infrastructure and our essential services.

I can say absolutely that there is no intention to introduce what are known as stealth taxes. We will be absolutely honest in terms of our taxation regime and make sure that that is clear, fair and transparent.

Coming on to the Pillar Two and will this capture everyone, no, it will not. It is quite specific in terms of those large multinational companies. And he compares us and our corporation taxation regime with the Channel Islands. One of the things that Treasury is very aware of is with the VAT-sharing agreement, a lot of those services are susceptible to VAT and therefore it is quite difficult to compare like with like in terms of taxation regimes on things like the CSP industry. And so we need to work with those sectors to understand how we can maintain their competitiveness,

because they are a large employer on our Island and they are essential for our ongoing economic prosperity.

Thank you.

**The President:** I call on the Hon. Member, Mr Glover.

**Mr Glover:** Gura mie eu, Eaghtyrane.

Two questions – you will be glad to hear it is limited to two – one of which you may answer and one of which you may not want to answer. It says in the Statement – and may I thank him for early circulation today of that Statement – he wants to retain the current Customs and Excise Agreement with the UK. Can I ask him were any alternatives looked at and what were they?

And secondly, is this more a Statement that, although short on full details, is more about the messaging. Is this just preparing the ground for tax rises in February; or have I not put the rabbit back in the hat, but put it back in its cage?

**The President:** Minister to reply.

**The Minister:** Thank you very much, Mr President.

In terms of his first question about retaining the current Customs and Excise Agreement, I think successive administrations have looked at alternatives. We believe that the current shared VAT agreement and current shared duty agreement is in the best interests of our Island and our relationships with the United Kingdom. To deviate from that could theoretically lead (1) to problems with cross-border trade, but (2) we would need to significantly increase the administrative burden on the Isle of Man to collect a separately derived tax here.

What we obviously are keen on doing with the FERSA agreement is making sure that the proportion of the shared VAT is maximised in terms of what the Isle of Man get back there. And so that is why things like the Household Income and Expenditure Survey is so important, both to steer those negotiations, but also to look wider in terms of some of the work that this Hon. Court has done in terms of poverty, in terms of benefits and in terms of how they should be set.

In terms of the messaging of this Statement, there is no hidden message, I am afraid, in terms of trying to spoil the Budget in February. This is still very much a work in progress. There are some significant opportunities, but also risks over the coming couple of months. Treasury are working very hard to try to see how we can balance the aspirations of this Hon. Court and this administration in delivering the Island Plan with raising the sufficient revenue to be able to do that. There are a range of options that we are currently looking at and will present back to this Hon. Court in February.

Thank you.

**The President:** I call on the Hon. Member, Mrs Christian.

**Mrs Christian:** Thank you, Mr President.

Firstly, I would just like to thank the Treasury Minister for his Statement and for allowing us to see that a little bit earlier today. I greatly appreciate it. Regardless of the level of detail that we hoped for, I really do appreciate being able to review what you are saying today. It provides a better debate no matter what and gives us all that chance to give something more meaningful for the public.

In light of that – and I appreciate that he cannot give actual figures today – I think there are things that I really want to just question and hope that those questions can be answered in the future, perhaps, Mr President. What I am really concerned of is the sentence, ‘We need a tax strategy to ensure we have sufficient Government revenue, whilst also protecting the financial reserves’. I just want a Treasury Minister to be really honest: is that possible? Are we really looking at what we actually need versus what we are budgeting for?

So when we have earlier today got the DHSC Minister saying that he is facing, or Manx Care are facing, long-term funding challenges, are we really looking at *their* funding challenges and saying this is actually what *they* need in *their* budget, and this is what *we* need to make in terms of income to support that; and is that realistic? I fear that it is not and I want to put something in the ground right now and say, please, Government, take this and actually be a bit more honest.

We come up with budgets, and the Minister is going to obviously talk more about the budgets in February, but are those budgets really realistic? And each time I see that they are not. So that is really my first question: overall, are we looking at need versus actual and are we going to eventually make enough income based on the four areas that he is saying? So the 15% OECD tax, the owner-managed business, NI, the implementation of CARF and obviously the increase of economically active population, really is that going to be enough?

My second question is really a little bit about the KPMG report, which estimated, I think it was something between 8,000 or 9,000 people on the Isle of Man that currently live here are not economically active. And they are obviously using our resources now, they are using our services now and this is not something that we have to work very hard, surely, to encourage, to get them back to work and start being economically active. So where is the strategy to get them back to work? And I do not mean the Manx Reskill Scheme, Mr President, I mean something far more substantial than that.

We have got to, as the Treasury Minister said, eliminate our dependence on drawing down reserves. So where really is the fiscal responsibility and the fiscal accountability to be able to show that to us? I do not see it today and I am hoping that come the February Budget we will see far more. But I need more detail and I hope we will have more detail and more honest ... Because we are all going to be standing here in February and expected to vote a Budget through that possibly is not achievable, a bit like the Island Plan.

Thank you, Mr President.

**A Member:** Hear, hear.

**The President:** I call on the Minister to reply.

**The Minister:** Thank you very much, Mr President.

I thank the Hon. Member, but it would be deficient of me not to challenge her in terms of the delivery of the Island Plan, which I think *has* been shown to actually be taking root and delivering for the people of our nation.

She talked about the actual *need* rather than what you get in the budget. I can reassure her perhaps that Treasury has been sitting down with all the various Departments, particularly the Department of Health and Social Care and the Department of Education, Sport and Culture, to talk about your needs, to talk about your aspirations but the here and now in terms of the demands that are facing you which can be due to inflation, can be due to increased energy prices.

But we also know can be due to increased demands on those services, particularly if it is in Education in terms of those children who may have special educational needs and in terms of the Department of Health and Social Care or Manx Care in terms of people with far more complex problems who need off-Island referrals. And we know that that social referral budget has increased quite significantly and is often outside of their particular control.

She talks about the honesty over budgets and are they realistic? I think, yes. What we try to do in terms of the annual budget is sit down with those Departments, look at their departmental plans and look at their aspirations and budget it for that from the start of the year. But what we have needed to do over this past year is balance that with the increasing pressures, particularly wage inflation and overall inflation that they have had to deal with and rebalance those budgets, and that has been a big issue.

I think, being honest and realistic, the coming year, 2024-25, is very challenging. The key to getting us back on track in terms of reducing that dependence on reserves is individual

2950 Departments coming in on budget. And so we need to structure the budget to enable that, but also to work with Departments to make sure that they can do that. And that is where we come to the other part of the way Government works, which is looking at the Government and departmental efficiency and productivity to make sure that Government is delivering good value for money to the taxpayer. That the tax we take from people, they can see the benefits of it and see it to be a fair distribution of that.

2955 When she was talking about whether we make enough income at all and talking about the growth in the population, I think the Chief Minister earlier on in this session has talked about the growth in the active working population. But she makes a very good point about the KPMG report and looking at the proportion of people on our Island who are deemed as not being economically active and therefore the knock-on effects in terms of the dependency ratio and how that affects both the provision of services, but also the raising of income.

2960 I think the reason that people are not economically active can be very diverse. It can be very personal for them in terms of illness, in terms of disability and in terms of a lifestyle choice to retire early and take up a different occupation that we would not normally see as economically active, but could be incredibly important in terms of them being an informal carer, for instance.

2965 What we do need to work on is to look at the people there to see what is stopping them coming back and being economically active, to look at the provision of skills and training, to look at the provision of help and support to do that, whether it is because they have retired early or whether it is because they are currently on an incapacity benefit. And one of the things going into next year is we will be revisiting previous work like the Lancaster report, looking at those people who are unable to come back into the labour market and seeing what help and support we can provide to allow them to do so.

2970 So there is a lot of work that needs to be done, but I am very aware that we need to balance this out across our entire community and our entire population, rather than put the burden on just those people who are currently working here.

Thank you.

2975 **The President:** I call on the Hon. Member, Mr Thomas.

**Mr Thomas:** Thank you, Mr President.

2980 In the 2013-2016 Taxation Strategy there was reference to the exclusion of rates and other property tax and land development tax and Community Infrastructure Levy. That was probably because the Treasury Minister, as has become a recent tradition, was from the northern parishes and it is pretty unpopular being associated in any way with the introduction of a fair rates system in the northern parishes. Does the Member who represents an urban area agree that we need to look at rates as a potential source of revenue and other property-related taxation and revenue-raising measures?

2985 Secondly, another thing that was there in 2013-16 was the very important principle which is that the user would pay and there is nothing today in the speech about the user paying. Some Departments have had to fall back very much, the Department of Infrastructure particularly, on the user pays, given that there has been no money coming for 10 years from central Treasury resources. Is it still an important principle that the user pays or is it significant that that just was not mentioned today?

2990 Finally, in respect of a very specific application of user pays, is there a charging policy? Last year different Departments in the Budget seemed to get a bit confused. Was it a maximum? Was it a target? Was it a minimum? What is the policy on charging? It is clear to Departments? Will we have all of the Departments of Government and other official bodies actually taking the same approach to charging in coming years under a taxation policy?

**The President:** Minister to reply.

3000     **The Minister:** Thank you very much, Mr President; and I thank the Hon. Member for his comments.

          We are talking here about national Government and the way we raise revenue so rates and the (**A Member:** Hear, hear.) way we raise revenue for local services is outside (*Interjection by Mr Thomas*) the scope of a taxation strategy. But I agree with him that we do need to look at other methods in terms of funding local services, such as community infrastructure levies.

3005     What we have done in terms of the Department for Enterprise is look at registration of properties and trying to create a better system that gets more data, particularly in terms of those people who may be buying properties on the Isle of Man and not then live in them, whether they be on the Island or overseas. We can look at the overall landscape of property ownership on our Island and make sure that is part of the way we deal with the lack of affordable and accessible housing here.

3010     In terms of the user pays principle, I completely agree with him that this has to be paramount in terms of overall fairness to any taxation strategy, but also the provision of Government services, with those correct safety nets there for those people who cannot pay. Certainly in terms of the Treasury advice to all Departments it has been to increase fees annually by at least the rate of inflation.

3015     We have seen several fee orders coming through this Hon. Court where there have not been changes for several years and it has built up problems that then create a step change. I think it is absolutely right that as the costs of providing those services go up then those are reflected in those fees and charges, and I look forward the debate on the sewerage rates that are coming up later on in this session.

          Thank you.

#### 4. Built Heritage –

##### Statement by the Chair of the Select Committee on Built Heritage

**The President:** Hon. Members, we move on to Item 4, Built Heritage, and I call on the Chair of the Select Committee on Built Heritage to make a Statement.

3025     **The Chair of the Select Committee on Built Heritage (Mr Henderson):** Gura mie eu, Eaghtyrane.

          Eaghtyrane, Olteynyn Onnoroil, as a courtesy, I would like to take this opportunity to update the Court on the work of the Select Committee on Built Heritage.

3030     As Hon. Members will be aware, the Committee laid its Report before Tynwald earlier this year in July. In the normal course of events we would have had the debate on the Report's recommendations at the last month's sitting. However, at the start of November, I was approached by the Minister for the Cabinet Office who explained to me that due to the complexity of the Report and the recommendations contained within it, Government had not had enough time to finish constructing their official response to the Committee Report. The Minister made a request, asking to delay the debate until early next year so that the Council of Ministers would have more time to finalise their response.

3035     The Committee have considered the Minister's request and any consequences of delaying our Report. In the interests of ensuring that we continue to engender a working rapport with the Cabinet Office in relation to the Committee's work, the Committee have decided to delay the Report debate until March 2024. And I just want to clarify there, Eaghtyrane, that is a Committee decision taking into account all the information we had, timings and diaries and so on, and it was the Committee's decision to move the Report debate to March 2024. (**Mr Moorhouse:** Hear, hear.)

3045 Eaghtyrane, the Committee are aware that this delay could have a potential impact on some  
of the recommendations and will be assessing this at its next meeting, but do realise that a  
pragmatic way forward would be the best overall solution. I know that many people both in and  
outside of this Court will be disappointed by the delay. However, we felt that it would be non-  
productive if the Report and recommendations were not given full consideration by the Council  
3050 of Ministers. We look forward to the debate in March 2024 Tynwald, Eaghtyrane.  
Gura mie eu.

**The President:** Members, that concludes the Statement there at Item 4.

**5. Villa Marina and Gaiety Theatre –  
Sound and Lights Upgrade –  
Expenditure approved**

The Minister for the Treasury to move:

*That Tynwald authorises Treasury to expend £1.632 million of capital funding from the capital  
financing reserve in respect of the sound and lights upgrade for the Villa Marina and Gaiety  
Theatre complex, on behalf of the Department of Education, Sport and Culture [MEMO].*

3055 **The President:** We therefore move on to Item 5, Villa Marina and Gaiety Theatre, Sound and  
Lights Upgrade. I call on the Minister for the Treasury to move.

**The Minister for the Treasury (Dr Allinson):** Thank you very much, Mr President.

3060 The Department of Education, Sport and Culture submitted a business case to Treasury  
requesting £1.632 million to allow the Department to proceed with a two-phase project to replace  
light, sound and rigging equipment as well as acoustic adaptations in the Royal Hall of the Villa  
Marina and the Gaiety Theatre. This request follows significant issues with sound quality and  
repeated failures of ageing equipment, as well as negative feedback from customers, agents  
and acts.

3065 The replacement project was first approved by Treasury in 2018 and was in the Pink Book, but  
was removed after a long period of inactivity at the complex during the COVID pandemic.  
Treasury's Strategic Asset and Capital Investment Committee (SACIC) considered and challenged  
the revised request and worked with the Department to consider options and to test the  
appropriateness of the costs involved.

3070 Ultimately, SACIC recommended the funding to the Treasury on 11th October 2023, securing  
approval and subsequently Council of Ministers granted approval for me to bring this motion  
today. It had originally been planned to bring this motion to November Tynwald, in line with the  
proposed quarterly access points for capital funding, but time pressures meant this could not be  
achieved. I apologise to the Court for this and accept this could be viewed as a negative in that a  
timescale was not achieved. But looking at the positives, it shows the flexibility and openness of  
3075 the current budget process. Of course, Treasury will continue to review and consider how best to  
bring projects to this Hon. Court.

3080 Whilst I am bringing this motion forward because of its financial nature and for its inclusion as  
part of the capital budget, I will obviously defer to my hon. colleague, the Minister for Education,  
Sport and Culture, to second this motion and provide Members with any of the technical details  
that they may require. However, it is important for me to say that this request for funding has  
been carefully considered by officers and political members.

The proposal appears to fit with the Island Plan as the complexes in question are key social and  
cultural offerings for the Island. Treasury officers were impressed with the rigour and

3085 professionalism in assessing the options available, the deliverability and the funding, and there has been focus on value for money and effectiveness, tempered by an assessment of the DESC team's ability to deliver the project.

3090 In light of these points, and after careful consideration of its affordability and priority, I propose to move the motion to approve the £1.632 million phase to deliver £927,310 in the 2023-24 tax year, £142,800 in the 2024-25 and £561,800 in the tax year 2025-26. While we continue to face budgetary pressures, the well-considered phased approach of this project supports not only deliverability but also affordability from the capital financing reserve.

Mr President, I beg to move.

**The President:** I call on the Minister for Education, Sport and Culture.

3095 **The Minister for Education, Sport and Culture (Ms Edge):** Thank you, Mr President. I beg to second and reserve my remarks.

**The President:** I call on the Hon. Loayreyder.

3100 **The Speaker:** Gura mie eu, Eaghtyrane.

I am curious by the motion that is here today, not so much the content – and I do not have any technical queries, the Minister for Education will be delighted to hear – a new sound and lighting system for the Villa, but because it is now, these days, an unusual motion.

3105 Since the 2021 General Election the only motions that have been brought before this Court to authorise Treasury to spend money have been the Budget, the supplementary votes for overspends, and the overspend relating to the Isle of Man Ferry Terminal in Liverpool. I am not aware that we have had a capital authorisation for a particular scheme since at least the last general election. Whilst I welcome the transparency, I cannot help but notice how unusual this sort of motion is.

3110 So just a little bit of context: page 119 of this year's Budget document identified £82.5 million of capital spending across discrete and rolling schemes. In the Budget motions, in February Tynwald, over £240 million of previous capital approvals were rolled over, and an additional £50 million or so requested as a block. The Budget does not seek line-by-line approval for the capital programme, we have no say in that.

3115 That £50 million in the Budget included approvals as varied as £6 million worth of strategic highway refurbishment, £100,000 in minor capital works to the Wildlife Park, £5.4 million for climate change adaptation, £1.9 million for DHA vehicle acquisition and so on. No mention of *this* scheme so it was not in the general approval.

3120 And you might say that of course urgent schemes come along and need to be brought here outside of the budget cycle, and that is the case. But as the Minister has mentioned, this project has been in the mix since 2018. So I do not know what there is that is either new or urgent about this scheme and why it was not held over to the Budget and, well, basically hidden with another year's capital spending.

3125 We have also heard that we now have a quarterly approach to capital approvals and this is the first product of that. Well, there were 31 schemes that were in table 69 for design and feasibility in the year. And what it looks like we are saying here is that of those 31 schemes, this is the only one in the last six or seven months that is actually ready for approval. Is that correct? I should point out that Port St Mary High Street was one of those 31 schemes, so if it comes to a straight decision on which one I am supporting, it isn't this one!

3130 So, Eaghtyrane, we are being asked to make a decision on a project in isolation with no context, no idea of what must fall by the wayside if £1.6 million is spent here. We do not get to determine which capital schemes go ahead and which do not, we get a take it or leave it choice from the Treasury on this one today. What I am not going to accept, Eaghtyrane, is being told later that because we approved *this* scheme we cannot replace the high street, we cannot do the horse

tramway restoration, or what this delay will mean in terms of DESC staff because they will not be working on Castle Rushen to deliver a sound and lighting scheme.

Eaghtyrane, I hope I have made it quite clear why I think this system is in need of reform, and why I am concerned about voting for this today, lest we be told that there is no money left when it comes to something far more important, and I really hope the Minister can reassure me.

Thank you.

**The President:** I call on the Hon. Member, Mr Wannenburg.

3145 **Mr Wannenburg:** Thank you, Mr President.

I can almost agree that such an investment is probably beyond time and that there should be some sort of expenditure required to improve and upgrade the Villa Marina. Yet given the cost-of-living crisis, the timing of such expenditure is both ill-conceived and extravagant, whilst many of our people still have the wolf at the door. This austerity, coupled with the theatrical backdrop of this motion, one could be forgiven for thinking of this in Dickensian terms: it was the best of times, it was the worst of times. The trouble is, it is the best of times for the Villa and the worst of times for the taxpayer.

I suppose the litmus test here must be the question, if this was a private venue, would they spend the same amount of money on new everything? I think not and therefore the Minister cannot rely on my acquiescence.

So I would appreciate it if he could advise me of the following: that this is not a Rolls-Royce of systems, but venue specific, one that addresses the unique requirements of the Villa and Gaiety. Has he got best value for money? Has there been a process of review and due diligence carried out? Will this investment futureproof the VillaGaiety for the digital age?

3160 What is the value of the outgoing equipment and will it be offset against the incoming? Has there been an assessment to verify any parts of the existing system that can be reused and not simply scrapped? Furthermore, has there been a cost-benefit analysis applied to this expenditure? Will this spend attract more artists leading to more customers? Will this investment turn the venue into a profit-making venue?

3165 In the past, this Minister has claimed that he is capable of making the hard and difficult decisions. How does he reconcile that, given that funding will have to be a further draw down from general reserves? Failure to adequately address these concerns ensures that this investment does, at a stroke, something that I cannot support: the enabling of a loss-making venue to continue to be loss making, despite a £1.6 million injection and, as such, I cannot support it.

3170 Thank you.

**The President:** I call on the Hon. Member, Mr Thomas.

**Mr Thomas:** Thank you, Mr President.

3175 I am fully supportive of this proposal and I congratulate the Department and Treasury for looking at it in great detail over a great number of years, because it was in the 2018 Pink Book, and I have seen 150 pages about the different elements and paring them back and all of those sorts of things.

3180 Somebody said to me who used to sit here, a very wise fella, do not worry about the important things in the Isle of Man that make people's lives better here, things like heritage rail, things like arts complexes, cultural complexes, museum ... Do the big things like public sector pensions and pensions and healthcare and all of that. That is what matters. It does not matter about making people's lives worthy. And this is very much in the category of creating a venue whether you love the tea dancing, or rock bands, or symphony orchestra concerts, or whatever. There is something for everybody in the VillaGaiety, and this is a project that has been prepared for many years and reviewed over and over again.

Building on what Mr Speaker said though, I just want to congratulate the Department for having got off page 128, which is the list of schemes in the design and feasibility study, and to get to this stage where we are considering absolute funding because nobody else has managed to get off page 128, which is the design and feasibility studies with a scheme, firstly.

And secondly, they have done it without any budget from the new project development budget. So this must have been a good scheme already back in 2018-19 that has just been upgraded for inflation. It could well be that the Port St Mary High Street scheme is in that status as well, which is it is ready to go; if there is money, it will go.

I now understand that it is very clear when you know how to read what is in the Pink Book on page 128 in February, there are two types of projects at least inside that list. There are ones which are well designed, well costed, and then there are ones which still need some help from the Project Development Fund. I think that is what the Treasury Minister told us a few weeks ago. So there is hope for the Airport, there is hope for housing, there is hope for highways, that they are already in that state and they will miraculously get from page 128 in February's Pink Book into a fully-fledged financing commitment from Tynwald Court.

The second point I wanted to make though is that what happened in 2020 is a bit less clear to me in this respect than some other things. So I will be telling you all later that in actual fact, it is pretty clear from the Purple Book in July 2020 that the horse trams on Douglas Promenade were being taken away. That is debated at quite some length inside the July 2020 emergency debate, but I cannot find anything about this scheme. It just disappeared somehow in 2020 during that process.

So I do think this Hon. Court is at a moment where we have got to respect ourselves and get other people to respect us because we spend the money the public trust us with to provide public services and public facilities and these sort of decisions cannot be made behind closed doors, because it breeds resentment, animosity and tension. We need to actually have national priorities for use of national public funds to deliver national public services and infrastructure.

This project has got my full support and I congratulate the Department of Education for working with others to show us how it should be done.

**The President:** I call on the Hon. Member, Mr Peters.

**Mr Peters:** Thank you, Mr President.

I rise to say that, with regret, I will not be supporting this motion from the Treasury Minister, and I agree and concur with the comments from my friend from Douglas North.

I say this with a heavy heart, as in a previous life, I produced and staged many major events and appreciate that the sound and lighting industry has lots of exciting new technologies, including, I see, AI stage lighting controllers that might *possibly* improve the audience experience at the Villa Marina and the Gaiety. However, given our current financial challenges, I cannot in good conscience support spending the amount of money at this time on nice-to-have equipment.

It has been noted previously that most big touring shows bring their own sound and lights, so this investment would only really be for the benefit of small local productions. If maintained properly, sound and lighting equipment can last a lifetime. As an example, I bought a small second-hand PA system in 1981 which, despite some battle scars, is still working perfectly today. So I think we need to squeeze a few more years out of the high quality equipment we have got, rather than sell it for pennies and buy new. If, however – and I appreciate it is a big ‘if’ – the Crogga field provides even half the revenues estimated, (*Interjections and Laughter*) I would fully support some more nice-to-have schemes like this.

Thank you, Mr President.

**Mr Wannenburg:** Hear, hear.

**The President:** I call on the Hon. Member, Dr Haywood.

**Dr Haywood:** Thank you, Mr President.

3240 I only have a few short questions to ask actually. It is a bit about the quarterly approval process and Hon. Speaker has started down this track. I just wanted some clarification about why the November date really was not achieved. And with so few schemes that seem to be coming through this, what the hold-up was, and how are any future blockages are going to be avoided. Has the Minister reflected and is he adjusting that process in order to make it work more smoothly in  
3245 future?

**The President:** I call on the Hon. Member, Mr Glover.

**Mr Glover:** Gura mie eu, Eaghtyrane.

3250 I just want to hear in the seconding and reserving remarks from the Education, Sport and Culture Minister why this is needed, so what is wrong with what we had, because £1.6 million does seem a great deal of money. Is this the best value for money that we are getting? What were the various options that were on the table? Basically, if she would just give a little bit more detail. The Treasury Minister has gone through the process, but actually, what are we getting for our  
3255 buck?

**The President:** I call on the Hon. Member, Mr Mercer.

**Mr Mercer:** Thank you, Mr President.

3260 Firstly, I would like to thank the Treasury Minister for his replies to me via email during my consideration of this motion. I acknowledge this might be a tough sell in the current climate, but I hope this proposal gets the support it needs in Tynwald.

Funding for the arts and culture is important, and unfortunately it is often the first to be cut when money is tight. Many times in debate here and in wider society, the focus is on price. So  
3265 what do we get for this price; this cost?

To summarise, there are some energy efficiency savings. The new lighting proposed uses nearly 50% less power than the current obsolete system. Over the expected lifespan of 10 to 15 years or more, new kit will provide a direct saving on revenue spend and energy cost reduction. Isn't that what we are looking to do anyway? There are carbon reductions, and there is actually a reduction  
3270 in financial risk to the Department from equipment failure. The memo accompanying the motion mentions the other intangible values: better sound, better lighting and a better experience for both the performers and for the audience.

Eaghtyrane, as well as keeping an eye on the price, we should always ensure we focus on the *value* that is bought for that price. The great investor Warren Buffett understands this:

Price is what you pay, value is what you get.

3275 Gura mie eu, Eaghtyrane.

**Mrs Caine:** Hear, hear.

**The President:** I call on the Hon. Member, Miss August Hanson.

3280 **Miss August-Hanson:** Thank you, Mr President.

I was sat here thinking, and I was not going to contribute to this one, I was just going to vote the other way, actually. I have listened to what Mr Speaker has said and Mr Wannenburg has said and I agree with them pretty much wholeheartedly.

3285 I understand what my colleague on Council says; culture is important, and I agree with that 100%. I would not suggest that that should be the first thing that is cut, because actually it is very important to everybody's mental health, particularly in a cost-of-living crisis and the situation that

we find ourselves in now. But we are in really tough times right now and need to think very seriously, I think, about the things that we do support.

3290 I know that the Education Minister has every good intention in bringing this forward along with Treasury and I do appreciate the openness, actually, and transparency around what she has done today, it is gratefully received that we can actually have these conversations on the floor rather than them just going straight through. I agree with you 100%; thank you.

3295 But I also agree with the first part of what Mrs Christian said in the previous debate. She made a very profound contribution, I think, and particularly that first part of what she said: people out there *know* that the public sector is suffering from tough economic times. They are under absolutely no illusion, no illusion at all, as to how difficult these times are. And I think that we need to be extraordinarily conscious of that when we are bringing some of these things forward, and when we are saying that we do not have money for other things.

3300 I know that AEN, say, for example, SEN provision, that type of stuff, I know that that is sat elsewhere, but essentially it is wooden dollars. It is all public sector money, all taxpayer money. But we are saying that we cannot afford these things, we cannot afford to do this, we cannot afford to do that, but we *can* afford to do this thing over here. How do you balance that up?

3305 I know it is very difficult to compare apples with bananas in that way. I get that, and I understand that. But what kind of a message are we actually sending out that we are expecting people to listen to? It is getting concerning because we are getting information through, like with the Tax Strategy, that there are things coming and that there is a big conversation to be had around the next budget process and that there is economic, quite frankly, strangulation. We are struggling financially. Every single Department seems to be coming forward with not being able to meet their own particular budget that has been set for them.

3310 We know that we have problems, so when we have something like this that comes forward, are we strong enough to turn around and say, no, let's just have what we have got until we no longer can use it anymore, and then we can go out and look for another solution and bring that forward. I am very happy that Mr Thomas has had an opportunity to read a large document that outlines all of this; could have done with a little bit more detail ahead of this particular motion here today.

Thank you, Mr President.

**The President:** I call on the Hon. Member, Ms Edge.

3320 **Ms Edge:** Thank you, Mr President.

3325 I do welcome the opportunity to second this motion for capital works to upgrade our sound and lighting equipment at both the Villa Marina and the Gaiety Theatre. They are our Island's largest performance spaces and the flagship buildings for creativity and entertainment on our Island.

3330 Between April and October this year, the VillaGaiety has welcomed just over 145,000 visitors to the site, over 80,000 of these both accessing Villa Marina and Gaiety Theatre. Hon. Members, that is 20,000 Island residents per month have accessed our amazing facilities. The people of our community talk with pride about the iconic buildings, often described as the jewels in the Island's crown. And for many of us, we are connected to a fond memory of a show that we have been able to attend and enjoy the buildings that are steeped in Manx history. It is with this pride and care that I hope Hon. Members will consider this motion carefully for the investment to sustain and futureproof these vital assets that sit at the heart of our Island's cultural identity.

3335 Both the Villa and Gaiety are historic, and were only last substantially updated with sound equipment in 1996 and 2004 respectively. The current sound and lighting equipment in use is largely obsolete and in very poor condition. When staging events, the lighting equipment consumes almost 50% more energy than a modern comparison.

Maintenance of the equipment has become increasingly difficult, and the technical team is spending significant time trying to maintain the equipment in working order. And despite these

3340 efforts, faults are frequent. We have also had to invest in hiring-in equipment for some of the acts that are staged at our iconic venue.

In 2004, after a multi-million-pound investment by Tynwald, the Villa Marina reopened. It had a newly installed set up, recognised at that time as cutting edge in the practice, to welcome any internationally renowned artist, with little need for freight or large touring vehicles, known as a  
3345 simple plug-and-play model.

This has enabled our Island to remain competitive in the entertainment industry and offer a relevant and engaging programme to contemporary audiences. This model addressed the challenges presented by our Island position and made our Island an attractive proposition for artists to visit, despite the need to fly or travel by boat, compared to our easily reachable UK  
3350 counterparts.

Due to the current condition of the equipment, the facilities' live performance programming plans are currently compromised. Central to our Island's appeal to high-profile acts is our plug-and-play model. This allows more affordable artist travel and for their freight. If they were required to bring freight and more equipment it would result in a larger fee and staffing output to  
3355 stage the event. Therefore, it would be limiting the Department's ability to host such performances, and that limitation would result in our Island community not having access to entertainment and cultural provision compared to similar regional town populations in the UK, who are able to reach entertainment provision more easily by rail and road.

Hon. Members, I am sure you will agree that enabling our local community to access culture, creativity and entertainment is paramount for the well-being and a crucial part of a healthy and thriving community, one which people enjoy living and visiting. I do believe having these facilities available will attract people to our Island and *has* attracted people to our Island.

The VillaGaiety contributes to the local economy as a key organisation in the creative industries, hospitality and entertainment. High-quality live events promote our Island as an animated, contemporary and interesting place to live and visit. The upgrade will safeguard the future of the VillaGaiety and retain the organisation's ability to create a representative  
3365 programme of high-quality live events, reflective and relevant to our Island community.

The capital works plan is formed from lengthy research and planning and comprises of two phases. Phase one: the Villa Marina Royal Hall sound, lighting and rigging system. Obviously, regulations around all of this equipment does change over time, and we have had no upgrades  
3370 since 2004. And then phase two is the Promenade Suite within the Villa Marina studio sound and lighting system and the Gaiety Theatre sound and lighting system.

The upgrade would result in interchangeable equipment, allowing for a flexible programme across all of our buildings and significant energy efficiency savings and reduction in maintenance requirements with newer technology and the introduction of a rolling technical maintenance  
3375 programme.

I trust that Hon. Members in here will recall an experience where they visited the VillaGaiety with families or friends, audiences seeing their favourite acts, it is a national conference venue, or through taking part on the stage for the first time as a performer. All of these cultural flagship  
3380 buildings, proudly placed in our capital on the seafront, engage people and I believe it is our responsibility to help sustain these assets for lifetimes to come and for the future creativity and enjoyment of our nation.

One of the concerns which probably has not been mentioned yet, but clearly maintenance is key and no maintenance has taken place on this over those years and that is why there is significant capital investment now. And once this investment is in place, that maintenance  
3385 programme will be a priority going forward.

Thank you, Mr President.

**The President:** I call on the Hon. Member, Mrs Caine.

3390 **Mrs Caine:** Thank you, Mr President; and I am grateful to the Hon. Education, Culture and Sport Minister for her contribution.

I should declare an interest: I have trod the boards of the Gaiety Theatre and the Villa numerous times and, for my sins, now I am currently patron of the Service Players, one of the local amateur societies dismissed by one of my hon. colleagues. That we should put up with obsolete  
3395 broken equipment, or wait until it *completely* breaks before it is renewed, because they are just the local amateur societies, (**A Member:** Hear, hear.) which I would refute.

The standard of offering of the productions of the local amateur, theatrical and musical societies on the Isle of Man is phenomenal and can stand proud against anything (**Several Members:** Hear, hear.) on offer in the adjacent island, as reflected by the visiting judges that recently came over to the production of *Elf*, which again, declaring an interest, because I am  
3400 related to Father Christmas. (*Interjection by the Speaker and laughter*) Mrs Santa!

It is a long time since I was active, apart from writing and co-directing a recent production, it is a long time since undertaking this role that I have been more actively engaged in the theatre. But I have directed shows and I am aware of the limitations of the light and sound; of the recent  
3405 impacts that theatregoers and concertgoers have experienced with poor sound quality, which is very frustrating. Not everybody on the Isle of Man can afford to go very frequently to concerts or theatre, and a lot of people cannot afford to go off Island.

So it is essential that the Isle of Man continues to have an offering, a cultural, rich variety of offering, in both the Villa and Gaiety, which are our flagship venues and we should stand proud  
3410 and say we *demand* that this improved equipment goes there. And an added benefit, as highlighted by the Hon. Member of Council, Mr Mercer, is the reduction in running cost.

So I could not disagree more with the Hon. Members who oppose this on the basis that there is always something more worthy that is a social need on the Island that requires the investment of our precious funds. But this one has come to the top of the pile and, I would expect, has had  
3415 the most robust challenge from Treasury in putting forward the business case.

I would say that it is overdue that we make this investment in our culture and the arts for the future generations and for future productions that we can all take pride in, and that it is an investment for the whole of the Island and the theatre-going public both now and future generations. Although I would agree that I am somewhat curious why only this bid has come  
3420 forward for a Tynwald vote before us.

But thank you, Mr President.

**The President:** I call on the Hon. Member, Mrs Christian.

3425 **Mrs Christian:** Thank you, Mr President.

I actually had an altogether different speech, because actually, what is really wonderful here today is I think we can all agree that this is a national priority and we are all extremely proud to have the VillaGaiety; the Villa Marina and the Gaiety Theatre. It is really incredible. Since becoming the member responsible for culture recently, I have to say that this was one of the very first things  
3430 that came to me and that the staff at the VillaGaiety, the Villa Marina and the Gaiety Theatre, were literally like, 'You *need* to know that we are at a huge risk here.'

The thing that fundamentally makes Douglas absolutely brilliant, one of the most fundamental things that we can all experience and all go to and actually to the Hon. Member Miss August-Hanson helps mental health, these are all items in Our Island Plan, and I am the first person who puts social need first. But this actually meets that social need as well, because it helps mental health and it helps ... The amount of businesses, the theatre groups, businesses, dancing, as Mr Thomas highlighted, all use these venues and are extremely important as part of our culture and our Manx identity.

So I can assure you that Treasury has put us through hoops. I can assure you that this is not us coming here on a whim. I can assure you that I would not be standing supporting this if I did not  
3440 think that there was a risk to actually something very important to us. So your decision today,

actually, I get it. I get that you are struggling. There are so many competing demands on this Government. I really get that. So the question you need to ask yourself is how much are you willing to take that risk?

3445 A 20-year-old lighting and sound system, the rigging, the electrics, everything. I have seen it. If you are willing to keep going and risk that, year after year after year, to when will it be the right time? War is not going away at the moment. We have still got problems with our economy. We have still got fundamentally global economic shifts happening everywhere. It will never be a good time. This is brought to you today and just make that decision, but accept the risk.

3450 If you do not vote for it today, accept that risk that a business, a performer could come to the Isle of Man and actually the lighting could go. We could even have our Island conference and it could go then. (*Interjections and laughter*) But it could happen at any point and the reputational damage that that would have would be dramatic.

3455 I can honestly say to all of the Members here, any of your constituents, if they were attending any of those actual performances would be the first person to say to you, why did this happen? This is our national priority. So I really hope you take that decision today. Make it today; I really implore you.

Thank you, Mr President.

3460 **The President:** I call on the mover to reply.

**Dr Allinson:** Thank you very much, Mr President; and I would like to thank all Hon. Members for their contributions in terms of this debate.

3465 If I can start by addressing some of the wider aspects that were brought forward by Mr Speaker about the capital funding process, and he is absolutely right, in Appendix 6 of our February Budget, we had those capital programmes which were in the design and feasibility aspect of it and he is right. This one was the top of the pile. Because, as I have outlined previously, this project was already in germination and was developed in 2018 and so has been updated and furthered by the Department because of its urgent nature.

3470 If I can just reassure him that Port St Mary High Street is still on the list. I have asked on his behalf two Treasury officers about this. We received a total of nine business cases on 22nd August this year. Port St Mary was one of those requests and has received Project Development Fund funding for some further work that the Department wanted to do in terms of road surveys, but actually it was included in the list in February, just because we know that it is an important project, 3475 but to do it properly may involve significant disruption for the local community.

So it has to be planned right, in terms of not being over-engineered and closed for protracted lengths of time, in terms of the rerouting of the buses and everything like that, but done right and properly and worked up properly. But certainly I will take on board his comments.

3480 In terms of the funding of the capital programme, this is not an either/or in terms of the list that is provided in the Budget. Our intention is to, if they can be worked up properly, provide for all of these. And again, we have already discussed in this Hon. Court and in another place the Castle Rushen High School development, which is also on the list. We have also discussed the older persons residential and resource unit in the north. And just to follow on from the previous conversation we had about what is on the Project Development Fund list, that has now had 3485 Treasury approval to go forward for more detailed design costing so it can then go out for tender for the replacement of Cummal Moar.

Similarly, we have agreed to the funding in terms of doing some preparatory work for the integrated patient management system for Manx Care and trying to have a consolidated care record for the people of our Island. But at the same time there is a limited capacity in terms of the construction industry and so we need to phase these works going forward. 3490

The Hon. Member, Mr Speaker, also questioned the urgent need for this scheme and as we have just heard from Mrs Christian, there is a significant risk of failure with the present equipment.

Treasury agreed to the Department leasing some key parts of that that were failing or had already failed just to keep going.

3495 But this is important because one of the submissions from the Department to Treasury, which was quite compelling, was the risk of failure, the risk that we could not actually provide the facilities for a band coming over here or an event, but also, if it was to fail, the significant risk to the Department of having to compensate all those people who were let down, including the performers, by a significant failure of the system, and this is a real and present danger.

3500 We also looked at some of the other options, for instance, we did some detailed work with the Department looking for other funding options, such as rent of the entire equipment. But the cost of that just over five years was over £800,000. And then again, this would not be a bespoke rental, because part of the capital bid is also to improve the acoustics of the main hall, which will significantly add to the audience experience of this.

3505 I can understand Mr Wannenburgh's reservation that this is an extravagance at a time of cost-of-living pressures and would like to thank him for reaching out and engaging in conversations about this. We do not have to agree, but I completely respect what he said.

One of his questions was if this was a private venture, would they spend the money? Actually, I think any serious businessperson *would* spend the money, because they would look at the  
3510 current equipment, which is outdated, which is costly to maintain, or impossible to maintain, which is at risk of failure and jeopardising their business case, but which is also using a significant amount of electricity, as Mr Mercer has pointed out. And so this is, rather than an extravagance, it is actually an investment in equipment that will last a good 10, 15 or 20 years going forward.

He asked whether this was a Rolls-Royce system or whether it was specific to the VillaGaiety  
3515 complex. It is specific. The Department have undertaken three different individual assessments, both in terms of the acoustics, the lighting, but also the rigging, and come up with a decent and a properly costed scheme to take all these forward over those three financial years.

But if I can just reassure him that each phase of the activity will go through the public tender portal with specific briefs concerning the design, sourcing and implementation of the sound and  
3520 rigging upgrade. This will be a competitive process delivered with support from the procurement team at Treasury and the specialists involved in the feasibility process will be excluded from the tendering process in line with financial regulations. So those people who have suggested the solution will not be part of providing it. That will go out to competitive tender.

He also asked about what we could do to reuse the old equipment. When I toured the  
3525 VillaGaiety complex, and I would recommend any Member, if you reach out to the Department, you can be taken behind the scenes, not necessarily through the trap door, but certainly behind the scenes. And there is an extensive amount of old equipment there that is broken, but is being kept so that it can either be reused for parts or recycled in terms of some of the valuable metals that are there.

3530 Certainly there is some value in certain components there and the VillaGaiety will work within the financial regulations to either sell off the equipment or dispose of it in a safe and ethical way. So there will be some return and certainly this will not be put straight on the scrapheap.

He also questioned whether the VillaGaiety complex will ever be a profitmaking venture. We only need to look across at the number of theatres, the number of cinemas, the number of public  
3535 spaces which are closing at the moment because of financial problems, particularly with the local authorities and I think this administration has quite clearly set out in the Island Plan the importance of this.

The VillaGaiety complex can be more efficient and will be more efficient and certainly there are plans for next year for the team running the complex to look at how they can develop  
3540 sponsorship and alternative revenue streams to reduce the overall cost. But again, it is that hidden value that many Members have talked about in terms of our cultural heritage and in terms of our performing arts.

I would like to thank Mr Thomas for talking about the value of culture for our Island, and also the range of activities at the VillaGaiety. It is not just about the headline acts. This is very much a

3545 community resource. If you go there, there are competitions, there are lots of different activities  
that go on. And talking to the management of the VillaGaiety, they need to make sure that people  
realise that almost every day that is being used for our community. But he also talked about the  
work done by the Department in getting this bid forward, and the significant work they have done  
3550 to look at all the various avenues to make sure that this is provided in a reasonable timescale, but  
also providing value for money.

I note the regret of Mr Peters and do take on board his comments about the nice-to-have  
rather than the necessary. If I can just correct him though, that most of the shows here use the  
plug-and-play system. So Ocean Colour Scene, who came over during the week, they just shipped  
over their equipment, plugged it into the PA and were up and running.

3555 It was only really Gary Barlow in the near past who has actually brought over a couple of crates  
of all his stage set. Most of the other performers actually depend on what we have in the  
VillaGaiety complex and that is why we can get so many performers here. Because they can pop  
on a plane, they can get some of their kit sent over, but literally, if they have the confidence in the  
equipment that we have here, they will come, for the benefit of our local community.

3560 I would like to thank Dr Haywood for her comments and she asked what the hold up in the  
quarterly approval process was. We have gone back to the Department several times in terms of  
this project, looking for other ways of funding it, whether that be putting extra money on the  
tickets, whether it be looking at leasing options and now it has come forward.

3565 The reason again why we have brought it to this Tynwald is because there is a real risk of failure  
at the moment, and the Department are using their revenue at the moment to lease various key  
bits of equipment to keep the place going. But unless they have a timescale for that replacement  
and that lack of dependence on the revenue budget, that could jeopardise bookings going into  
next year.

3570 Mr Glover: I would like to thank him for his comments and really he was talking about different  
options that were available – I have discussed a couple of those – and whether this is best value  
for money. I believe that through the competitive tendering process, looking at the individual  
components, we can make sure that we provide that.

3575 And why is this needed? Again, there is the critical failure, but there is also the improvement  
in sound and light technology. The new LED lighting system that is going to replace the current  
tungsten systems is incredibly more cost effective. It will save at least £16,000/£17,000 a year just  
on electricity alone, as well as being far more resilient and far more long lasting. So there are some  
really long-term benefits for this, which were spelt out very much by Mr Mercer. And again,  
I would like to thank him for his communication and his correspondence around this. He really  
paints the picture of the benefits of LED lighting systems.

3580 There are add-on benefits as well in terms of theatres in they do not omit the same amount of  
heat. So if you are a performer in front of some of these newer lights, it is a much better  
experience for you as an actor or actress. But certainly it also helps in terms of the overall cooling  
of the facility.

3585 I would like to thank Miss August-Hanson for her comments and she is absolutely right, there  
are some tough economic times ahead, but we need to have this transparent process to make  
sure we can reflect those in terms of the spending of taxpayers' money. Again she talked about  
why this needed to come forward and I have already outlined some of the critical risks involved  
with the present structure. But she very much stated that there are conflicting priorities for this  
administration or any administration.

3590 What I would say is that some of the revenue bids coming from Departments in terms of  
ongoing funding for services like special educational needs are slightly different from capital  
expenditure on a one-off project like this, which will be present and be producing returns and  
quality sound and light systems for the next 15 to 20 years.

3595 I would like to thank Ms Edge for her contributions and really by her ability to expand on the  
extensive use of the VillaGaiety and its importance to our Island community.

Mrs Caine again obviously had one of the most interesting vested interests I have ever heard in Tynwald. But from her involvement with the Service Players I think highlighted that the Government and the taxpayer provide the facilities for the rest of the community to enjoy, but also be part of. And part of the joy of living on the Island is the fact that so many people can be involved in lots of areas of Island life, whether it be sport or amateur dramatics, but the quality of that is absolutely astounding (**Mrs Christian:** Hear, hear.) for a small nation.

She pointed out from very much her first-hand experience the current limitations of light and sound and the frustration that that can cause for both audiences and cast.

Finally, I would just like to thank Mrs Christian for her contribution. This is very much a national provision, a national priority, but also it provides a lot of rejuvenation for that area. When you look at the VillaGaiety and you look at the surrounding hospitality industry and the way that has managed to blossom under the stewardship of the Department, with new businesses opening, with the Villa Arcade being rejuvenated, there is a real lot of activity going on there from the private sector who are benefiting from having a world-class offering from the VillaGaiety. Again, she assured that the process had been really quite rigorous to bring this bid forward.

So I would like to thank all Hon. Members for their contribution today. This is a large project, it does have a large price tag, but this is balanced over three years, over two phases, and will result in an offering that we will be able to enjoy well into the next two decades.

So with that, Mr President, I beg to move.

**The President:** Now, Hon. Members, we come to vote on this Item, Item 5, as laid out on the Order Paper. All those in favour, please say aye; those against, please say no.

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

*In the Keys – Ayes 20, Noes 3*

**FOR**

Dr Allinson  
Mr Ashford  
Mrs Barber  
Mrs Caine  
Mr Callister  
Mr Cannan  
Mrs Christian  
Mr Crookall  
Ms Edge  
Ms Faragher  
Mr Glover  
Dr Haywood  
Mr Hooper  
Mr Johnston  
Ms Lord-Brennan  
Mrs Maltby  
Mrs Poole-Wilson  
Mr Smith  
The Speaker  
Mr Thomas

**AGAINST**

Mr Moorhouse  
Mr Peters  
Mr Wannenburg

**The Speaker:** Eaghtyrane, in the House of Keys, 20 votes for, 3 against.

*In the Council – Ayes 7, Noes 0*

**FOR**

Miss August-Hanson  
Mr Craine

**AGAINST**

None

Mr Greenhill  
Mr Henderson  
Mrs Kelsey  
Mr Mercer  
Mrs Sharpe

**The President:** Legislative Council: 7 for, none against. Therefore, motion is carried.

**6. Sewerage Rate 2024 –  
Extension of pricing strategy; CPI increase –  
Motion carried**

The Chair of Manx Utilities to move:

*That Tynwald:*

*(1) notes the Manx Utilities' Pricing Review [GD 2018/0063] [MEMO] that it approved in October 2018 and the significant volatility in wholesale energy markets over the past two years;*  
*(2) notes that an extension of Manx Utilities' pricing strategy for a further 12 months is appropriate to enable further time for stability to return to the wholesale energy markets; and*  
*(3) approves a further sewerage rate increase for 1st April 2024 at the prevailing rate of inflation over the preceding 12 months as measured by the Manx Consumer Price Index to the September of the preceding year (September 2023) of 5.7%.*

3620 **The President:** We now move on to Item 6, the Sewerage Rate 2024 and I call on the Chair of the Manx Utilities Authority to move.

**The Chair of the Manx Utilities Authority (Mr Wannenburgh):** Thank you, Mr President.

I am pleased to stand here before you today as Chair of Manx Utilities and ask you for your  
3625 support for a motion which I believe is in the very best interests of our customers.

In October 2018, Tynwald approved Manx Utilities' five-year pricing strategy. This strategy arose from a requirement by Tynwald for Manx Utilities to present a pricing strategy, honouring its agreement to reduce Manx Utilities' debt by £95 million in October 2017. The pricing strategy was presented for an initial five-year period commencing in April 2019, meaning a subsequent  
3630 pricing strategy would need to take effect from April 2024.

It has been planned to undertake a pricing strategy review during the summer of 2023, and complete this work before the end of the calendar year, but the start of this became delayed due to a number of factors, not least the ongoing energy crisis. As such, Manx Utilities intends to extend the current pricing strategy for a further 12-month period to allow sufficient time for a full review and appropriate consultation with stakeholders to be undertaken.  
3635

In the meantime, it has proposed to uplift the electricity, water and wastewater tariffs by 2024 by inflation, according with the current pricing strategy. The relevant measure of inflation was the Manx Consumer Prices Index for the 12 months ended 30th September 2023, which was 5.7%. The cost of emptying septic tanks has remained unchanged since 2015 and we propose to increase this charge by £75 to £225 from April 2024.  
3640

Tynwald is required to approve increases to the sewerage rate in accordance with the Sewerage Act of 1999. The increase in the sewerage rate is expected to increase Manx Utilities' revenues by £800,000. The average annual increase for domestic customers is estimated to be approximately £19 per household.

3645 Work undertaken by NERA in May 2023 assumed inflationary increases in tariffs and charges, and demonstrated that this was sufficient for Manx Utilities to meet its financial obligation. Whilst no Chair of Manx Utilities wishes to increase customer tariffs, such increases are vital to enable

core infrastructure and investment in the services provided to maintain appropriate levels of quality and reliability.

3650 Over the last couple of years, Manx Utilities and the previous Chairs, three of whom sit in here today, have sought to shield its customers from the full increase in costs it has been facing from the energy crisis. These cost increases impact the cost of providing water and wastewater services due to the consumption of energy at treatment works and pumping stations.

3655 Whilst it was expected to have completed the planned pricing review before now, the remaining volatility in wholesale energy markets has meant delaying the review will allow a further stabilisation and hopefully a further reduction in costs that could have been locked in to a review undertaken over the previous summer. In the meantime, it is proposed that electricity, water and wastewater tariffs are increased by inflation, using the previously agreed lower Consumer Prices Index measure.

3660 Mr President, I beg to move this motion standing in my name. Thank you.

**The President:** I call on the Hon. Member, Mr Greenhill.

**Mr Greenhill:** Thank you, Mr President.

3665 I beg to second and reserve my remarks.

**The President:** I call on the Hon. Member, Dr Haywood.

**Dr Haywood:** Thank you; and I thank the Chair for bringing this motion today.

3670 I am just wondering whether a pricing review that was carried out in 2018 should still be treated as a good reference point five years later on. In 2017, Centrica in the UK removed more than 70% of the UK's gas storage capacity. It was a move that they did because the infrastructure was ageing and it depended then on a globalised gas market for security of supply, but that development was not included in this report. Perhaps they did not think it was important. We  
3675 found out subsequently it was and that affected gas supplies into the UK the following year.

In 2018, apart from some vigilant virologists, nobody had heard of SARS coronaviruses. In 2014 Russia had annexed the Crimean Peninsula, but by 2018 it was not trying to actively annihilate the rest of Ukraine. During 2020 worldwide lockdowns created an oversupply of oil and gas as economic activity dropped. The subsequent rebound and reopening caused a spike in prices and  
3680 our Climate Change Act comes in in 2021. Then in 2022 the Russians invade Ukraine, there is a seismic shift in the energy supply markets and that has been prolonged by sanctions.

So I am really uncomfortable in basing decisions on the pricing of utilities on a report that missed commenting on the risks of the changes in the UK prior to its publication, but has now almost certainly been overtaken by world events. It is not often I criticise reports for lack of  
3685 imagination.

I am particularly struck by a paragraph in the report that states:

Manx Utilities is committed to working within these parameters however the risk remains that significant unexpected external events may occur, which may trigger the need to review this approach (for example, an exceptional change in global economic performance). In such a case, Manx Utilities will approach the Department of Infrastructure and the Treasury on behalf of the Government to set out the issue and offer alternative proposals for consideration.

The long-term prospects for stability in a wholesale energy market depends on a variety of factors, including regulatory frameworks, technological advancements, geopolitical developments, and shifts in energy demand and supply. The ongoing transition to renewable  
3690 energy sources such as solar and wind is a significant factor in our energy landscape now that was not there in 2018.

As these technologies become more cost competitive and widespread, they may contribute to greater stability by diversifying the energy mix and reducing the dependence on traditional fossil

3695 fuels. Advances in energy storage technologies will play crucial roles in stabilising the energy markets. Improved energy storage will allow for better integration of intermittent renewable resources and enhance the grid resilience. Efforts to mitigate the climate change may drive further changes in energy markets. Countries and regions committed to reducing carbon emissions are implementing policies that will influence the energy mix and market dynamics.

3700 So although the Chair is asking for a 12-month extension on this pricing strategy to allow further time for stability to return, I just do not think that is realistic. Indeed, I think the threshold in the report for exceptional changes in global economic conditions has been met and has been met several times over, and there is no possibility that wholesale energy markets are going to stabilise.

3705 Hon. Members, we are in a time of change. We all acknowledge that we are in the transition from a fossil fuel-driven energy sector towards a net-zero goal. This creates additional pressures on the global energy market that were never foreseen in that 2018 report. I think it is a time for change.

3710 I am going to support the fact that there is a CPI increase happening, because I think that is right and it is probably well overdue, but it is just a holding measure. It is not based on any clear assessment of the actual costs; no evidence about the income and expenditure. And if Manx Utilities is not in a position to assess those actual costs, maybe we should do something different instead.

3715 Perhaps the most appropriate route here might be to legislate so that CURA has oversight on the services provided by Manx Utilities. After all, we applied the logic that Tynwald should not be setting *gas* tariffs and we put that into regulation instead. Maybe we should use the expertise within CURA to deliver updated and ongoing pricing reviews for this sector.

3720 So although I am content with part (3) of the motion, I do not feel able to note that an outdated review and a rather forlorn hope that things will settle down are things that I can support. I do feel Manx Utilities perhaps needs more support in this area and we should be looking within our scope at the moment for that support.

Thank you.

**The President:** I call on the Hon. Member, Mr Callister.

3725 **Mr Callister:** Thank you, Mr President.

3730 I was not going to talk on this, but just listening to my colleague from Douglas North, the Chairman of Manx Utilities moving it, I am somewhat a little bit confused and I may need some guidance from the Court if possible, because I read with interest both the report, the pricing review, which is fine. I also read the memorandum that was given to Members, and I was fully prepared to support the 5.7% increase on the sewerage rate, which is absolutely fine. But my colleague in his opening remarks talked about the sewerage of septic tanks increasing. And if I heard him right, increasing from £150 to £225. That is a 45% increase in the cost.

3735 If I am correct here, Mr President, the Member, or the Chairman has asked the Court's permission to increase sewerage rates by 5.7%. So I am really confused how suddenly I am being asked to support something which will have a detrimental effect on hundreds, if not thousands of customers who do have septic tanks, who have been encouraged to empty them every year to help to make sure there is no discharge into the watercourse and whatever else. But we are being asked to support something that if I have got my calculations very quickly written down, you are asking us to support an increase of 45% to an element of your customers, but there is nothing on  
3740 the memorandum.

I feel personally that this motion should be removed and come back next month with some clarity and some information for Hon. Members. I am sorry, Chairman.

**The President:** I call on the Hon. Member, Mr Thomas.

3745 **Mr Thomas:** Thank you very much; and I congratulate the Chair on his first speech and apologise to him that we did not have a chance to speak earlier about some points.

I was going to mention the reference to £225 for septic tanks. I think I do know something about the history of that, because as far as I remember, in my day, there was always this view that it had been agreed by some politician in the past that it would always be free to empty septic tanks, but nobody could ever find that written down. There are lots of things like that in Manx politics and Manx law and Manx tradition, so the concept of charging for septic tank emptying was actually introduced and I doubt it appears in any law.

3755 I think we just had a frank and an open admission from the Chair that it has been £150 for a few years, it needs to go up a bit, a little bit. (**A Member:** Hear, hear.) I can imagine revolution in the northern parishes where most of the septic tanks are probably likely to be, but hey, that is interesting. I also should declare a personal interest, because I think I am the only Douglas resident who probably has a septic tank in their back garden as well, but that is not affecting my vote in any way whatsoever. I will be voting for this today.

3760 Just a couple of other points. I have to agree with Dr Haywood's suggestion of CURA taking on the utilities regulation role on the same basis. Already the pricing strategy does include, from memory, 50% to do with gas charges, and I am not sure we should be looking back to see whether they were accurate in terms of predictions, because that is not really the point. The pricing review says 50% to do with gas charges and 50% to do with other factors, as far as I remember the pricing review from 2016, 2017, 2018.

3765 But I do think it becomes increasingly unsustainable to be not treating the public sector and the private sector in energy equally and equivalently, and in some time that will come to haunt the Government of the day.

3770 And the final point: obviously most rates are collected to finance the Manx Utilities Authority. Rates are nothing really to do with ... The local authorities is a tiny part of it now, the minority part of it. Most rates are collected to finance the Manx Utilities Authority. That happened about seven, eight or nine years ago. That switch changed.

3775 And so therefore I do remember a brilliant amendment once moved by Mr Hooper, Minister Hooper, whereby the Manx Utilities Authority should take the lead on trying to address rates unfairness. Because they are collecting most from rates and you have the issue where people are beginning everywhere in the Island to notice that rates are unfair, because why am I paying so much for water and sewerage when I am paying so little for local authority services?

3780 So I do think we have got to get into rates a bit more. Back in 2018, when the MUA pricing review was approved and when Mr Hooper, Minister Hooper, moved his mischievous amendment, I think there then was the talk of we were doing rates reform and it had just been agreed and it was coming up next month. That was in 2018 and it still has not happened subsequently. So I do think we ought to go back to that excellent proposal Minister Hooper made all of those years ago.

3785 And finally, I do think Dr Haywood is on to something here, which is that the amount of work that Manx Utilities and the new Energy Policy Board are going to have to do to get to the next energy strategy or energy policy or energy plan is huge because the whole world has changed, and there is a huge amount of work for somebody to get into and to complete in the next few months, apparently.

Thank you.

3790 **The President:** I call on the Hon. Member, Mr Moorhouse.

**Mr Moorhouse:** Thank you, Mr President.

It is a special moment when a Tynwald colleague who so vocally stands up for the protection of our money actually asks for a bit more money. (*Laughter*)

3795 I would appreciate a little bit of additional detail on the justification for this increase, but also how much will it actually raise?

Finally, I have an ongoing concern about single households paying the full amount. Is this something that will be reviewed under his chairmanship?

Thank you, Mr President.

3800

**The President:** I call on the Chair –

**Mr Callister:** Mr President, sorry, can I just –

3805

**The President:** Sorry, Mr Callister.

**Mr Callister:** – have a point of order, because again I am just, before the –

**The President:** Point of order.

3810

**Mr Callister:** – Chairman comes back, I was wondering if someone could just guide me. I do not know if it is yourself or even the Clerks, because as Members of this Court, we were given the Manx Utilities pricing review, and again, I am just quickly skimming through it. I find nothing in the recommendations. It is very clear on the pricing strategy about the Hon. Member asking for a 5.7% increase, which I fully support, but there is nothing on there about septic tanks. I am trying to work out if that section of this motion needs to be removed, because we have not had it as Members.

3815

**The Speaker:** It's not part of the motion.

3820

**Mr Callister:** But that is what I am saying: if it is not part of the motion then, Mr President, surely the Chairman should remove that from the Order Paper?

**The Speaker:** It's a charge; separate.

3825

**The President:** I did not take that as a point of order, which the Clerk has just confirmed, therefore, I will ask the Chair to respond, of which he may reply to this particular matter Mr Callister has raised, as well as the other contributors have raised.

Over to you, Chair.

3830

**The Chair:** Thank you, Mr President.

I have to say, I am so delighted that everybody was paying attention to what I was saying!  
(Laughter)

3835

**Mr Callister:** Always!

**Mrs Maltby:** Don't get used to it.

**The Chair:** Dr Haywood, thank you so much for your speech. There is a lot I do not know  
(Laughter) and there is a lot you do know. What I would say is that there have been meetings with the board and NERA to talk about the level of increase and the NERA reviews have supported what we have put here today.

3840

Not to put too fine a point on it, I think we need to keep things moving. Otherwise we are going to be in a load of trouble. And when it comes to Mr Moorhouse, the answer to your question is a £0.8 million increase.

3845

I am satisfied that the comment Mr Callister has made is valid. I actually asked for that to be put into this, because it was not covered originally, so we put it in at the last moment thinking

that it obviously had synergy with what we were doing. And I recognise that it is far more than the 5.7% –

3850

**Mr Callister:** Forty-five per cent.

**The Chair:** Yes. What I would also ask you to recognise is that those septic tank increases have not increased for nine years. But I take you at your point, and I am happy to withdraw that element of it and come back on that element.

3855

**The Speaker:** There's no element of it.

**The President:** I don't believe you –

3860

**Mr Callister:** Mr President, would the Member give way for a minute, or can you ask for clarity –

**The President:** Do you want to give way?

3865

**Mr Callister:** – because again, as I said, if the Chairman is asking Members to support a 5.7% increase according to the documents that have been provided to the Members, which is in line with the pricing strategy, then I fully support it. It is the septic tank element which is not mentioned at all in the report. I want clarity that that should be taken away from this Court and maybe brought back next month. I am happy to support it next month, but it is not on the Order Paper.

3870

**The President:** Back to you, Chair, to decide whether you wish to continue with the motion as on the Order Paper or not.

3875

**The Chair:** Yes, I intend to proceed exactly as it is.

**The President:** Thank you. (**The Chair:** Thank you.) So continue with your summing up, and to –

3880

**The Chair:** Well, all that remains for me to say, is that I commend this motion to the Hon. Court and thank you, Mr President. (*Interjections*)

**The President:** Hon. Members, we come to vote on this Item, Item 6, as laid out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it.

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

*In the Keys – Ayes 23, Noes 1*

**FOR**

Dr Allinson  
Mr Ashford  
Mrs Barber  
Mrs Caine  
Mr Cannan  
Mrs Christian  
Mrs Corlett  
Mr Crookall  
Ms Edge  
Ms Faragher  
Mr Glover

**AGAINST**

Mr Callister

Dr Haywood  
Mr Hooper  
Mr Johnston  
Ms Lord-Brennan  
Mrs Maltby  
Mr Moorhouse  
Mr Peters  
Mrs Poole-Wilson  
Mr Smith  
The Speaker  
Mr Thomas  
Mr Wannenburg

3885      **The Speaker:** In the Keys, 23 votes for, 1 against.

*In the Council – Ayes 7, Noes 0*

| FOR                | AGAINST |
|--------------------|---------|
| Miss August-Hanson | None    |
| Mr Craine          |         |
| Mr Greenhill       |         |
| Mr Henderson       |         |
| Mrs Kelsey         |         |
| Mr Mercer          |         |
| Mrs Sharpe         |         |

**The President:** Legislative Council: 7 for, none against. Therefore, motion carried.

**8. Isle of Man Children's Champion (Revised) Report 2022-23 –  
Debate commenced**

The Children's Champion, Mrs Sharpe, to move:

*That the Isle of Man Children's Champion (Revised) Report 2022-2023 [[GD 2023/0116](#)] be received and the following recommendations be approved:*

*Recommendation 1*

*That Tynwald is of the opinion that:*

- (i) where children looked after have 'mainstream fostering' as a recommendation in their care plan, it is important that they be fostered rather than be placed in a residential home;*
- (ii) DHSC and the Corporate Parenting Group should be regularly informed by Manx Care of how many children with 'mainstream fostering' in their care plans are living in residential homes;*
- (iii) there should be an ongoing plan to recruit, maintain and support the local foster care community; and*
- (iv) the Manx Care Mandate for 2024-25 should be written to reflect this and progress tracked through the Department's Mandate Framework and associated Letter of Assessment which is laid before Tynwald.*

*Recommendation 2*

*That Tynwald is of the opinion that:*

- (i) Children looked after and care leavers need residential accommodation appropriate to their individual needs;*

- (ii) Children looked after in residential care should have the option of staying in residential care until 26 if they wish;*
- (iii) Leaving care legislation (including raising the age of leaving care to 26) should be achieved via appropriate legislative changes through the Department of Health and Social Care's legislation programme before the end of the current administration;*
- (iv) Tynwald acknowledges the work to date carried out by the Housing and Communities Board to identify additional accommodation and additional staff needed for children in residential care and care leavers and requests that the DHSC Minister bring a report to Tynwald by 30th April 2024 with a costed plan, including dates, for delivering this service; and*
- (v) the Homelessness Strategy and associated implementation plan should be regularly updated and brought before Tynwald.*

*Recommendation 3*

*That Tynwald is of the opinion that:*

- (i) implementation of the Adoption Act 2021 is taking too long; and*
- (ii) regulations under Part 13 of the Adoption Act 2021 should be in force by July 2024.*

*Recommendation 4*

*That Tynwald is of the opinion that:*

- (i) it acknowledges ongoing workstreams regarding improvement to respite accommodation; and*
- (ii) the DHSC Minister should publish a report to Tynwald by 31st March 2024, explaining how and when normal, overnight respite services will be resumed.*

**The President:** Item 7 we have already been dealt with, so we therefore come to Item 8. This Item has not completed the four weeks on the Register of Business. Is the Court content for this to be taken at this sitting? (**Members:** Agreed.) Thank you.

3890 I call on the Hon. Member, Mrs Sharpe, to move.

**Mrs Sharpe:** Gura mie eu, Eaghtyrane.

3895 I would like to express my sincere thanks for your permission to put this motion on the Order Paper, even though the Item has not been on the Register of Business for four weeks and also I would like to thank Hon. Members for their permission to allow me to speak on this, my first Children's Champion Report for the period April 2022-23.

3900 My role over the past 18 months has been twofold: to promote children's rights and to be a voice for children who are in care. In the Report, I explain in detail what I have been doing in relation to promoting children's rights. In the Appendix, I have made a list of achievements, in terms of what Government has done, since the date of the last Children's Champion report, to improve children's rights. I have also listed where changes could be made, together with potential solutions and dates, where available, of when Government intends to put in solutions in place.

3905 It is my hope that when I publish my second report next year, many of these issues will have been dealt with. At the end of the Appendix, you will find a five-year work plan where I have detailed what I, or my successor, can do to make measurable improvements to children's lives.

3910 In terms of being the voice of children who are in care, this part of my role is the main focus of my Report and improvement to accommodation and the services therein is the issue I have chosen to highlight most of all. I will not repeat the content of the speech I made during the last sitting in relation to the Ofsted Report, Mr Speaker will be glad to hear. Instead, I am going to tell him a story.

**The Speaker:** Listen with mother!

**Mr Henderson:** Hear, hear.

3915 **Mrs Sharpe:** In 1868 –

**The Speaker:** Oh God, it's a long story then! (*Laughter*)

3920 **Mrs Sharpe:** In 1868, a Scottish Wesleyan preacher named David Russell moved to the Isle of Man in order to work with the poorest inhabitants of Douglas. It did not take him long to notice that the most needy people were the children and young people of Douglas who were homeless. He raised the issue with his employers and, instead of waiting for further instructions, on Boxing Day 1868 he went out into the streets around South Quay and he gathered up all the children he could find sleeping rough and he took them into his home, and this was the start of the Douglas Children's Home which is now in the form of multiple residential homes around the Island, the overall responsibility for which lies with Government.

3930 It should be noted that when I was reading David Russell's day book from 1868, he explains that even when the older children in his care started work – the girls would start as maids in private houses and the boys would start apprenticeships – he still made sure that they kept their bed in the children's home for a few years, until a time came when they were ready to move into more permanent accommodation.

3935 At some point in our history though, we decided that at age 16, children should leave their residential care home and move into semi-independent or independent accommodation. At some point in our history, we decided that from age 18, our corporate children officially leave care; go over 'the cliff edge' as care leavers call it.

3940 Only last night, I was talking to a teacher who said they had had a brilliant pupil who had been in foster care. The foster placement broke down. They moved to a residential home and had just settled in when they had to move on again to semi-independent accommodation at 16, where they just lost themselves. They had no placement stability; no stable support workers around them; they had been trying to do their GCSEs at the same time, and by the time they reached sixth form they were just unreachable, from an emotional and an educational point of view. That brilliant pupil who the teacher had had such high hopes for was no more.

3945 Eaghtyrane, we are failing our children who are in our care. I have said it, the Ofsted inspectors have said it, the 2018 Select Committee said it, Mr Callister said it – and he has been through the system himself. But today we can help change things for the better. We can say we are drawing a line here. No longer are we going to passively allow our children who are in our care to undergo the stress of being moved from pillar to post at a time when they are their most vulnerable.

3950 We can say: we want to give you a stable place to live with continuity of carers, who you know and who care about you and who are going to stick with you until you find your way into the adult world. Eaghtyrane, we can help end the cycle of being in care followed by teenage pregnancy, involvement in the youth justice system and the inevitability of being 10 times more likely to die of heart disease, of diabetes, of depression and addiction. Let's invest in our most vulnerable children when they most need our help, saving them and the public purse from overreliance on the state later. How do we do it? I would propose the following recommendations.

3955 Turning to recommendation 1:

That Tynwald is of the opinion that:

(i) where children looked after have 'mainstream fostering' as a recommendation in their care plan, it is important that they be fostered rather than be placed in a residential home;

3960 I included this because it became apparent to me that many children who are in our residential homes actually have fostering as a recommendation in their care plans. In other words, these children should *not* be in residential homes. Various academic studies have proven that, in every way, outcomes for children who have been in foster care are so much better than children who have been in residential care.

Yet, as I pointed out in my Report, the Isle of Man has the highest percentage of children living in residential care in Britain. Forty per cent of our children live in residential, compared to the

NSPCC's living arrangements for children looked after table, where only 14% of children in the UK are in residential; 6% in Northern Ireland; 10% in Scotland; and 7% in Wales.

3965 So ideally we do not want any children to be coming into care, but when they do, I think it is important that as Tynwald we give Government the clear message that we expect that where these children have fostering as a recommendation, they need to be fostered. So Manx Care needs to be making sure that the Family Placement Service, who oversee foster care, get the support they need to recruit new foster carers.

3970 Second point:

(ii) DHSC and the Corporate Parenting Group should be regularly informed by Manx Care of how many children with 'mainstream fostering' in their care plans are living in residential homes;

I think this is sensible.

(iii) there should be an ongoing plan to recruit, maintain and support the local foster care community;

(iv) The Manx Care Mandate for 2024-25 should be written to reflect this and progress tracked through the Department's Mandate Framework and associated Letter of Assessment which is laid before Tynwald.

3975 This means that we will be able to follow the outcome of Children and Families' new recruitment drive and that if Manx Care switches off foster care recruitment in future, they have to explain why they are switching off and when they will be switching back on again, and the Department and Tynwald will know about this.

Moving on to recommendation 2:

That Tynwald is of the opinion that –

(i) Children Looked After and care leavers need residential accommodation appropriate to their individual needs;

3980 This is important because one size does not fit all. One 16-year-old might be ready and willing to live independently but another might need a care worker living on site right into their 20s.

(ii) Children looked after in residential care should have the option of staying in residential care until 26 if they wish;

3985 The reason I have put forward this recommendation is that in recent years various studies have shown that the human brain does not fully mature until the age of 25, and that is for someone who has not had any adverse childhood experiences. The average age for children to leave the parental home in Britain is now 25. So why on earth do we expect children who have grown up in care to live on their own at 16 or 18?

3990 When Mr Callister, Mr Baker and myself brought the report on accommodation for vulnerable young people before Tynwald in 2018, it was decided that any decision made by Government about children in care should be a decision which is good enough for one's own child. So given the average age of adult children leaving home these days, I think 26 is about right. That is, 26, the average age of emotional maturity, plus an extra year.

(iii) Leaving Care Legislation (including raising the age of leaving care to 26) should be achieved via appropriate legislative changes through the Department of Health and Social Care's legislation programme before the end of the current administration;

I have to say that in drawing up these recommendations, I have consulted with children's professionals in the Constabulary, paediatrics, safeguarding, education and the independent Chair of the Children's Improvement Board, and they have found the recommendation of age 26 very sensible.

3995 I would also like to point out that, even though I know the Board would welcome these recommendations, in voting for them it is not that Tynwald would be saying we do not want to hear what the professionals' view would be of an age of leaving care, but what we would be doing is exerting the will of Tynwald and saying our will is that we want our children supported into later

adult life. The Minister assures me that the legislation is going to happen, but there is nothing wrong with a belt-and-braces approach of having a recommendation which addresses it is.

(iv) Tynwald acknowledges the work to date carried out by the Housing and Communities Board to identify additional accommodation and additional staff needed for children in residential care and care leavers and requests that the DHSC Minister bring a report to Tynwald by 30th April 2024 with a costed plan, including dates, for delivering this service;

The reason I have brought this recommendation is that Tynwald has been waiting for a plan since 2018 and our corporate children should not have to wait any longer. It should not be too difficult for DHSC to put together a plan, because I know that St Christopher's has submitted a proposal for 18-plus accommodation and have discussed with Manx Care what kind of additional accommodation and services are needed for children. It just needs to be brought together in a costed, dated plan.

As I explain in the Report, the issues we have are that due to lack of foster carers – and it will take years to build up the numbers – our residential homes are at maximum capacity. So this means young children can be placed with much older children who can have behavioural issues and it is just *not* a healthy environment for the young child to be in. Also, there is no room to place children according to who they might get along with best.

Because the homes are at maximum capacity, when a new child comes in, an older child needs to move out to make room. This can be to a semi-independent home where there is simply not enough support in place for a 16-year-old, or you move to a bedsit on your own, and as I have described, these are *not* places you would want your son or daughter to be living.

As a lay person, I look at this having to move on at 16 or 18 and I think this is too young. Ofsted agreed with me. In fact, the inspector told me that 16-year-olds would not be getting moved on in the UK. This lack of adequate accommodation was what the inspector referred to as the biggest barrier to improved outcomes for our young people – 'It is having a significantly detrimental effect' he said.

So I would urge Members to put a big circle round recommendation 2(iii) and 2(iv) and do not let this one go. We need a costed, dated plan for improving the accommodation for our children and young people. And after all, we have just voted £1.6 million for lighting and sound at the VillaGaiety. This would keep one extra children's home going for over *six* years.

Point (v) I have added in this recommendation which the Health, Learning and Social Policy Board kindly suggested to me, that:

the Homelessness Strategy and associated implementation plan should be regularly updated and brought before Tynwald.

I think this would be useful for lots of reasons, but in terms of children, it should give us numbers of young people who have been estranged from their parents.

Turning to the topic of adoption in recommendation 3, the Adoption Bill took over five years to get to Tynwald because it kept being pushed down the legislative waiting list. We just managed to get it over the line at the end of the last administration and people on the ground have been waiting for it to be implemented ever since.

Briefly, the system of adoption we have in place at the moment takes far too long. A child can be put up for adoption at birth and still be waiting to be adopted when they start school because the system is so painfully slow. This is a nightmare for everyone concerned. In this situation, the child can still be removed from the foster parents – who the child thinks of as their real parents – at the age of four or older and be adopted by someone else, if it is decided that that is in the child's best interest. It is stressful for the foster parents and it is stressful for the birth parents because they could still get their child back, in theory. And worst of all, it is stressful for the child.

So I have recommendation 3:

That Tynwald is of the opinion that –

- (i) implementation of the Adoption Act 2021 is taking too long; and
- (ii) regulations under Part 13 of the Adoption Act 2021 should be in force by July 2024.

The Department has now speeded up in making its regulations, so July should not be a problem.

My final recommendation 4 concerns respite. Parents of children with complex health needs or complex disabilities need respite occasionally so they can just do normal things on their own, without their child, because they are caring for their child 24/7. Generally, respite services have never been able to meet the needs of all parents, but at least the Island had one overnight respite facility available. However, due to reasons I cannot discuss on the floor of this Hon. Court, due to potential identification of individuals, the overnight facility has not been able to operate properly for years. And parents who need respite are absolutely on their knees.

So this brings me to my final recommendation, recommendation 4:

That Tynwald is of the opinion that –

- (i) it acknowledges ongoing workstreams regarding improvement to respite accommodation; and
- (ii) the DHSC Minister should publish a report to Tynwald by 31st March 2024, explaining how and when normal, overnight respite services will be resumed.

The DHSC has had a gap analysis of respite needs from Manx Care, I believe, so by March of next year it should be in a position to tell this Hon. Court when services will be switched back on. Again, I would ask Hon. Members to mark up this point: children with complex needs and complex disabilities need their parents to have some respite, because if and when the parents break, there is no one to look after these children.

And with that Eaghtyrane, I beg to move the motion standing in my name.

**The President:** Hon. Members, this seems an appropriate time for us to take our tea break. Next up to speak when we return will be the Hon. Member, Mrs Caine, so the Court will stand adjourned until 20 to five.

*The Court adjourned at 4.06 p.m.  
and resumed its sitting at 4.40 p.m.*

**Isle of Man Children's Champion (Revised) Report 2022-23 –  
Debate concluded –  
Motion amended; notice given for combined vote at next sitting**

**The President:** Hon. Members, we shall now resume, and I call on the Hon. Member, Mrs Caine.

**Mrs Caine:** Thank you, Mr President.

I beg to second and reserve my remarks.

**The President:** I call on the Hon. Member, Mr Hooper.

**The Minister for Health and Social Care (Mr Hooper):** Gura mie eu, Eaghtyrane.

On behalf of the Council of Ministers, I would like to start by thanking the Hon. Member of Council, Mrs Sharpe, for her work to develop such a comprehensive Report and her associated recommendations.

As Hon. Members will be aware, since the Hon. Member, Mrs Sharpe, laid her original Report, the baseline assessment of Children's Services undertaken by the Office for Standards in

4075 Education, Children's Services and Skills, being Ofsted, was completed and the findings have been published. These assessments included children's residential care and the secure unit, which represents 10 facilities operated by St Christopher's Isle of Man and one Manx Care location. This took place in April 2023 and the social care and work services based in Murray House, which took place in May 2023.

4080 The wider children's social care services impact on various areas of children and young people in care, including children with disabilities, the initial response, care management, safeguarding, aftercare services, autism outreach, early interventions, supporting families, youth justice, fostering and adoption.

4085 Ofsted's verbal feedback was delivered in June with the draft report for factual accuracy highlighting a wide range of issues and areas for improvement. The final report was delivered on 7th July 2023. A Tynwald and press briefing was held in October and the report, along with Manx Care's summary of Ofsted headlines and service response was published shortly thereafter.

4090 Overall, there were 11 headline issues from the Ofsted report, resulting in 61 findings which have been developed into a Manx Care action plan by Children and Families. Eaghtryane, I am pleased that 26 of these actions have been achieved and completed. Of the remainder, 27 are ongoing with plans and timeframes in place to resolve, and eight will require financial input or resolution by other Government Departments or agencies. Many of these are not issues that Manx Care alone can address.

4095 The feedback from Ofsted has also supported the formation of a multi-agency Children's Services Improvement Board. This Board is a multi-agency board which is working in tandem with stakeholders across Manx Care, the Department of Home Affairs, the Department of Infrastructure, the Department of Education, Sport and Culture and the Isle of Man Safeguarding Board to implement the recommendations of Ofsted and the Isle of Man Safeguarding Child J report.

4100 This board will manage the overarching action plan, strategy and development of each of the recommendations, with oversight provided by the Health, Learning and Social Policy Board of the Council of Ministers. The Manx Care action plan and summary of headlines and services will feed into an overarching multi-agency response, which will include multiple workstreams.

4105 There are some significant overlaps between the outcomes and actions resulting from this inspection process, and the themes and recommendations included in Mrs Sharpe's Report before us today. With this in mind, Council are seeking some minor amendments to the recommendations before the Hon. Court.

4110 These are intended to support the themes identified by Mrs Sharpe, and to more closely align her recommendations with the work that is already in train, in respect of responding to the Ofsted report that is already set out in the Department Plan. More specifically, the amendments seek to reflect the establishment of the Children's Services Improvement Board and the ongoing work to take forward recommendations identified through the inspection by Ofsted of Children's Services.

4115 They acknowledge that there is a fostering recruitment plan in place, but that it is critical this is maintained. There was a gap in time where there was no ongoing recruitment campaign for foster carers and this has been detrimental to the service, and it should not be allowed to happen again.

4120 The amendments will ensure that need is the key factor considered in respect of the option for looked-after children to stay in residential care longer term. There should be no cliff edges. Where a person needs continuing residential accommodation and care beyond the age of 18, this should be able to be continued, and this is already a factor in the Department's policy development.

4125 The amendments will remove the reference to the age of 26 from recommendation 2. The Department is fully supportive of the need for care to continue past 18 where this is needed, but the actual age would be better agreed following appropriate consultation in the development and passage of the relevant legislation, rather than *ad hoc* on the floor of Tynwald. The legislation in question is already included in the Department's legislative programme and is included in the Department Plan for 2025.

The amendments will remove the reference to the bringing of a report and a costed plan by April, which is not considered achievable in the timescales and is contingent on the work regarding policy and legislative changes that are referenced elsewhere in the recommendation. The amendments will reflect that the Department has published, and is committed to, regular updates to an implementation plan for the Adoption Act and the required secondary legislation to bring this Act into force.

Mrs Sharpe's recommendation deals only with one set of regulations to be brought forward. However, these are contingent on other sets of regulations required by the Bill and cannot be completed in isolation. The implementation plan aims to bring forward all the relevant secondary legislation as part of a package of work to ensure any interdependencies are addressed and appropriate resourcing is in place to enact the requirements of the regulations.

The amendment will acknowledge the required needs assessment to identify gaps and drive improvements to respite accommodation services. This work is ongoing and it removes the requirement to report to Tynwald as outlined by Mrs Sharpe. As Mrs Sharpe has correctly identified, the issue at play cannot be discussed on the floor as it risks identifying individuals and their individual care needs, and so a report to Tynwald would be entirely inappropriate. Also, any report would be lacking in any meaningful detail.

I hope Hon. Members can see the logic in these amendments, which seek primarily to ensure that we are not duplicating work or working to multiple recommendations that are seeking to achieve the same ends, but in slightly different ways. I would close by again thanking Mrs Sharpe for her work and her Report, and her very constructive engagement to date, and would encourage Hon. Members to support these amendments to ensure we can continue to deliver improvements to Children's Services, as the report clearly identifies.

Mr President, I beg to move the amendment that has been circulated in my name:

*After 'That the Isle of Man Children's Champion (Revised) Report 2022-2023 [GD 2023/0116] be received', to insert the words 'that Tynwald notes the recommendations contained in that report and the associated developments in respect of those recommendations, including the establishment of the Children's Services Improvement Board to take forward recommendations identified through the inspection by Ofsted of Children's services,';*

*In Recommendation 1 (iii) to replace the words 'there should be an ongoing' with the word 'the'; and after 'foster care community' to add 'should be maintained'*

*In Recommendation 2(ii) to replace the words 'until 26 if they wish' with the words 'based on identified need'; in Recommendation 2(iii) to delete the words 'to 26'; in Recommendation 2(iv) after the words 'work to date carried out by' to add the words 'the Department of Health and Social Care and'; and in Recommendation 2(iv) to delete the words 'and requests that the DHSC Minister bring a report to Tynwald by 30 April 2024 with a costed plan, including dates, for delivering this service'*

*In Recommendation 3 to delete all the words after 'that Tynwald' and to replace them with 'notes the published implementation plan for the Adoption Act 2021 and the timescales for delivering the secondary legislation necessary for the Act to be brought into operation.'*

*In Recommendation 4 to delete all the words after 'that Tynwald' and to replace them with 'notes the on-going work regarding a needs assessment to identify gaps and drive improvements to respite accommodation.'*

**The President:** I call on the Hon. Member, Dr Haywood.

**Dr Haywood:** Thank you, Mr President.

I beg to second the amendment.

**The Speaker:** Point of order, Eaghtyrane. (**The President:** Yes.) Could I move that under Standing Order 3.12 the amendment be taken in parts? There are, as with the curate's egg, bits of

it that I can support and bits that I cannot, so if we could take it in identifiable parts as they relate to the relevant recommendations, I would be grateful.

4160

**The President:** Yes, noted, and we will pick up if there are any further amendments on that point.

I now call on the Hon. Member, Mr Ashford.

4165

**Mr Ashford:** Thank you very much, Mr President.

My intervention is going to be relatively brief. Can I thank the Hon. Member for Ramsey, Mr Hooper, for bringing the amendment. Having a quick look through, there are definitely bits in there I can most certainly support, particularly in relation to the replacement of the 26, because that was what I was going to ask the hon. mover, the Hon. Member of Council. I know this is a topic she is exceptionally passionate about and always has been, but the 26 to me, I am not quite sure where that came from. Because the Hon. Member herself, in her opening remarks, said 'it sounds about right' but is it a sort of pick out of the air?

4170

My concern is that it seems to be addressing the problem from the wrong side, because what it is doing is it is allowing people to remain within residential support when actually that might not necessarily be the best option for them. What you are doing is keeping them in residential support, in a bubble of support, and just putting off the dreaded day when they have to go out into the community. And it may be even harder for people to transition if they are 26 and all they have known is this residential care situation, and suddenly you introduce them into the big wide world.

4175

Surely – and what it has always been from my point of view where the issue lies – is in having the appropriate support services out in the community to allow them to adapt to independent living in the community. That is surely where the focus should be, rather than trying to keep the protective care support bubble actually around them.

4180

The other comment I was just going to pass, Mr President, was in relation to part (iv), but again, I see it is covered by the Hon. Member for Ramsey's amendment, and just to make it absolutely crystal clear that while the Housing and Communities Board is the reporting challenge and the co-ordinating body, the actual work is being carried out by DHSC. So I just wanted to make that absolutely crystal clear and that it is not the Housing and Communities Board with dozens of staff going out and doing this piece of work. It is actually DHSC reporting through back into the Housing and Communities Board.

4185

Thank you, Mr President.

4190

**The President:** I call on the mover to reply.

4195

**Mrs Sharpe:** Gura mie eu, Eaghtyrane.

I would like to thank Mrs Caine for seconding my motion and I would like to thank Mr Hooper for presenting the amendments and also to thank Mr Hooper for the ongoing dialogue that we have had over the summer up to this point. We both want the same outcomes, it is just that we might be possibly divided on how we should reach those outcomes, perhaps, when it comes down to the fine details, but ultimately we want the same things.

4200

He mentioned the Ofsted report, which was delivered in July and, very positively, this resulted in the Manx Care action plan and there are 26 actions which have been achieved already, which is fantastic; and the setting up of the Children's Improvement Board, which is multi-agency, overseen by the Health, Learning and Social Policy Board. Also fantastic and I have been asked to be a member of that Board, to be a critical friend, and I am really happy to lend my support to that Board.

4205

He moved on to the amendments which have come from CoMin. If I turn to the amendments, I only received the amendments at four minutes past 11 today, but I believe that these

amendments are slightly different to the ones I received this morning. So I just ask the Minister if he could point out where the change is.

**The President:** Do you want to give way?

**The Minister:** Yes, so if I may, Mr President.

**The President:** Yes. Please do, Mr Hooper.

**The Minister:** The only slight change to the one that I shared earlier today was actually Mrs Christian identified a slight error in recommendation 2, where the recommendation was to note the work that was undertaken by the Housing and Communities Board, whereas actually, as Mr Ashford has highlighted, the work itself is being undertaken by the Department of Health, but it is reporting ... *[Inaudible]*

So all we have done is add the words 'Department of Health and Social Care' into that recommendation. I would like to thank Mrs Christian for highlighting that as well, but that is the only change.

**Mrs Sharpe:** Okay.

**The President:** Back to you, Mrs Sharpe.

**Mrs Sharpe:** Gura mie eu, Eaghtyrane, and thank you to the Minister and Mrs Christian.

So if I just run through the amendments, recommendation 1(i), there is no change to that; and (ii), there is no change to that. That is fine.

Recommendation 1(iii), there is a slight change here. The Minister recommends we just change the wording slightly. I am fine with that. It does not alter anything.

Recommendation 1(iv): no change to that.

Recommendation (2)(i): no change to that.

Recommendation (2)(ii): what we have got here in the amendment is 'Children Looked After in residential care should have the option of staying in residential care based on identified need'. What I would say to that is I would ask Members to compare that to my original recommendation. I know that I have 26 in my original recommendation and Mr Ashford, quite rightly, asks where does that come from?

I explained at the time, I took 26 because the average age of leaving home for an adult child is 25, emotional maturity is gained at 25. So I added on an extra year because children who are in care are not as emotionally developed because of the adverse childhood experiences that they have had.

Also because I have spoken to so many professionals across Safeguarding, as I said, the Constabulary, children's care, psychologists, CAMHS, I have spoken to so many people and asked them what do you think, as a professional, of 26 being the age for leaving care? And they have all said that is very sensible.

So it is up to Hon. Members, but I think that in choosing my original recommendation, it is not that we are saying we will not listen to what the professionals in the Children's Improvement Board have to say, but knowing that I have already had a conversation with the Chair of the Board who thinks that these are very sensible recommendations of mine, I think the Board would actually welcome the will of Tynwald being let's set it at 26. The professionals could always come back and give good reasons why it should not be 26, but why should we not aim high? Why would we not do for these children what we do for our own children?

Recommendation 2(iii): again, the difference there is that CoMin have taken out the age of 26 and again, I would say, please vote with the original recommendation.

4260 Recommendation 2(iv): what has been removed is the Minister coming back to Tynwald in April 2024 with a costed and dated plan for how the accommodation issues are going to be solved for children in our care and care leavers. We are talking about roughly one extra residential home, a couple of flats for care leavers who have no accommodation and one building where there is a care worker working there permanently, for children who have left care, who need the extra support of a care worker.

4265 So we are not asking for a lot, and I do not see why DHSC cannot come back in April, not having solved the problem, but just with a plan! That is all I am asking for: a *plan*. So I would ask Hon. Members to *please* have a look at my original recommendation here and help us to get this over the line.

4270 Recommendation 2(v): there is no difference there.

Recommendation 3 about adoption: I am fine with the amendment. DHSC has now speeded up its process, and everything should be on target for next summer anyway, so I am fine with that amendment.

4275 Recommendation 4: I am fine with the Minister's amendment, but what he has done is he has taken the teeth out of the original recommendation, which is that the Minister should come back in March of next year and tell us when respite services are going to be switched on. I just think that to take this recommendation as it reads at the moment, having been amended by CoMin, it does not achieve anything. We have got parents who are on their knees, they have got no respite, it has been going on for years, let's just have some kind of answer by March next year is not asking too much.

4280 And to that end, I believe there is an amendment which will be –

**The President:** Hasn't been moved.

4285 **Mrs Sharpe:** – proposed?

**The President:** Sorry, it is too late at this point.

**The Speaker:** This is the summing up.

4290 **Mrs Sharpe:** Oh.

**The President:** You're summing up.

4295 **Mrs Sharpe:** It cannot be proposed now. Never mind, I would urge Hon. Members to have a look at my original recommendation, which calls on the Minister to come back with a plan of action in March next year, to tell us when respite is going to be switched back on.

Gura mie eu, Eaghtyrane.

4300 **The President:** Now, Hon. Members, we come to vote on this Item, Item 8, motion as set out on the Order Paper, to which you have one amendment in the name of Mr Hooper, and there has been a request to vote on those amendments individually; content to do so. So first we will vote on Mr Hooper's amendment to the –

4305 **Mr Mercer:** Mr President, sorry, just –

**The President:** I beg your pardon, Mr –

4310 **Mr Mercer:** May I ask for just one clarification there? With regard to the amendment, recommendations 2(ii) and 2(iii) do not really make much sense to be voted on separately because I think they both contain the reference to the age.

**Mrs Sharpe:** Well, one is staying in residential care and one is leaving care.

**The Speaker:** ... *[Inaudible]* take them separately. People will vote the same way, presumably.

**The President:** Hon. Members, with regard to amendments, when there is a request to vote individually and that has been agreed, there can be a consequence to that. So I think you have just highlighted that and I appreciate you highlighting that for the Court. So we will now start the vote –

**Mr Greenhill:** Sorry, Mr President, can I have a clarification as well? I do apologise. That is with the recommendations in recommendation 3 and 4, the changes that are being put forward, there are two elements to each one and the one is relating to dates. I could see that the proposer was wanting those to stay in, but there are other changes within there which are accepted. I do not know if we could vote on those elements separately.

**The President:** So my proposal, Hon. Members, is to actually vote individually on the different components of the amendment. So there will be five different votes here. The first one will be on the first part of the motion, which is not a recommendation, but I will ask for you to vote on that, and then a vote separately on each amendment, recommendations 1, 2, 3 and 4. I hope that is clear, Hon. Members.

So I will now put to you first, we will ask you to vote on Mr Hooper's amendment to the first part of the motion. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. First part of the amendment is carried.

We now move on to the recommendation 1 and I put to you Mr Hooper's amendment. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Recommendation 1 carried.

We move on to recommendation 2, I put to you Mr Hooper's amendment. All those in favour, please say aye; those against, please say no.

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

*In the Keys – Ayes 15, Noes 9*

**FOR**

Dr Allinson  
Mr Ashford  
Mrs Barber  
Mr Cannan  
Mrs Christian  
Mr Crookall  
Ms Edge  
Ms Faragher  
Dr Haywood  
Mr Hooper  
Mr Johnston  
Ms Lord-Brennan  
Mrs Maltby  
Mrs Poole-Wilson  
Mr Thomas

**AGAINST**

Mrs Caine  
Mr Callister  
Mrs Corlett  
Mr Glover  
Mr Moorhouse  
Mr Peters  
Mr Smith  
The Speaker  
Mr Wannenburg

**The Speaker:** Eaghtyrane, in the Keys, 15 votes for, 9 against.

*In the Council – Ayes 0, Noes 7*

**FOR**  
None

**AGAINST**  
Miss August-Hanson  
Mr Craine  
Mr Greenhill  
Mr Henderson  
Mrs Kelsey  
Mr Mercer  
Mrs Sharpe

**The President:** Legislative Council: none for, 7 against. Therefore, amendment does not carry.

**The Speaker:** The amendment (**The President:** Sorry.) does carry. Oh, no.

4345 **The President:** No, the amendment does not – (*Interjections*)

**Mr Hooper:** I would like to request a combined vote on that one, Mr President.

4350 **The President:** There is a request for a combined vote. Hon. Members, that actually concludes the voting now, so we will have a combined vote and finish that during the next sitting.

**The Speaker:** The gift that keeps on giving.

#### **9. Appointment to Manx Care – Wendy Reid appointed Chair**

The Minister for Health and Social Care to move:

*That the appointment of Wendy Reid as Chair (a non-executive member) of Manx Care for a fixed term of not less than three years and not more than five years be approved.*

**The President:** Now, Hon. Members, we now move on to Item 9, Appointment to Manx Care, and I call on the Minister for Health and Social Care to move.

4355

**The Minister for Health and Social Care (Mr Hooper):** Gura mie eu, Eaghtyrane.

4360 Under Schedule 2 of the Manx Care Act 2021, non-executive members, including the Chair to the Manx Care board, are appointed, subject to Tynwald approval, by the Department of Health and Social Care. Following the sad passing of Mr Andrew Foster CBE in March 2023, who diligently served as Chair of the Manx Care board from its inception, the Department has concluded an open recruitment process to appoint a new chair to the Manx Care board. At this point, I would like to take the opportunity to acknowledge and sincerely thank Mrs Sarah Pinch for her stewardship as interim Chair of the Manx Care board since March 2023. (**Mrs Barber:** Hear, hear.)

4365 The vacancy was advertised widely: on the Isle of Man Government website, through social media and in the national press. The Department's recruitment drive returned a series of suitably qualified candidates with three exceptionally qualified persons being shortlisted for interview. Interviews for the position were held on 9th and 10th October and carried out by a panel consisting of Sir Jonathan Michael, the interim Chief Officer of the Department, the Department's strategic human resources business partner, myself as Minister for the Department, and  
4370 Dr Haywood MHK in her capacity as Department member. There were also stakeholder panels engaging with executive staff members from the Department and Manx Care.

A rigorous process resulted in the panel unanimously recommending Prof. Wendy Reid to the position of Chair of the Manx Care board. Prof. Reid has a long and distinguished medical career, beginning post-qualification in 1994 in the fields of obstetrics and gynaecology. Alongside her clinical work, Prof. Reid has held several academic posts, such as honorary senior lecturer at UCL and the dean of postgraduate medicine of the London Deanery.

She has served a term as vice president of the Royal College of Obstetricians and Gynaecologists, and due to her longstanding commitments and achievements in the field of medicine and healthcare, is a fellow at several prestigious professional bodies such as the Royal College of Physicians.

Further to this, Prof. Reid has held an advisory role in the UK government and worked as medical director and, for a time, as the interim chief executive of Health Education England, an executive non-departmental public body of the Department of Health and Social Care that provided national leadership and co-ordination for education and training within the health and public health workforce in England.

Prof. Reid brings a wealth of experience to the role, with a career that encompasses senior positions in healthcare, in academia and as a public servant. I am extremely pleased to be able to recommend to this Hon. Court the appointment of Prof. Reid as Chair of the Manx Care board, and believe that she will play an invaluable role in continuing to drive transformational change throughout the health and care service on the Island. The term of appointment in the motion is as set out by the Manx Care Act: a fixed term of not less than three and not more than five years. For information, the proposed term of appointment for Prof. Reid is five years, with a break option at three.

Mr President, I beg to move that Tynwald approve the appointment of Prof. Reid as Chair of the Manx Care board.

**The President:** I call on the Hon. Member, Dr Haywood.

**Dr Haywood:** Thank you, Mr President.  
I beg to second and reserve my remarks.

**The President:** I call on the Hon. Loayreyder.

**The Speaker:** Gura mie eu, Eaghtyrane.

I stand to support the motion. I just want to note that in the last few of these appointments, we seem to have got out of the habit of providing even an abridged CV of the candidate. I know you have read out, Minister, the key elements to her illustrious career, and it was circulated to Members, but that is not the same as having it in the public domain and having it on the Order Paper would be in the public domain.

So if I could just ask the Minister and Council of Ministers to reflect on that going forward, but I fully support the motion.

**Mr Wannenburg and another Member:** Hear, hear.

**The President:** Minister, wish to respond?

**The Minister:** Yes, Mr President. I would like to thank the Speaker for highlighting that. I think that is an oversight on our part, for which I apologise. You are absolutely correct: there is no reason why that information cannot be shared and circulated and published as part of the Order Paper as well.

**The President:** Hon. Members, we come to vote on this Item, Item 9, as laid out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Item 9 therefore carried.

**10. Standing Committee of Tynwald on Public Accounts –  
Annual Report Covering Activity During the Session 2022-23 –  
Report received and recommendations approved**

The Chair of the Standing Committee of Tynwald on Public Accounts, Mr Speaker, to move:

*That the Standing Committee of Tynwald on Public Accounts: Annual Report Covering Activity During the Session 2022-23 [[PP 2023/0106](#)] be received and the following recommendations be approved:*

*Recommendation 1*

*That an unaudited summary of key financial information be published no later than six months after the year end. This summary should include:*

- *Approvals by Treasury for use of the Revenue Contingency Budget;*
- *Income vs budget per Department, Board and Office at division level on a 'near cash' basis split by income tax, customs and NI income, as well as other revenue streams that are significant for that division;*
- *Expenditure vs budget per Department, Board and Office at division level on a 'near cash' basis split by wages (basic and overtime), pensions and temporary staff, maintenance, vehicles, IT, as well as other expenditure streams that are significant for that division;*
- *Capital transactions by project;*
- *Use of capital contingency fund;*
- *Income and expenditure by fund; and*
- *Book and market value of internally and externally managed investments at year end.*

*Recommendation 2*

*That Tynwald is of the opinion that where specific scoping with associated funding is approved by Tynwald, Tynwald approval should be sought in advance of any proposed deviation away from that scope.*

4425       **The President:** Moving on to Item 10 and I call on the Chair of the Standing Committee of Tynwald on Public Accounts, Loayreyder.

**The Speaker:** Gura mie eu, Eaghtyrane.

4430       Hon. Members, the Annual Report of the Public Accounts Committee for 2022-23 contains two recommendations. The first concerns the availability of detailed financial information previously published in the Light Blue Book. The other recommends that Tynwald approval should be sought when the use of previously approved funding is to be changed. Noting that the Council of Ministers has accepted both of these, the reward for co-operation is a far shorter speech.

4435       With the withdrawal of the Light Blue Book and the Orange Book, the amount of published financial information has reduced and although the management accounts and the new annual report provide some detail, the degree of granularity is not the same. This reduces transparency and the ability to undertake effective scrutiny. So the Committee welcomes the Council of

Ministers' commitment to publish this key financial information no later than six months after the year end in future.

4440 Moving on to recommendation 2, Hon. Members, in recent years the Douglas Bay Horse Tramway has been a recurring topic of discussion in this place. You will be delighted to know I will not go into detail, but encourage Members to read the briefing paper, which can be found at Annex 3 of our Report, which provides a useful chronology of events, decisions and commitments since 2010.

4445 The rationale behind this recommendation can be found at paragraphs 23 to 25 of our Report. We believe that descopeing anything for which funding has already specifically been approved by Tynwald without communicating this to Tynwald and seeking further approval reflects poorly on Government. (**A Member:** Hear, hear.) So we thank Treasury and the Council of Ministers for their consideration and acceptance of our recommendations, and I beg to move.

4450

**The President:** I call on the Hon. Member, Dr Allinson.  
Oh, apologies. I call on the Hon. Member, Mrs Caine.

**Mrs Caine:** Thank you, Mr President.

4455 I beg to second and reserve my remarks.

**The President:** I now call on the Hon. Member, Dr Allinson.

**The Minister for the Treasury (Dr Allinson):** Thank you, Mr President.

4460 I am grateful for the work the Public Accounts Committee has undertaken over the last year, as detailed in their Annual Report, which covers the period from October 2022 to this September. They have ongoing inquiries into the delivery of the Isle of Man Ferry Terminal in Liverpool, Student Awards, health governance and procurement. Their Report also highlights the extensive inter-parliamentary activity undertaken on behalf of the Committee, as well as the developing relationship with the Tynwald Attorney General.

4465

Key to their work is the availability of information and data supported by the submission of written and oral evidence. From a Treasury perspective, I appreciate their comments about the changes in the way we will report to this Hon. Court and the wider public on financial matters. Previously, the publication of the national unaudited accounts had taken up considerable resources, and it was felt better to try and improve and expedite the full publication of the nation's *audited* accounts to improve the quality of the information provided and remove any misunderstanding.

4470

I accept that this may seem to reduce the granularity of the information provided to the Committee and extend the timescales until initial financial scrutiny can be provided. In response to the request from the Chair of the PAC, I am happy to provide them with the raw data requested and in no way want to restrict their activities. I am grateful for their two recommendations and I am happy to commit to publishing an unaudited summary of key financial information within six months of the financial year end.

4475

The Committee's second recommendation is the result of their scrutiny over the Douglas Bay Horse Tramway and the scope of the project related to the Douglas Prom reconstruction. This was a complicated project, both technically and logistically, which had to deal with a whole range of challenges, including the effect on traffic, local businesses and the disruption caused by the global pandemic.

4480

During the life cycle of any large project, there are unforeseen events that can be encountered at which decisions need to be made to ensure that the project remains within budget and can progress in a timely manner. To bring all these decisions back to Tynwald would be impractical and could cause further costs and delays to projects, especially where decisions are needed to be made in a very short timeframe.

4485

4490 As part of the 2023-24 Budget, a new capital process was introduced with quarterly approval points in the year. The new process also introduced the Project Development Fund, which is to provide funding for schemes for full technical design and costing before being considered for full funding approval.

4495 Schemes which have been approved through initial gateways will be included in the quarterly approval points throughout the year. These approval points are opportunities for material changes to capital projects that have been specifically approved by Tynwald to be brought to the Hon. Court to improve visibility and provide an opportunity for public scrutiny. Whilst deviation from the original scope of a Tynwald-approved project may be justified and even essential, I agree that significant changes should be communicated properly and in an open manner.

4500 Mr President, both of these recommendations reflect the Committee's desire and need for accurate, timely information and data. Openness and transparency are key to effective democracy and in accepting both recommendations, I would like to thank the Committee for their dedication and diligence, while also committing to work constructively with them over these issues and any other issues that are brought to our attention in the future.

4505 Thank you.

**The President:** I call on the Hon. Member, Mr Thomas.

**Mr Thomas:** Thank you very much, Mr President.

4510 I hope my remarks do not come across as churlish. It is just important to actually go back and look at what happened a little bit. I am going to focus mostly on recommendation 2 and I think in part the Treasury Minister has just addressed one of my concerns, because a plain reading of it is that in advance of *any* proposed deviation away from that scope, 'any proposed deviation' is interpretable and what the Treasury Minister just said then was 'significant changes'. And I do think my remarks are helpful inasmuch as it is quite important that we establish what is the difference between a significant change and any proposed deviation.

4515 I suggest that the memo, and what is covered in the memo might be a good guide for what matters to help Ministers and to help the Council of Ministers understand what they have got to report on. Because Tynwald Court cannot manage projects, especially complex projects that are done with things like type C NEC contracts, because you have vast ranges of possibilities; you have compensation events. A major project, a major purchase, all those things cannot be managed on the floor of the Tynwald.

4520 And in that sense, I was a bit disappointed as yet that my letter as Minister of the Department of Infrastructure in the winter of 2022-23 in respect of these practical issues to the Public Accounts Committee, has not as yet been published. Because I do think that letter all about the difficulties of publishing stuff which might put the project work programme at risk and weaken negotiating positions is quite important. We have got to be realistic about the practical difficulties in that context. So I hope the Speaker can acknowledge that difficulty.

4530 I also want to tackle a little bit the actual perceptions about the Douglas Bay Horse Tramway, because, huge respect for the researchers in the Tynwald Office, they have done a huge amount of work, but they have actually missed a crucial document and a crucial date in this chronology. So for instance, in July 2020, the then Treasury Minister came with a Purple Book to adjust the Budget and that is not actually referenced in Annex 3.

4535 I would have thought the Council of Ministers might have spotted that, but I did a little bit of research and it might just be it got lost in the passage of time. But basically, it is very clear in the Purple Book, the Budget book that was approved twice, both in terms of the overall Budget and then in terms of capital projects, that this was going to happen. So Tynwald *did* approve this happening. It was voted for in the capital projects without division and in the Budget, there were only a few people ... Well, nobody voted against and there were just a few comments about it.

4540 So the Treasury Minister at the time did say very explicitly in his Purple Book Budget speech in July 2020:

Hon. Members will have noticed that the Budget includes a request to increase the budget for the Douglas Promenade Scheme by £750,000. This increase, and associated acceleration of budget from future years, is proposed to allow the scheme to be completed by the Department of Infrastructure in its revised scope by the start of next year's tourism season. I recognise that there are strong feelings in this [Court] about this project; however, the benefits of avoiding further disruption next year to a hard-pressed tourism sector are self-evident. The Department has reduced its [current] *heritage rail budget* ... to compensate for the proposed increase in this scheme.

So that was clear and it was covered and approved in Tynwald Court as part of the July 2020 emergency budget. Eagle-eyed Edge, as she will now forever be known, was a bit angry about this. She said:

... we need to get the scheme complete, but I am also very concerned that it is coming out of the Heritage Rail money – £750,000. So is that an indication that the £750,000 is not going to be there in the future to make sure that the link gets us through to Douglas Sea Terminal? It seems an amount of money that has come through on a Budget Update without coming to Tynwald and the will of Tynwald is for that single track to go through to the Sea Terminal. So I want to know where that £750,000 has come from, how has it been able to be moved into this scheme now?

4545 Basically, Government got very annoyed with eagle-eyed Edge at that point and Minister Baker put her in her place. So it is quite clear that Tynwald did know. Minister Baker said:

... I am sure ... all Hon. Members' concerns down about the future of the single-track rail from the War Memorial to the Sea Terminal, which I have already committed publicly to completing in the winter of 2021 going into 2022, and I stand by that comment. So please let's not be distracted by ... [Ms Edge's] concern because it is totally unfounded.

4550 So therefore, it was pretty clearly laid out, and I do categorise that as a major change, but Government should not beat itself up around the bush, because it is quite clear that the Department of Infrastructure, Treasury, Council of Ministers and Tynwald Court did approve that change in July 2020. Lots was going on in the COVID period. It is quite easy to forget a special Budget and it does not have 'heritage rail' or 'promenade' all over it; it is a Purple Book. But it is quite clear in the Purple Book that things are going on and that was coming to be approved.

So I do think from that I will be supporting the motion, as long as Mr Speaker can confirm that it is not every specific variation, it is what the Treasury Minister confirmed as being significant changes.

4555 In terms of recommendation 1, it is great to be this open again, just like we used to be, but I did sit there with the Chief Financial Officer for weeks and weeks and the consultants trying to make this manageable and to make all of these changes and to actually do real Treasury stuff, like working out where the value for money was. So we are going back to the olden days and we need to be respectful of the huge amount of effort involved in all of this.

4560 Achieving what is in recommendation 1 will be very tricky for the reasons that we have got to prioritise things later on in terms of capital contingency fund usage, in terms of revenue budget contingencies. You make an application to Treasury and then Treasury decides how it is funded between different funds. Is it funds or is it something else? So this is very tricky and I do remember the jubilation in Treasury when the officers could actually focus on real stuff that was improving real public service, rather than just on reporting it for a few eagle-eyed Edges and a few others.

**The President:** Hon. Members, can I just remind you to respect each other as Hon. Members (**Mr Henderson:** Hear, hear.) and not refer to them as nicknames?

4570 **Mr Thomas:** I apologise profoundly to Ms Edge – Ms Edge is very honourable.

**The President:** I call on the mover to reply.

**The Speaker:** Gura mie eu, Eaghtyrane.

4575 I would like to thank the Treasury Minister for his support.

I would like to thank Mr Thomas for his comments regarding the memo as a guide. The purpose of this debate and the recommendations was not to revisit Government's policy on the completion of the promenade, nor was it a full review of the capital process. If it were, I would have an awful lot more to say. That is for another day. Our recommendations are around the specific governance issues raised in our Annual Report.

But with that, I beg to move.

**Mr Henderson:** Well said, Mr Speaker.

**The President:** Hon. Members, we come to a vote on this Item, Item 10, as laid out on the Order Paper. All those in favour, please say aye; those against, please say no. The ayes have it. The ayes have it. Item 10 therefore carried.

**11. Petition of Mr Philip Craine and Mr Keith Kerruish –  
Access to benefits of Maritime Holdings –  
Motion carried**

The Hon. Member of the Council, Mr Craine, to move:

*That Tynwald:*

*(1) notes the petition of Keith Kerruish and Philip Craine and declares as policy that the Isle of Man should have access to the benefits of maritime holdings up to the median line between the Island and the United Kingdom; and*

*(2) requests the Council of Ministers to enter discussions with the UK's Ministry of Justice and the Crown Estates Commissioners with the aim of realising this policy.*

*[[PP 2023/0115](#)] is relevant to this Item.*

**The President:** We now move on to Item 11 and I call on the Hon. Member, Mr Craine.

**Mr Craine:** Gura mie eu, Eaghtyrane.

I am aware it is late in the day and I am going to try and keep this short, but I am also aware that the issue coming out of the petition and the motion we have got is far from safely through. So I hope you will bear with me if I do not over-shorten it. I want to try and put the best case I can going forward, but I have pruned down on the extent of what I was going to say.

I want to begin just with two areas, really. First of all, admiration for the petition system, that members of the public can put in a petition to parliament here in this democracy and can have that then taken forward and discussed. In the equivalent of the House of Commons, you need 100,000 signatures to do a debate. Here it is accessible and we have got that.

But I need to thank the petitioners Keith Kerruish and Philip Craine. I am delighted to see them in the Gallery there today. We got there in the end, Keith. I am delighted to see them there. They have put in an enormous amount of work with this, beginning with their work with Nigel Crowe, who I will talk more about in a second or two, but working with him during the period when he was in hospice and engaged in this issue. So they have done a tremendous job, and I thank them for that. I am hugely grateful.

And then secondly, petitioners who had in turn themselves recognised the instrumental role of Mr Nigel Crowe, who sadly died in hospice in early August this year. Nigel was a Manx historian of very considerable note. His research covered very wide areas ranging from place names, field boundaries, quarterlands and treens, to ancestry, family history, etc. and I am hugely grateful.

I want to recognise and give tribute to Nigel. I know that the petitioners have carried on to try and complete the petition in memory of, and in their gratitude for, what he had done.

I want to, or I need to at that point, just mention that I should note that Mr Philip Craine, one of the petitioners, is a cousin of mine, but that has no material bearing on the motion you have got today. Our fathers were brothers. And I should also note that Nigel Crowe was a cousin of mine, my father was a cousin of his mother, but that again has no bearing (*Laughter*) on what is in front of us today.

I want to start by just very quickly clarifying the issue of the territorial sea. The Isle of Man has a territorial sea. It is 12 nautical miles. Within that we have certain seabed rights. The Ørsted planned proposals for a wind farm and the proposed gas project from Crogga, their prospect area, they are both inside our territorial sea. We cannot extend the territorial sea, that is fixed. All the jurisdictions around us have a similar 12-nautical-mile territorial sea. There is no basis for that to change. And then I want to focus on exclusive economic zones, because it is this area beyond the territorial sea that is of interest in this motion today.

With the adoption of the UN Convention on the Law of the Sea in 1982 – and it is specifically the third convention in that, and it came at the end of nine years of conferences, so there is an awful lot of work that went into this – they came up with the idea of exclusive economic zones. The aim of that was to establish the rights to the seabed and to reduce potential disputes. But it only applies to sovereign jurisdictions.

And that is a key point to recognise here, but we should also be aware that there does not appear to be any sound justification of why this only applies to sovereign nations. The simplest explanation appears to be that it was a decision reached by those who were around the table at that time, and they were sovereign nations. So it is a decision made that we were left outside at that point.

That does mean that we have got no legal right to claim that we should have an exclusive economic zone. We cannot just claim that. And I recognise that at this stage. I do also recognise that there are now 150 coastal countries that do have EEZs. Some of them are small islands. Indeed, 40% of the world's seas – 42%, I think – are now inside somebody's EEZ. This is a growth area, we are outside it. The UK and the Republic of Ireland have exclusive economic zones. The Isle of Man does not.

I want to spend a couple of minutes now looking at the Irish Sea. We are in the Irish Sea. The right to wind development and giving access to that is handled through the Crown Estate. So in the UK the Crown Estate has the seabed rights. They started in 2001 with round one in the Irish Sea of the rights to put in wind farms. Indeed the first wind farm in the Irish Sea in 2001 was the North Hoyle Offshore Wind Farm off the Welsh coast. That was the first. And then in the 20 years since then, as we have travelled backwards and forwards to Heysham and to Liverpool from the Isle of Man, we have seen these wind farms growing and growing and growing. The wind farms are getting larger and they are getting closer.

One wind farm in particular, currently still in the planning phase, is huge. It is almost 100 turbines and those turbines are each 15 megawatts. The Earystane debate was about wind turbines at four megawatts. This is this is much bigger than that. It is a 1.5-gigawatt energy capacity. It is big enough to power two million homes. It will fill an area of the Irish Sea half the size of the Isle of Man.

It is also very close. Indeed, the development will occupy the seabed right up to the boundary of our 12-nautical-mile territorial sea. That puts it four or five miles closer than the wind turbines we see when we look out from Legislative Buildings in Douglas Bay. They will be *closer* than those wind turbines, and they will be bigger – substantially bigger. So the wind turbines are now coming right up to the edge of the area that we are in.

This wind farm will be almost entirely – and it is in the planning stage at the moment – nearer to the Isle of Man than any part of England. It is predominantly our side of the median line. But we will not have access to any of the very considerable financial benefits that it will bring. We may

4660 have no legal claim, but our lack of legal claim would not prevent the UK from sharing an area of seabed rights with us.

And that takes us into the issue of what is fair and what is just and what is reasonable. I want to focus on that for a minute. Is it fair to expect a modern Island economy, with no economies of scale, seeking to secure inward investment and increase its tax take, is it fair to expect such a  
4665 community to forego the opportunities offered by its own surrounding seabed? Is it fair?

Is it *just* for a much larger neighbour to hold a monopoly on the seabed up to the three-quarter point – not the halfway point, right up to the three-quarter point, to the edge of our territorial sea – marketing developments that we will see that they probably will never be able to see from their side of the Irish Sea? Is it reasonable to play the ‘You’re not a sovereign country’ card to  
4670 justify the current and worsening position?

Nigel Crowe was very aware in his work that Scotland is not a sovereign country. It is part of the UK, it is not a sovereign country. It was granted an EEZ which occupies almost half the UK’s exclusive economic zone. It was granted that. The negotiations took place the year before the Scottish referendum, which sets a set of rules. That is probably the only way we could have a legal  
4675 right to an extended economic zone; if we were interested in becoming independent. It would be ours of right. But I am not advocating that and this petition has not advocated that.

So what is the motion in front of us today then? What does it not do? It does *not* ask for an Isle of Man exclusive economic zone. It does *not* ask for the right to exploit ourselves the natural maritime resources. It does *not* seek the power to permit or block developments out there. It does  
4680 *not* seek to change the relationship between the Isle of Man and the UK. It simply expresses a desire to see fair, just and reasonable access to the maritime benefits – some of, a share of – for the Isle of Man.

I have suggested – and we have had a number of documents sent to you and a briefing – that this is the gentlest possible approach to this issue, and I believe that is the genius that Nigel and  
4685 the petitioners have built into the proposal. I doubt if there is any Member of this Hon. Court who believes that we should *not* have access to the benefits of the areas nearest to the Isle of Man, nearer us than anywhere else. It is such a reasonable position, I think we would all be on board with that.

But the next question is will the UK agree? Will a Tynwald policy, commitment, aspiration stated, discussed with the Crown Estates and the Minister of Justice, will that be successful? Some  
4690 Members and officers have suggested the chances are slim. And that did not come as a big surprise to the petitioners that the chances of this may be slim. Some Members have suggested that if the UK is going to say no, then we should not even ask. We should not even go there. It was Phil Gawne’s Manx Radio *Agenda* programme last night who put the question most graphically in the form, ‘Do we want to pick the scab?’ Well, that sounds pretty gruesome.  
4695

But I think the position is more complex than that. We must not assume that the Crown, who have a key part in this, is the same as the UK government. Indeed, King Charles III specifically asked that the profits from the Crown Estate wind farm should be used for the wider public good, and this indicates that the Crown has a view on it that is not the same as the UK government. It is an  
4700 interesting separation there. The Crown has its own voice, perhaps.

But maybe there can be a constructive dialogue on sharing that is to do with being fair, just and reasonable. We should be aware that the discussion about this issue now, when the encroachment across our median line is minimal, will be a great deal easier than in five years’ time when the turbines are right up to our doorstep. So in terms of the opportunity to discuss this issue,  
4705 it is probably now or never, because in five years’ time it will be a very different situation.

It was interesting talking with Nigel’s brother, Graham Crowe, and indeed his sister Linda Crowe, Linda Harding as she is now, they both joined for part of the day and they managed to have a conversation with Graham, and he was reminding me that one of Nigel’s concerns was that sometimes Tynwald, Government, officers in the Isle of Man can be overcautious. And I was  
4710 being encouraged that this is not the time to be overcautious. We have got an opportunity to raise

the issue, we need to look at that. The petition and this motion provide us with an opportunity. We must not miss out on that.

On the second part of the motion – the motion is in two parts – it moves on to how this should be taken forward. And the motion suggests that it is the Council of Ministers that should take this forward. The view of the petitioners would be that we should use the highest level that we should talk at, and keen to have co-ordination of that, rather than separate individuals or groups or bodies trying to discuss it on their own.

If this Hon. Court is able to adopt the policy that the Isle of Man should have access to the benefits of those maritime holdings up to the median line, the ones that are nearer to us than any other jurisdiction, it would be a gentle, yet a bold step. It would certainly lead to some interesting conversations. Why would we not want to take this forward and have those conversations?

Gura mie eu, Eaghtyrane.

**The President:** I call on the Hon. Member, Mr Hooper.

**Mr Hooper:** Gura mie eu, Eaghtyrane.

I beg to second and reserve my remarks.

**The President:** I call on the Chief Minister.

**The Chief Minister:** Mr President, I would like to thank the Hon. Member of Council, Mr Craine, for bringing this motion. I would also like to pay tribute to the late Nigel Crowe and put on record my gratitude for the work he put into this issue. I would also like to thank those who have picked up his work since his untimely death.

Mr President, this matter has been considered before, and it is clear from the advice of the previous Attorney General, and indeed our present Attorney General, that the Isle of Man has no obvious separate legal rights under the United Nations Convention on the Law of the Sea to its own EEZ, continental shelf or even territorial sea. Those rights rest with the United Kingdom as the state party to the Convention.

Without recourse to law, we are therefore reliant on domestic arrangements between the Isle of Man and the UK. We may even try arguments around it being fair or just for the Island to have a continental shelf or EEZ outside the Island's territorial sea, but they have failed in the past and in my view, it would be extremely difficult to argue for this again, based on the precedent information that we already have.

We have to be clear. We would, in effect, be asking the UK to give to us its own territory, which has significant financial value, without, we believe, any legal obligation to do so. Mr President, Hon. Members may question that if the UK was willing to agree to the extension of the Island's territorial seas from three miles to 12 miles for a cost and with conditions attached in 1991, why would it not be willing to consider giving us even more? This matter was raised with the United Kingdom before in the second half of the 1990s, and the UK government simply refused to engage with the Island on it.

It may be said that things have changed since the 1990s, with places like the Falkland Islands and Bermuda being given their own exclusive economic zones by the UK and the economic benefits from the Scottish part of the UK's EEZ now going to the Scottish government. Unfortunately, Mr President, the Island is in an entirely different position to those other places I have just mentioned.

Firstly, Scotland is part of the UK and it has to be financed by UK resources, either by the central UK government or in a devolved manner. Receipts of revenues from activity in the waters next to Scotland must therefore be seen in this context. Secondly, Bermuda and the Falkland Islands are in the middle of the ocean thousands of miles away from the UK.

If the UK did not claim an EEZ around those territories, it would then therefore merely leave those areas as international waters. Mr President, by allowing these British Overseas Territories

to benefit from their adjacent EEZs, it helps the islands to ensure they are more financially viable and independent. Of course, in the case of the Falklands, there is also a strong political imperative for the UK to support these islands.

The Isle of Man is not part of the UK and does not receive funding from the United Kingdom. For the Isle of Man to have an EEZ, it would mean taking something very valuable away from the UK. In addition, since the issue was last raised with the UK, there have been developments, as already mentioned, such as existing and proposed wind farms within the relevant area of the Irish Sea that of course currently and will benefit the United Kingdom. I believe these developments make it even *less* likely that the UK government would willingly engage on this matter with us.

Mr President, it has been effectively said today that there is no harm in asking, but of course there is a resource cost to every policy that this Hon. Court adopts. If that policy is not realistically achievable, I therefore have to question the value in adopting that policy. I suspect the vast majority of Members in this Hon. Court will recognise that it is unlikely that the Isle of Man will obtain the benefit of maritime holdings up to the median line between the Island and the UK. And as I have said, whilst I recognise the effort that has gone into this petition and indeed, like everyone else, I applaud the intent, realistically, we have very little chance of obtaining the benefits of those waters which lie outside our 12-mile territorial seas.

I believe, and Council believe, that we should instead concentrate our efforts and our resources on working to maximise the potential benefits of our own territorial seas. Therefore, Mr President, I would like to propose an amendment to the motion on the Order Paper. That amendment has been circulated and omits all the words after Philip Craine, and is replaced with the words ‘notes that a previous request for an Isle of Man continental shelf outside the territorial seas was unsuccessful, and considers that the Isle of Man should continue to focus its efforts on maximising the benefits of the Island’s existing territorial seas’.

Mr President, I beg to move:

*To leave out all the words after –*

*‘That Tynwald*

*(1) notes the petition of Keith Kerruish and Philip Craine’*

*and to add in their place –*

*‘; (2) notes that a previous request for an Isle of Man continental shelf outside the Island’s territorial sea was unsuccessful; and*

*(3) considers that the Isle of Man should continue to focus its efforts on maximising the benefits of the Island’s existing territorial seas’.*

**The President:** I call on the Hon. Member, Mr Crookall.

**The Minister for Infrastructure (Mr Crookall):** I beg to second, Mr President, and I reserve my remarks.

**The President:** I call on the Hon. Loayreyder.

**The Speaker:** Gura mie eu, Eaghtyrane.

The worst of all worlds, I was not going to speak on this, but I commend the petitioners for their work and I am just absorbing now this amendment in the name of the Chief Minister. Faced with the underarm bowl of this motion as presented, the easiest approach, and keeping it entirely within the executive control and without any formal timetable, the easiest thing to do would be to knock it out of the park. So I am massively disappointed in their abrogation of even an attempt at securing this economic benefit to the Isle of Man.

The Chief Minister, I do not dispute his version of history. The last negotiations on this, as he said, were in the 1990s; pre-devolution, pre-Scottish EEZ. There is no harm in having this on the agenda. And like Mr Craine, I would argue there is a moral, if not a legal argument, to having this

4805 on the agenda. I am not sure there would even be a dispute if we were an independent nation, that we may well then have a legal claim, but that is not where we are at, and that is for another day. But it does underpin the moral argument. The motion asks for nothing more than to enter discussions – and nothing more.

I would just point out that the UK are very quick to try and impress their domestic policies here on us, whether it is anything from wireless telegraphy down to financial services legislation. It would be nice to have a little bit of *something* to push back with in the moral argument.

So I do not believe there is any harm. I do believe that the few resources that would be taken up by this in terms of raising it at already existing negotiations would be a little bit of time well spent. I appreciate the Chief Minister setting expectations, which is absolutely fine and reasonable and I do not disagree with his overall assessment, but to somehow feel that this is not appropriate to even be on the agenda, I think is an abrogation of the responsibility and I wholeheartedly support Mr Craine and the petitioners' motion here today.

**Several Members:** Hear, hear.

**The President:** I call on the Hon. Member, Mrs Poole-Wilson.

**The Minister for Justice and Home Affairs (Mrs Poole-Wilson):** Thank you, Mr President; and indeed a rousing speech from Mr Speaker. But I do think, Hon. Members, we talk a lot about realism in this Hon. Court and about the realities of how we deploy our resource. And I think that is the responsible thing for us to consider.

Whilst the moral argument may well be powerful, I have to say that when I read the papers from the past attempts to have a negotiation with the United Kingdom about any attempt to extend beyond our territorial seas, it is not simply the resource that would be involved in trying to open this discussion and spent having these discussions. It is the reality that the basis on which anything might be ceded to the Isle of Man would be at a cost.

As has been stated, there is *no* legal basis upon which the Isle of Man can benefit from the seas beyond its territorial limits, and indeed the extension to our territorial seas was at a cost. Hon. Members, I ask you to reflect on what the cost the consideration would be today that we might be asked to spend if we were to be able to secure additional benefits.

So whilst I applaud the moral argument and the David and Goliath way forward, I have to caution, in the way that Hon. Members often caution Government, that we need to be realistic and we need to consider how we properly deploy our resource.

Thank you, Mr President.

**The President:** I call on the Hon. Member, Mrs Barber.

**The Minister for Environment, Food and Agriculture (Mrs Barber):** Thank you, Mr President.

I would like to say a few short words on this matter and I would also like to begin by thanking Mr Craine, Mr Kerruish and the late Mr Nigel Crowe for their work on this petition and my hon. colleague Mr Craine for bringing it forward for debate in this Hon. Court. The sentiment, intent and hard work that has gone into this petition and motion must be respected and thanked. My position, however, does echo that of the Chief Minister and I stand to provide my support to the amendment.

As an Island, we are international leaders in the sustainable management of our scallop fisheries and have demonstrated time after time that we can be trusted to manage our territorial seas for future generations. Naturally, I can see the benefit to extending our territorial limits to the median line. This would, of course, give us greater control for the extent of our fisheries and marine infrastructure. However, we already have opportunities to develop how we manage our seas and I firmly believe our efforts are best placed in developing further our existing relationships.

My Department has recently renegotiated the Fisheries Management Agreement 2012, which controlled what the Isle of Man Government could implement in the extended territorial sea in the context of the EU Common Fisheries Policy. This new arrangement, in the form of a memorandum of understanding, fully recognises the Island's autonomy over domestic fisheries management now the UK is an independent coastal state. We envisage that this new arrangement will pave the way for progressive and proactive management in the years to come.

The Isle of Man was allocated additional quota earlier this year and we are working hard with industry to ensure these fishing opportunities are effectively utilised. However, these fishing opportunities are not geographically limited to the Island's territorial waters. Manx fishing boats may utilise those fishing opportunities elsewhere in the Irish Sea. I feel we must focus our efforts on continuing to work closely with our industry to demonstrate the Island's capacity and ability to benefit from these new opportunities.

With increased fishing opportunities, emerging offshore energy developments, and increasingly a greater understanding of how a healthy marine environment has a crucial role in regulating atmospheric climate change, I feel we may benefit more by focusing on developing a strategic marine spatial plan for our existing waters. There are a great many unrealised environmental, economic and social benefits from our seas which may remain unrealised if we do not begin to think strategically about the competing interests in the marine space. The marine spatial management plan would allow us to maximise these environmental, economic and social benefits.

Our ongoing negotiations with the UK have successfully resulted in the Isle of Man being allocated herring quota in 2023, and an annually increasing quota of herring and langoustine for 2023 to 2026. Mr President, discussions are also currently ongoing with the UK regarding the possibility of extending eligibility for the Contracts for Difference (CfD) to the Isle of Man for offshore renewable energy projects. I would therefore like to focus and progress our current conversations with the UK about opportunities for CfD extension to the Island and increase quotas within our existing territorial sea area, as opposed to focusing on extending our territorial seas at this time.

Thank you, Mr President.

**The President:** I call on the Hon. Member, Mr Henderson.

**Mr Henderson:** Gura mie eu, Eaghtyrane.

I must thank the petitioners for eventually getting this here. Very well done to you indeed and to Nigel and Graham as well. Excellent. And to Mr Craine for putting an excellent speech forward in his opening pitch to this debate. Well done.

As a Manxman, I am quite uncomfortable with some of the commentaries I am hearing tonight, Eaghtyrane, and I am astonished at some of the responses to Mr Craine's submission, inasmuch as, 'You've got *no* chance, we've got no chance, leave it alone.' I have heard those responses all my life and the first example that I can give the Court is when nurses' grading took place in the Health Service in the early 1990s.

There was an absolute uproar over the unfairness of it and some of the staff side were not that interested; 'We can't succeed in improving our lot.' So I took it one step further and went down to see my good friend Bernard Moffatt at the Transport and General. We put the nursing division together and we fought tooth and nail for two years to get the grading criteria examined by an appeals panel set up and turned the situation round in the face of being told it was absolutely impossible.

I was told on my very first election campaign, Eaghtyrane, that – I can remember the voices now, they are ringing loud in my mind – 'Henderson, you've got *no* chance. I can fly to the moon easier than you'll get in there.' I just took that on the chin, and kept on and worked doubly hard at canvassing and meeting people and putting my policies out there. And funnily enough, I did

manage to get myself to the House of Keys, but it is the way I was told by loads of people, 'You've got no chance, it'll never work; what's the point of the effort? What's the point in the expense?'

4910 And the biggest example I can give the Court is probably the early mid-2000s, where under the English health service, under the stewardship of Andy Burnham at that time, was intent on breaking or not renewing our reciprocal arrangement – our health reciprocal arrangement that is, Hon. Members – and I think we can all understand the implications of that. In other words, if we were in the UK and became ill or otherwise, we would have to pay. We were going to be treated  
4915 more or less as an international citizen in that regard and the whole lot was being rescinded.

This went on for months, Eaghtyrane. Backwards and forwards, Council of Ministers making some representations, and in the end some representations I made in here, and other Members, Ministers were standing up and saying, 'No means *no*! The *end*!' And us backbenchers were all told, forget it, you have lost the reciprocal health arrangement.

4920 So what the next part of the plan was, some friends of the Isle of Man in Westminster were contacted, questions were placed, pressure was put on, I cannot remember if it was the Blair government at the time, but the pressure was firmly put on politically (**The Speaker:** Dawn Primarolo.) and lo and behold, things were changed. And we kept our reciprocal health arrangement in the face of being told: no, no, no, no.

4925 I would ask Hon. Members to think about this here. There is no harm in asking and there is no harm relooking at it after about 20 years. We are told often enough here, and certainly within a recent debate that we have had 10 to 14 votes on that, 'Oh, well, that was two years ago, we want it looked at again.' Well, let's have a look again now at this particular issue. Let's put some national pride in it. Let's go and give Whitehall a letter and see if we can jack a meeting up and test it out  
4930 on amicable terms.

I know what they like, Chief Minister; been there, done that. And to put, if I dare, Eaghtyrane, another example I fired off here in 1999, probably, the ex-Japanese prisoners of war who lived on the Isle of Man from World War II were looking for some sort of compensation payment in lieu of a non-apology compensation from the Japanese government. They were told to get knotted here  
4935 and worse still – and it was the Blair government then – they were certainly telling them to get knotted in England. It was all over the press.

So I brought a motion here with regard to that and lo and behold, another one, 'Oh, you'll never get it, we'll never get it, go away.' Well, we did. And the thing is, it is funny, what can happen in Tynwald can have some major effects, because the very next week, our friends in Westminster  
4940 to the Isle of Man were placing questions on the Blair government to congratulate the Isle of Man Government in recognising the plight of the ex-Japanese prisoners of war and to do the same thing. And lo and behold, after years of saying no, there was a U-turn under political pressure over there within about two months and the ex-Japanese prisoners of war over there got compensatory payments, or *ex gratia* payments, in lieu, as I have already explained.

4945 So you can actually turn things round, Eaghtyrane, is the longwinded explanation of my examples, and it is well worth a try, just to put on record, if nothing else, and see how far we can get with some gentle persuasion.

**The President:** I call on the Hon. Member, Mr Thomas.  
4950

**Mr Thomas:** Thank you very much; and before I start, I would just like to offer a personal thank you, then, to the Hon. Member of Council, Mr Henderson, as the grandson of a Japanese prisoner of war on the Thailand Railway. I had not ever realised that that had started in the Isle of Man. All of the things.  
4955

**The Speaker:** Eddie Lowie and George Waft.

**Mr Henderson:** It sure did.

4960 **Mr Thomas:** My parents appreciated, my mother appreciated greatly all the celebration that was made of her grandfather at that time.

The first point I would like to make is that I will actually be supporting the Chief Minister and the Government on this position, although I probably have the same pre-declared position it seems Minister Hooper has, because it was in my 2011 manifesto, the Peter Karran idea, and it has been in my manifesto, but I have taken a lot of time thinking about it, and I am sure it has been investigated more recently than the 1990s.

I would also like to thank Mr Crowe and the petitioners. I had the privilege and the honour to present the RBV to Mr Crowe, and I made a personal promise to him that I would consider this issue very carefully again. I explained to him why I did not think it would be successful and how I had been round this loop several times over the last 12 or 13 years, but I did make a promise that I would consider it again, and I have done that, and I really appreciate all of the documentation.

But I think the most important issues for me are relationships are based on realism and negotiation. So when the territorial seas negotiations were taking place in the run up to 1991, we had the great advantage that Mrs Thatcher wanted to have the Eurotunnel in place, and there was an opportunity for all the costs in negotiating our territorial seas being included in the French-British negotiations around the Eurotunnel, because there was still an ambiguity about where the French-UK border. At least that is how the chief negotiator explained it to me at the United Nations Association, that being the late Deemster William Cain.

So all the expenses and so on were being covered, and it was in the UK's interest to get a settlement to its entire set of boundaries because it suited the UK government. Mr Craine is probably correct; it probably suited the UK authorities in the run-up to the Scottish referendum to make some concessions to Scotland.

And that is where I wanted to start, because we have some things here that Scotland does not have. So Scotland does not have any of the oil and gas revenues from the United Kingdom's continental shelf directly. It gets them through Westminster and Whitehall. It does not get them. We *do* have that in the Isle of Man. Inside our territorial seas, we do have directly ... The Isle of Man is mentioned in UK legislation. We have that and that could be something very precious.

Admittedly we had a lot more, because back in the 1960s, as I understand it, we had half a percent of *all* of the oil and gas revenues from the continental shelf, which we negotiated away as part of those arrangements. So it will come down to negotiation.

I also think the Hon. Minister Barber made a very pertinent point, which is our major issue at the moment must be Contracts for Difference, getting access for 1.4 gigawatts. That is 3% of what they need in the United Kingdom before 2050 potentially. That is massive. It is going to take huge amounts of work. If, it is not a Crogga gas field, it is the Maughold gas field, I forget its exact name, but if our national resources are properly stewarded, we could be looking for some very delicate negotiations about how we take the hydrocarbons towards Barrow, Morecambe, wherever they are going to go to and we will need very delicate negotiations. That is absolutely massive.

The BBC Royal Commission is coming up again in 2026. We could save £1 million if we get that right and exploit some sort of Manxness when it comes to the BBC negotiations which are up for Royal Commission Charter and that is going to take a huge amount of diplomatic effort. Passports are getting tricky and migration is getting tricky. We are having to get into systems that are going to cost a lot of money for the UK to modify for our benefit and we are going to need good will on that side. In terms of vehicle licences and driving licences, it is becoming trickier and trickier and we are going to need a lot of good will.

So to me, the quintessence of a negotiation ... Sorry, and finally, we have to remember the Falkland Islands is not really relevant because it was the UK's continental shelf exclusive economic zone, it is not the Falkland Islands' as such, it is still a sovereign nation in that sense.

So basically what I am saying is negotiation is about understanding who you are negotiating with, it is about diplomacy to achieve your real objectives, and it is not risking what you already have. And what we already have, I think, is a good platform to negotiate some massively important

things for us. What I concluded around 2012, 2013, unfortunately, was that Peter Karran was wrong. It was very bold; it got me sacked from Liberal Vannin, probably, I do not know. (*Laughter and interjection*) But I did tell him, 'You're talking rubbish, it really doesn't stack up, Peter' and so on and so on. And that is quite an important issue for me.

I have rethought it, because I have got a huge amount of respect for Mr Craine, I had for Mr Crowe, but it seems to me, if you are going to get nowhere, what is the point of setting off to try and get nowhere, if that is what you believe.

**Mr Henderson:** What I was told, Chris.

**The President:** I call on the Hon. Member, Mr Mercer.

**Mr Mercer:** Gura mie eu, Eaghtyrane.

I think most people, when presented with a choice between no chance or little chance, they are going to select little chance, and I think I am going to do that.

Just to cover the cost aspect of it, we entered into an agreement in exchange for cash to extend our territorial seas. But we have extracted much more value from that purchase, over and above what it cost.

So I cannot support the amendment from Mr Cannan. I will be supporting the motion from the Hon. Member.

Thank you, Mr President.

**The President:** I call on the Hon. Member, Mrs Caine.

**Mrs Caine:** Thank you, Mr President; and I would like to thank Mr Craine for bringing this motion before us and also for the petitioners and all the hard work that has gone into the research of it.

I would like to align myself with the comments of Mr Speaker, Mr Mercer, Mr Henderson and others, to say I am baffled why we would say there is no chance of doing it, so we are not doing it. And when you consider the territorial sea, or the approach to have this extension to the halfway point on part of the territorial sea, was last attempted in the 1990s, isn't it time to have another go? And would that not stand a chance of at least being a subject for discussion openly with the UK authorities if it has the weight of Tynwald approval behind it?

I commend Mr Craine for bringing this before us, to see if Tynwald would put the weight of support behind it, (**A Member:** Hear, hear.) to say why wouldn't they? Why wouldn't they look at this on a moral argument to say why shouldn't the Isle of Man have to the halfway point? But the disappointment I feel about the amendment from the Chief Minister is that there seems to be a sense from CoMin, Council of Ministers to say, 'Oh, we better not, we've got far too many other important things.'

I would hate to think that we would go with a defeatist mentality to make this negotiation, and we would not be going saying this is a moral argument, why has this not been put forward; why has this not been considered before? And I do not think we should be defeatist.

Why would it not go on the list of items that it is right for the Isle of Man Government to have a sense of pride in our own nation which extends to our territorial seas, which we have demonstrated with our marine nature reserves and the Minister for the Environment, an excellent programme with a blue carbon project, marine nature reserves, and hopefully they will be extended? And with our Biosphere accreditation, Unesco Biosphere Reserve. Why would we not say we take good care of our land and our seas and for very good reasons we should extend it?

I am also baffled, and I do not know if the hon. mover would be able to answer, did Scotland, when they received the halfway point, negotiate it in terms of a big payment? And also, is it that we should not go ahead with it because there has been some pushback or some sounding out of the UK authorities already that has given the various Chief Minister and Environment Departments

the sense that it is not going to get anywhere and we really do not want to talk about that because we have got important other things to talk about? Or is it, it might be too expensive and therefore we should not go, rather than is this going to be an investment in the Isle of Man's future and is definitely something we should talk about?

But I think I am with the Hon. Members here today that say if there is a small chance, and because it is the right thing for the Isle of Man, I feel, to have the rights over our territorial waters to the halfway point, and there is a potential income there, this could be the magic money tree. I do not understand why Government is not keener on the idea that we should stake our claim to that.

Thank you, Mr President.

**Several Members:** Hear, hear.

**The President:** I call on the Hon. Member, Miss August-Hanson.

**Miss August-Hanson:** Thank you, Mr President.

We have got, with the Constitutional and Legal Affairs and Justice Committee, a constitution inquiry that is running at the moment. Very often we have come up against conversations about various different things regarding our constitution and regarding our external relations, where we have had a little bit of an internal battle within the Committee: 'Well, what about this and what about that? Is this too far? Is that too far? What about these relationships here and there?' And I think that those conversations are actually really important to have, so it is actually nice to have this brought to Tynwald Court.

I would like to thank my hon. colleague on Council, Mr Craine, and also the petitioners as well, for bringing this forward. Because I think it is really interesting and actually it is a bit innovative and it is a little bit enthusiastic. There is a bit of enthusiasm around the Court about what potential this might bring.

Cost: I have not really heard anything concrete from Government regarding cost just yet. If they could perhaps provide some information about what those costs might be, they might be somewhat persuasive.

I think, though, that I am of a mind to vote with Mr Speaker and also with Mrs Caine and others who have stood up and said, why not try, actually? Okay, it might sound a little bit bananas to some people in this room, but actually, why not try and just ask the questions? I do not really think that there is anything wrong with just asking the questions.

I know these relationships are incredibly important for a variety of reasons, and I get that. The relationship between ourselves and them is extraordinarily important and I get that bit as well. But this amendment from Council lacks ambition. Why not give these things a go? Thank you very much, Mr Craine, for bringing this forward. I think that it is a really interesting debate, actually. More debates like this, that are brought forward from a point of passion I think are important to note.

So thank you, Mr President; I will sit myself down.

**The President:** I call on the Hon. Member, Mr Glover.

**Mr Glover:** Gura mie eu, Eaghtyrane.

I thank the petitioners and Mr Craine for picking up the petition and bringing it here. I do not think the amendment, just to clear it, from Mr Cannan is a CoMin necessarily amendment. Correct me if I am wrong because I think Mr Hooper – (*Interjections*) I am wrong. Right. (*Laughter*)

**A Member:** Mr Hooper apparently has a pre-declared position.

5115 **Mr Glover:** Right, that is why I wanted a clear on that. So that is a CoMin and a pre-declared position for Mr Hooper, just for clarity.

I am minded to give this a go. We are only going to ask a question. We have had the subject of cost. We have not had any concrete figures as to what that is. If it is too much, we can always say it is too much. We cannot go ahead. So why is there any harm in actually asking on this for the interests of our people in the Isle of Man? There is no harm whatsoever in doing that and I think the mover himself said that we may well get the answer we are expecting, in which case this would not go forward anyway.

So, goodness sake, let's not be defeatist, let's get on with this and ask the question.

5125 **The President:** I call on the Hon. Member, Mrs Sharpe.

**Mrs Sharpe:** Gura mie eu, Eaghtyrane.

I would just like to say that if you do not ask, you do not get. So I will be supporting Mr Craine.

5130 **The President:** I call on the mover to reply.

**Mr Henderson:** Hear, hear.

**Mr Craine:** Gura mie eu, Eaghtyrane.

5135 There is a lot in there, really. I will try and be brief and take it through these.

The Chief first of all had talked about, and others have repeated again what he said, reflected it back, we have no legal right made under the United Nations Convention on the Law of the Sea – that is absolutely true. No recourse to law here. There is a fair and justice argument. I think that was accepted, but to have an EEZ would be difficult to argue. I would just remind there that the petition does not ask for the Isle of Man to have an EEZ. That would indeed be not within our current legal position, but it uses a different argument to that.

We would be asking the UK to give us some of its territory. The UK in the past has simply refused; talked about the different position of maybe the Falklands, Bermuda and some of the Isle of Man different to that. I think some of the key bits there, the cost was being referred to, the cost of every policy, the resource cost and financial cost. Unlikely to be a benefit; very little chance of success.

One of the things I would say about the legality is that these 150 countries with EEZs around the world, you can find websites that are just about current disputes in relation to EEZs. So they are challenged all over really, is part of the picture to that. But thank you for the comments. I understand the argument. Yes, we have not got a legal right, that is true. But we had not ever had a say in the legal right of the UK building wind turbines that we can see, they cannot, coming right up to the edge of our territorial sea. We have never had a say in that, we have never been party to that.

5155 So it is a most strange law situation that gives the rights to the seabed nearer to us than anybody else to a neighbouring country. It is a ... *[Inaudible]*

The Speaker then replied, and I was hugely grateful for his comments there – I have taught him well, is all I could say ... *[Inaudible]* Thank you, Mr Speaker.

**Mr Callister:** So you're to blame?

5160 **Mr Craine:** He referred to as disappointed at a lack of attempt. He did not dispute the Chief Minister's history, but he feels there is no harm in having this on the agenda. It is a moral argument; the motion asks for discussion, nothing more. It would perhaps be good to have on record that the Isle of Man has a sense of the lack of fairness, the lack of justice, the lack of reasonableness of this position that, as I said, these wind farms are encroaching on us and there will be more.

And when the wind farms as far down in the Celtic Sea are floating, we get them on the other side of the Island, too. So it is a developing situation as where the Irish Sea is getting developed and we are stuck here just with this 12-nautical-mile limit.

5170 Hon. Member Mrs Poole-Wilson, Deputy Chief Minister, she talked about the moral argument may be powerful, but it is not simply the resource issue, it is the reality. There is no legal basis on which the Isle of Man could benefit from that. She urged caution to be taken. I understand that comment too. I am not surprised that some Members think if the UK is going to say no, let's not go there. I understand that. But I go back to the comments shared by Nigel Crowe's brother.  
5175 He said Nigel thinks we are overcautious at times. And it is a Manx trait, isn't it, that we are cautious? It is an interesting view; nothing ventured, nothing gained.

The DEFA Minister, Mrs Barber, then spoke too and she spoke about the fisheries and the new arrangements ongoing there. And it has been a tremendous achievement, going through the work on that. And I would absolutely agree that yes, there are many potential benefits from the territorial sea, from the Irish Sea. We must ... *[Inaudible]* strategically, I would not doubt any of those. We must build on current conversations.

She talked about not trying to extend the territorial sea. This is not about the territorial sea. It is about the area beyond the territorial sea. But she was very much following the line that we focus on maximising the benefits of the territorial sea. I do not see it as an either/or. I do not see that one would necessarily affect the other. They could help each other.

5185 Mr Henderson made a really valuable contribution. He spoke about all his life he has heard this, 'We've got no chance.' And he gave several examples, but perhaps the best of the lot was when we thought we had lost our health reciprocal arrangements in there. That was perhaps the strongest one. People had given up on that: 'We've lost this, we're going to have to have insurances when you go across' etc., and that was later rescinded. Pressure was put on and things changed. There is no harm in asking. Let's have another look and see what can be done and he gave some other examples too.

Mr Thomas spoke in support of the amendment. He referred back to Peter Karran's ideas. Of course, this is a very different approach. This gentle approach, on the moral basis, is not a claim to have an EEZ. It is about relationships with the United Kingdom.

5195 Scotland. The areas of licences for mineral rights, I think they are still conveyed to Scotland in the EEZ, but I would be prepared to be corrected on that. Scotland has a territorial sea, but the territorial sea all around the UK that is administered by Crown Estates – Scotland has Crown Estate Scotland now. But then we got down into hydrocarbons and passports and vehicle licensing, driving licensing negotiations. I think the point coming out was it is not worth risking what we have. There is no attempt here to separate us from the UK. That is the beauty of this: it is not changing the relationships.

Council Member Mr Mercer spoke and he talked about little chance or no chance, most people would take the little chance; a bit of a chance at least. How the territorial sea has brought so many benefits to it. We paid £100,000 for it but I have seen Mr Mercer's work showing what that has been worth to us. Even just the seabed easements and so on and the advantages of that. So yes, thank you for that.

Mrs Caine expressed being baffled by the approach; that if the last attempt was in the 1990s, it is worth another go. Why wouldn't we look at this?

5210 She was not comfortable with the argument that we have got other important things to do. It is a moral argument, why not put it forward? And she made a good point about how responsible the Isle of Man has been in its Biosphere status and its maintenance of marine reserves. And what we have been doing off the coast of the Isle of Man is absolutely to be followed really. If we did have another area beyond that, we would be worthy guardians of that, in that sense. So investing in our future, it is doing the right thing.

5215 Miss August-Hanson the Council Member tied this into some of the Constitutional Committee experience. She described it as interesting, as innovative and different and had warmed to it because of that. Relationships are important, she gets that, but let's ask the questions, see where

it takes us to. And I think it is crucial that when we ask those questions we are not doing so in animosity or demanding or thumping the table. Asking those questions would be in the gentlest possible form, in terms of what is right, what is wrong.

Mr Glover ... *[Inaudible]* minded to give this a go. The cost that we might incur, resources cost, we have no figures on that. We might get a negative answer, but okay, we are no worse off. There is no harm done if that happens.

Mrs Sharpe, I thank her for her support.

I think in terms of where we are at the left of this, I undertook in a conversation or email exchange with Nigel Crowe back at the end of June, I did not realise at that stage just how ill he was, but I undertook to take his petition if he got it finished, and to bring it to this Court with a motion to take it forward. So I feel absolutely morally tied to sticking with the motion that I have got. I think the changes here are too great.

I could perhaps cope if we wanted to amend the way in which we would approach this. That might be something we could talk about. If we wanted to soften the wording to say, instead of having a policy on this, that we have an aspiration, if we wanted to get the words in that it would be fair, just and reasonable into the motion, I could go much more easily with those than I could with these here. So Eaghtyrane, I would like to move the motion that is standing in my name.

**The Speaker and another Member:** Hear, hear.

**The President:** Now, Hon. Members, we come to vote on this Item, Item 11, as laid out on the Order Paper, to which you have an amendment in the name of the Chief Minister. So I put first the amendment. All those in favour, please say aye; those against, please say no.

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

*In the Keys – Ayes 10, Noes 14*

**FOR**

Dr Allinson  
Mrs Barber  
Mr Cannan  
Mrs Christian  
Mr Crookall  
Ms Edge  
Mr Johnston  
Ms Lord-Brennan  
Mrs Poole-Wilson  
Mr Thomas

**AGAINST**

Mr Ashford  
Mrs Caine  
Mr Callister  
Mrs Corlett  
Ms Faragher  
Mr Glover  
Dr Haywood  
Mr Hooper  
Mrs Maltby  
Mr Moorhouse  
Mr Peters  
Mr Smith  
The Speaker  
Mr Wannenburg

**The Speaker:** Eaghtyrane, in the House of Keys, 10 votes for, 14 against.

*In the Council – Ayes 0, Noes 7*

**FOR**

None

**AGAINST**

Miss August-Hanson  
Mr Craine  
Mr Greenhill  
Mr Henderson  
Mrs Kelsey  
Mr Mercer  
Mrs Sharpe

**The President:** Legislative Council, none for, 7 against. Therefore amendment fails.

5245 So I therefore put to you Item 11 as on the Order Paper. All those in favour, please say aye; those against, please say no.

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

*In the Keys – Ayes 16, Noes 8*

**FOR**

Mr Ashford  
Mrs Caine  
Mr Callister  
Mrs Christian  
Mrs Corlett  
Ms Faragher  
Mr Glover  
Dr Haywood  
Mr Hooper  
Mrs Maltby  
Mr Moorhouse  
Mr Peters  
Mr Smith  
The Speaker  
Mr Thomas  
Mr Wannenburgh

**AGAINST**

Dr Allinson  
Mrs Barber  
Mr Cannan  
Mr Crookall  
Ms Edge  
Mr Johnston  
Ms Lord-Brennan  
Mrs Poole-Wilson

**The Speaker:** Eaghtyrane, in the House of Keys, 16 votes for, 8 against.

*In the Council – Ayes 7, Noes 0*

**FOR**

Miss August-Hanson  
Mr Craine  
Mr Greenhill  
Mr Henderson  
Mrs Kelsey  
Mr Mercer  
Mrs Sharpe

**AGAINST**

None

**The President:** Legislative Council, 7 for, none against. Therefore, motion carries.

**12. Wright's Pit North –  
Item withdrawn**

The Hon. Member for Garff, Mrs Caine, to move:

*That the Council of Ministers' decision [[GD 2023/0107](#)] to approve planning application 21/01000/B Wright's Pit North, Cranstal Road, Bride be annulled.*

**The President:** Item 12 is not being moved.

**13. Office of Human Resources Review –  
Immediate publication –  
Debate commenced**

The Hon. Member for Douglas South, Mrs Christian, to move:

*That the Isle of Man Government should publish immediately its review into the Office of Human Resources and its effectiveness which the Chief Minister announced in May 2022.*

5250 **The President:** So we therefore move to Item 13, Office of Human Resources Review, and I call on the Hon. Member for Douglas South, Mrs Christian.

**Mrs Christian:** Thank you, Mr President.

5255 Today I stand before you to address the importance of publishing the Review into the Office of Human Resources and its effectiveness, which was announced by the Chief Minister back in May in 2022. Our culture should be prioritised. The well-being and fair treatment of our people, those we represent and our staff.

5260 The Chief Minister at the time emphasised in his speech back in May 2022, stating that key principles, such as ‘listening, strategic thinking, stewardship, prioritisation, productivity, delivery and accountability’ should be *embedded* across all Government Departments. To ensure these principles are upheld, it is crucial that we hold our Government to account for its productivity and performance. At the time, the Chief Minister acknowledged this need for reform and announced a series of actions to bring about fundamental and wide-ranging changes across the public sector. This was welcomed by all of us.

5265 One of these actions is the Review into the Office of Human Resources. The Chief Minister acknowledged the importance of providing proper advice to Departments regarding the fair treatment of staff. Members of Tynwald will maybe remember additional questions during that session. Concerns were raised about the recruitment process, ethical standards and fairness in work in policy. The Chief Minister assured the Members that the review would encompass the entire public sector, including civil servants and those delivering frontline services. The aim was to ensure that the Office of Human Resources is properly run and that its interactions with Departments are effective.

5270 The Chief Minister also agreed the need to examine exit interviews and identify reasons behind staff departures, which was highlighted by the Hon. Member, Dr Haywood. And then in the October 2022 Tynwald session, I asked about the estimated budget for the review and how value for money would be measured. At the time, details were not addressed, but it was stated that it is essential that transparency and accountability are maintained throughout the process.

5275 Then again, concerns were raised in March 2023 Tynwald about the low levels of satisfaction expressed in the ‘Have Your Say’ survey regarding the Office of Human Resources. This was raised by the Hon. Member of Legislative Council, Mrs Sharpe. These issues must be addressed, as the Office of Human Resources cannot effectively resolve Government-wide issues if it does not understand what a positive working environment entails. The OHR Review, which the Cabinet Office Minister exclaimed, is expected to shed light on these matters, and she was expecting then to see that review in the following week at the end of March.

5280 Then in June 2023 Tynwald, I made a further enquiry regarding the publication of the OHR Review. The Chief Minister then committed to publishing both the report and the Council of Ministers’ response before the end of the parliamentary year.

And then lastly, in October 2023 Tynwald, in questioning the Chief Minister on his mid-term statement, I asked if he could advise when his Government would be publishing the OHR Review, to which he stated this:

... is currently being considered, or has been considered, by the Council of Ministers. I expect that will be published within the next few weeks, certainly by the end of November.

5290 Transparency, as I said, and accountability are key to building trust and confidence in our Government. To date, the Members of this Hon. Court have not seen the OHR Review and nor, to my knowledge, have we been advised of why there has been a delay in publishing the Review. And with that, I hope Hon. Members of this Court will be able to support this motion so that we can, for ourselves, understand the nature of the findings, so that we can ensure fair treatment,  
5295 improve performance and instil positive working culture to deliver the best quality of life for those who work incredibly hard in the Civil Service.

Thank you, Mr President. I wish to move the motion in my name: that the Isle of Man Government should publish immediately its review into the Office of Human Resources and its effectiveness, which the Chief Minister announced in May 2022.

5300

**The President:** I call on the Hon. Member, Mr Thomas.

**Mr Thomas:** Thank you, Mr President.  
I beg to second and reserve my remarks.

5305

**The President:** I call on the Hon. Chief Minister.

**The Chief Minister:** Thank you, Mr President.

I would like to thank the Hon. Member for Douglas South, Mrs Christian, for bringing this Item before the Court today.  
5310

I should apologise to Hon. Members for the delay in publishing this report, but Hon. Members of this Court will of course be aware that we have been undergoing significant changes in terms of the senior staff and personnel within the Cabinet Office and indeed across Government in many areas. Indeed, within the past six weeks the Chief Executive Officer of the Isle of Man Government has been appointed, along with the appointment to the new role of Chief Operating Officer of the Cabinet Office. Moreover, Mr President, at the present time, the recruitment of the permanent Executive Director of the Office of Human Resources is also being finalised.  
5315

Mr President, with these senior appointments having only recently been put in post, and indeed with these senior appointments still to be made in mind, the Council of Ministers believe it is only fair that the new senior executive team need time in order to take stock of the contents of the Review, as well as to confirm the direction, not only of the Office of Human Resources, but the improvements that they wish to bring to the Isle of Man Government to be brought forward.  
5320

Mr President, on that basis, I rise to move the amendment that the Review of the Office of Human Resources and accompanying Council of Ministers ... be responded to and published in April 2024. I think to emphasise the fact that we should give, if we want to do this properly, those new individuals who have taken up post that the restructure that has taken place in the executive team and the new chief officers who have taken post in Government themselves, in other parts of Government, be given appropriate time to look at such a report.  
5325

I would also point out that many of the reforms that we set out to achieve, as alluded to by Mrs Christian, have indeed been put in place and continue to evolve and be considered. This is clearly part of it, but we should not rush this, Mr President, and we should give now new senior officers a few more months, to properly apportion and understand what this report is saying, and to come to Tynwald properly with a considered report with considered response. To do so without a considered response I believe would only cause a great deal of consternation and would not be fair on those individuals.  
5330  
5335

I beg to move the amendment in my name:

*To leave out all the words after 'That' and to add in their place 'the review of the Office of Human Resources and an accompanying response should be published by the Cabinet Office in April 2024'.*

**The President:** I call on the Hon. Member, Ms Lord-Brennan.

**The Minister for the Cabinet Office (Ms Lord-Brennan):** Thank you, Mr President.

5340 I am happy to second that amendment, and perhaps also just to ... The Hon. Member for Douglas South is absolutely right: this Review is very important. It covers a significant area that that chief officers rely on, officers within Government rely on, in order to carry out their duties in respect of employees.

5345 I will probably just bring a bit of clarification to some of the points that the hon. mover is making, because I think that part of this is that there is actually quite a lot of confusion in some respects as to who does what. This Review of the Office of Human Resources was one key element. An important element, but one key element. It is not that the Office of Human Resources is running everything and making every decision. I feel like it is really important to take the opportunity, wherever I can, to remind people that the actual management of staff and handling  
5350 of things is something that is carried out as part of the function of accounting officers, chief officers in Departments and, as appropriate, delegated by them.

The reason why I mention that is because of course some of the other things, reforms that have been brought along, they have been going on anyway. That is why we have had changes in roles, from the Chief Secretary to the Chief Executive Officer, changing job spec for that. Alongside  
5355 that, the development of the role of the Chief Officer of the Cabinet Office. These are really important things that those rightful roles in achieving the things that the hon. mover wants to happen, and we all share that view, they need to have time to respond to that Office of Human Resources report.

It does not mean that the other aspects to do with cultural improvements have been somehow waiting on this OHR Review, because actually the cultural improvement programme went ahead  
5360 pretty much within weeks of May last year. Under the Chief Secretary, as was appointed at the time, that carried on. So just to give some assurance that there are different workstreams going on, it is not absolutely all to do with the OHR Review.

If I can just also add that changes have been also made to do with exit interviews and things  
5365 like that. So there have been various pieces of work that have been able to be improved and concluded. I do not think it was ever stated that there would be a full review of the entire public service. The things that were raised, and when the Chief Minister made his statement in May that year –and I think there have been at least three updates to this Hon. Court in respect of that – were quite distinct and in the main have all been concluded.

5370 Thank you.

**The President:** Now, Hon. Members, we have reached our allotted hour at 6.30. Court will now stand adjourned until 10 o'clock tomorrow morning.

*The Court adjourned at 6.31 p.m.*