



TYNWALD COURT OFFICIAL REPORT

RECORTYS OIKOIL
QUAIYL TINVAAL

PROCEEDINGS

DAALTYN

HANSARD

Douglas, Wednesday, 19th February 2020

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Present:

The President of Tynwald (Hon. S C Rodan OBE)

In the Council:

The Lord Bishop of Sodor and Man (The Rt Rev. P A Eagles),
The Attorney General (Mr J L M Quinn QC),
Miss T M August-Hanson, Mr D C Cretney, Mr T M Crookall, Mr R W Henderson,
Mrs M M Mask, Mrs K A Lord-Brennan, Mrs J P Poole-Wilson and Mrs K Sharpe
with Mr J D C King, Deputy Clerk of Tynwald.

In the Keys:

The Speaker (Hon. J P Watterson) (Rushen);
The Chief Minister (Hon. R H Quayle) (Middle);
Mr J R Moorhouse and Hon. G D Cregeen (Arbory, Castletown and Malew);
Hon. A L Cannan and Mr T S Baker (Ayre and Michael);
Hon. C C Thomas and Mrs C A Corlett (Douglas Central);
Mrs C L Barber and Mr C R Robertshaw (Douglas East);
Hon. D J Ashford and Mr G R Peake (Douglas North);
Miss K J Costain (Douglas South);
Mr M J Perkins and Mrs D H P Caine (Garff);
Hon. R K Harmer and Hon. G G Boot (Glenfaba and Peel);
Mr W C Shimmins (Middle);
Mr R E Callister and Ms J M Edge (Onchan);
Dr A J Allinson and Mr L L Hooper (Ramsey);
Hon. L D Skelly (Rushen);
with Mr R I S Phillips, Clerk of Tynwald.

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Tynwald

The Court met at 10.30 a.m.

[MR PRESIDENT *in the Chair*]

The Deputy Clerk: Hon. Members, please rise for the President of Tynwald.

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

5 **Members:** Moghrey mie, Mr President.

The President: The Lord Bishop will lead us in prayer.

PRAYERS

The Lord Bishop

Questions for Oral Answer

Procedural –

Questions 1, 2, 3, 18 and 19 to be taken together

The President: Hon. Members, please feel free to remove jackets if you wish.

Having made good progress yesterday, we turn to our Question Paper.

10 I intend to take Questions 1, 2 and 3 and also 18 and 19, in the name of the Chief Minister, together. The Chief Minister has leave for later this morning.

CHIEF MINISTER

1. Responding to correspondence – Government policy

The Hon. Member for Onchan (Ms Edge) to ask the Chief Minister:

What his Government's policy is on responding to correspondence?

The President: Question 1, Hon. Member for Onchan, Ms Edge.

Ms Edge: Thank you, Mr President.

15 I would like to ask the Chief Minister what his Government's policy is on responding to correspondence?

The President: I call on the Chief Minister, Mr Quayle, to reply.

The Chief Minister (Mr Quayle): Thank you, Mr President.

20 The Isle of Man Government's current policy on handling correspondence was issued in June 2019 by the Office of Human Resources on behalf of the Council of Ministers.

The policy sets out the general principles that Government correspondence should adhere to, provides guidance for officers on the handling of correspondence, and also provides timescales for responding to correspondence.

25 The documentation is available to the public and can be found online at hr.gov.im. I will also take this opportunity to circulate it to all Hon. Members.

The President: Supplementary question, Ms Edge.

30 **Ms Edge:** Thank you, Mr President.

Obviously recently there has been a number of concerns around the public receiving timely responses, from all areas of Government, and I just wonder how the Chief Minister, when he comes across a situation like that, how will Government deal with the situation to ensure that we, as a Government and Departments, are adhering to policy?

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

The Chief Minister: Thank you, Mr President.

40 Obviously there are going to be slips, we do not live in a utopian world, and sometimes those slips will be reasonable, if it is a highly complex request from a member of the public.

What I do expect is that the Department, or officer responsible for responding to the person, writes back to them (a) acknowledging the letter and (b) saying that more time will be needed to give them an answer, which is actually in the code that they can do if the question that is being raised is highly complex and will take a significant amount of time to respond to.

45 But if the Hon. Member has any examples where she feels that there has been a significant breach of the rules that we would expect our officers or ourselves to apply, then I am more than happy to take up her concerns.

The President: Supplementary question, Hon. Member for Douglas East, Mrs Barber.

50 **Mrs Barber:** Thank you, Mr President.

I wonder whether the Chief Minister can confirm if any level of audit is done relating to compliance with those times that are published, to give some reassurance to the public. But also whether he is aware of the amount of time it takes for the public when they have to chase those questions up? Obviously that means that sometimes complaints become the privilege of people who are either retired, have a lot of time on their hands, or have the money and the resources to pursue them.

60 **The President:** Chief Minister.

The Chief Minister: Thank you, Mr President.

65 I take on board the Hon. Member for Douglas East's comments about an audit. In a utopian world that would be fine, but if I have to pay officers to do an audit of the time they take to answer questions ... If it is a major problem, Mr President, then, of course, I would be happy to have the Chief Secretary look into it.

But I personally – and I might be the exception to the rule – I am not bombarded by people complaining that they have not received a timely response. Occasionally I get it from one well-known individual, but not as a general rule.

70

The President: Hon. Member of Council, Mrs Lord-Brennan.

Mrs Lord-Brennan: Thank you, Mr President.

Can the Chief Minister confirm that the code applies also to Tynwald Members as well as members of the public writing to Departments?

75

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

80

It applies to Departments and officers but I cannot set rules on how you as a Hon. Member must respond, that is for Hon. Members to decide. Obviously I would expect, and I am sure most of us do try and respond as quickly as possible but it is not for me to tell you, 'You must do it within 10 days', etc.

The President: Mrs Lord-Brennan, I suspect you wish to clarify your question?

85

Mrs Lord-Brennan: I would, thank you, Mr President.

I do not think I was clear enough, I was thinking more about Departments responding to Tynwald Members, and whether the code applied to that?

Thank you.

90

The Chief Minister: Yes, Mr President.

I am happy to confirm to the Hon. Member of Council that it does apply. And, as I say, I have asked my office to send a copy now to everyone for them to have a look.

The President: Supplementary, Ms Edge.

95

Ms Edge: Thank you, Mr President, and obviously I thank the Chief Minister for that clarification with responding to all of us in here.

I just wonder whether the Chief Minister can confirm who is ultimately responsible for ensuring that the policy is adhered to, is it the Chief Executive or is the Minister ultimately responsible?

100

The President: Chief Minister.

105

The Chief Minister: I suppose in a way it is both, and ultimately the Chief Secretary if a Department is not responding to answers. Obviously if a complainant complains and it is an officer who is dealing with it then it would be the responsibility of the Chief Executive to take the complaint forward. If it is a political Member not responding, say a Minister or a Department Member in charge of something, then I would hope the Minister, if he received a complaint, would step in.

110

But, as I say, Hon. Members, I am sure there is one niggle here to the hon. questioner on why we are being asked this, but I genuinely have not been swamped by complaints of this issue.

**2. Improving the lives of the most vulnerable –
Who is tasked in Government**

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

Who in the Government has been tasked with ensuring that the lives of the Island's most vulnerable improve during this administration?

The President: Question 2, Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

115 Before I ask the Question can I please clarify that, despite being on the Poverty Committee, this topic has not been discussed there, thank you.

The President: Hon. Member.

120 **Mr Moorhouse:** I would like to ask the Chief Minister, who in the Government has been tasked with ensuring that the lives of the Island's most vulnerable improve during this administration?

The President: Chief Minister to reply.

125

The Chief Minister (Mr Quayle): Thank you, Mr President.

The simple Answer, Mr President, is everyone in this Court has a role to play in improving the lives of the Island's vulnerable people.

130 An inclusive and caring society is one of the three strategic objectives of the Programme for Government. Different parts of Government lead particular services. For example: Health and Social Care for vulnerable patients or Social Care users; Treasury for Social Security funding to those in financial need; the Council of Ministers' Social Policy and Children's Committee coordinates integrated social policy supported in delivery by the Social Policy Lead Officer Group; and the Children's Champion and Equality Champion are advocates for their respective
135 areas and the vulnerable amongst our society. Together efforts continue to be focused on delivering for the Island's most in need and actions to support this.

The President: Supplementary question.

140 **Mr Moorhouse:** Thank you, Mr President, and thank you, Chief Minister, for that Answer.

This is a very diverse range of people within the category, but they have very similar needs. Could one person effectively champion this area and bring together the aspects you have identified?

145 **The President:** Chief Minister.

The Chief Minister: Thank you, Mr President.

150 I think the Hon. Member has maybe answered his question or given me the answer, because it is diverse. This covers a plethora: from families struggling to make ends meet because maybe one of them has just lost their job; to having a sick child; to being an elderly person suffering with dementia with no family support on the Island and help needed there. The range of services, as I mentioned, Social Care with Treasury, the Department of Health and Social Care, the Equality Champion, the Children's Champion. I think for one political Member to be given responsibility for that, they would be swamped, Mr President.

155 And that is why I said at the start of my Answer it is for everyone to work towards improving and looking after our vulnerable people. That is surely what we all stood for. Yes, we all want to grow the Island, we want to grow the financial sector, but only so we can generate money to look after our most vulnerable in the Island and take people on a journey of increased wage returns and better services.

160 We have just seen the Budget where we have increased benefits; we have maintained the mental health officers supporting the Police out on the street. These are all excellent ways that we are going in the right direction. Have we reached utopia? No, Mr President, I am afraid we never will, but at least we can do our utmost to make it a better world for all the people of the Island, and we can only do that together. There is an old phrase, Mr President – if you fight on
165 too many fronts you get beaten.

The President: Supplementary, Mr Moorhouse.

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

170 In terms of what has been done so far – giving the assistance to Graih has been a great move – going forward do you think that can actually be built on and other areas of vulnerability can be assisted?

The Chief Minister: Thank you, Mr President.

175 The Hon. Member raises a very important point, which is very close to my heart. I have had a number of discussions with my colleague, the Minister for Policy and Reform, Mr Thomas, and we are working behind the scenes on ensuring that we can come up with some good news this year on areas where we can help those vulnerable people on housing matters.

3. VE Day 2020 – Encouraging commemoration

The Hon. Member for Garff (Mrs Caine) to ask the Chief Minister:

What plans he has to encourage Island residents to commemorate VE Day on 8th May 2020?

The President: Question 3, Hon. Member for Garff, Mrs Caine.

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

I would like to ask the Chief Minister what plans he has to encourage Island residents to commemorate VE Day on 8th May 2020?

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

The Chief Minister (Mr Quayle): Thank you, Mr President.

I thank the Hon. Member for her Question and I am pleased to have the opportunity to outline Isle of Man Government's plans for the commemoration of the 75th anniversary of VE
190 Day in May this year.

Officers in the Cabinet Office are leading on the co-ordination of a range of events, some of which are in conjunction with similar plans taking place in the United Kingdom. For instance, 'The Last Post' and 'Battle's O'er' will be played at a set time at locations across the United Kingdom, including the summits of the four highest peaks. The Isle of Man will be joining in this
195 commemoration with a ceremony at the summit of Snaefell. At the same time, thousands of pubs throughout the UK will participate in the Nation's Toast to the heroes of World War II by

asking their customers to raise a glass in remembrance. We have written to all the Island's pubs to ask them to consider participating.

200 Later that evening, town criers across the UK and across the world will take part in a synchronised 'Cry for Peace around the World'. In lieu of a Manx town crier, we are hopeful that the Isle of Man Scout Association will be willing to step in and conduct the cry for peace, and I have had a personal meeting with the Head of the Scouting Association.

205 Just after the cry, church bells will ring out across the United Kingdom and we have endeavoured to contact as many churches as possible on the Island to ask them to consider participating, if they are able to.

In addition to our participation in these United Kingdom and worldwide events, the Isle of Man will also be holding its own national celebration event the following day, Saturday 9th May. This will begin with a parade through the streets of Douglas before an open air event in the Villa Marina gardens for members of the Armed Forces community and the general public to get 210 together, enjoy light refreshments, and a programme of musical entertainment. The event will reflect the street-party atmosphere of VE Day in 1945, and we hope will include World War II reenactors, period costume, vintage vehicles and many other features to make it a truly special occasion.

215 I am also aware that Manx National Heritage are planning a series of special events on their sites to mark the anniversary, and we have written to all local authorities to encourage them to consider holding their own commemoration events around the Island.

Finally, my good friend and colleague, Mr Henderson, Member of Council, advises me, or reminds me, that we will be issuing coins for VE Day commemorations and these will take the shape of a special 50 pence piece. Also we have a gold sovereign, which is already out now, 220 Mr President, commemorating a special day.

The President: Supplementary, Mrs Caine.

Mrs Caine: Thank you.

225 I would like to thank the Chief Minister for that detailed Answer and I would just like to ask him where would people be able to find out that information? Will it be publicised, is it already on the Government website?

And would he agree with me that there are many people on the Isle of Man who would like to honour our war veterans, some of whom survive from this time, and they would like to 230 participate in the many events that he has just outlined.

Thank you.

The President: Chief Minister

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

I think nearer the time we will, of course, be advertising amongst the media the Government plans and asking for people to get involved. If you go too soon, it will get lost. We are in the middle of February; this is in May, so in the near future we will be putting this out, of what we are doing, to all the public.

240 But I am delighted to be able to give Hon. Members a flavour of what will be happening in advance.

The President: Supplementary question, the Lord Bishop.

245 **The Lord Bishop:** Thank you, Mr President, and I thank the Chief Minister very much for those comprehensive plans for the celebration in May.

Would the Chief Minister agree with me that perhaps after that stage we should reflect also on some sort of commemoration for the 75th anniversary of VJ Day on 15th August, to ensure

that those who fought in what is sometimes called the 'forgotten army' in Kohima and elsewhere are similarly commemorated?

Thank you, Mr President.

A Member: Hear, hear.

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

I think our Lord Bishop, yet again, comes up with a good point which I will, of course, take on board and agree to.

18. Administration successes and failures – Details and measurements

The Hon. Member for Douglas South (Miss Costain) to ask the Chief Minister:

What have been the successes and failures of his administration; and what he is using to measure the success or failure of each?

The President: We turn to Question 18, Hon. Member for Douglas South, Miss Costain.

Miss Costain: Thank you, Mr President.

I would like to ask the Chief Minister what have been the successes and failures of his administration; and what he is using to measure the success or failure of each?

The President: Chief Minister to reply.

The Chief Minister (Mr Quayle): Thank you, Mr President.

It is a little bit of a lengthy Question but I suppose if I hold that up, which all Members have, so I cannot be accused of – thank you (*Laughter*) – not contributing it to ... and that is the Programme for Government. Our Island: a Special Place to Live and Work, Programme for Government 2016-2021.

So, Mr President, at the beginning of this administration Council of Ministers, along with Tynwald, developed the Programme for Government, a five-year plan for delivery during this administration.

Each quarter we report on progress being made, the successes and failure, if you will. And I am proud to be able to stand here and read a lengthy list of successes, which include: securing our sea services through capital investment in the Liverpool landing stage and the acquisition of the Isle of Man Steam Packet Company; agreeing a Climate Change Action Plan; addressing concerns about gas price review through a review of the Manx Gas Regulatory Agreement and negotiations with Manx Gas in the form of a new agreement continue; developing secondary legislation to work towards addressing public sector pension shortfalls; investigating concerns over the use of zero-hours contracts. I have got three pages of lists of things, I am not going to bore Hon. Members with our successes, but I am very proud of them.

Yes, there are – I am not going to say failures – I am going to say there have been slippages, Mr President, in the delivery of some of our plan. But if you run a business, or any venture, you will set yourself targets and you will be successful on some and other areas you might be a little bit slow and in other areas you will have had failure.

What I have done is I have had it analysed, just to see how much have we completed, Mr President, to date, so can we say whether it has been a success or not. Now, the actions to date that we agreed was 180, we have completed to date 81 of those actions, that is 45% have already been completed.

If you look at the performance in year 3 for outstanding actions that we have given ourselves extra to do – we use the green, amber and red traffic light system – green, 47 of those actions are on target to be completed, that is 58.02%. Yellow, a risk of falling behind target is 26 items, which is 38.10%, and red, behind schedule, not on track, is 9.87%.

Now, whilst, of course, I am sure everyone in this Court will be disappointed that it is not 100% green, life is never 100% green, Mr President, and we are committing – we have departmental meetings, we have weekly Council of Ministers' meetings, where we discuss the Programme for Government to see where there are problems and what we can do to bring it forward.

So I would say the biggest success of this administration and this Tynwald is working together, because we could not have achieved any of this if the vast majority of us have not worked for the greater good of the Island. I have been in previous administrations where there was just too much infighting. So we have achieved a lot but we can do better, and we constantly strive to.

The President: Supplementary question, Miss Costain.

Miss Costain: Thank you, Mr President.

I wonder if the Chief Minister would circulate, I think he said it was four pages of successes that he had, and obviously there will be some pages of what he considers to be either failures or slippages, if he could circulate them for Members I would be grateful.

And in the meantime, could he actually confirm whether on his successes or failures, which ones do they come under, just a few of the things I am thinking of: improving homelessness; improving fuel poverty; improving housing. I mean, there is quite a list of things that should figure in one or the other, and I am wondering if he can confirm which those three are on?

The President: Chief Minister.

The Chief Minister: Thank you, Mr President, and I thank the Hon. Member for her comments.

Yes, homelessness and hunger is something that we are working hard on at the moment. And there was an article that my hon. colleague and friend, Mr Thomas, had published in Tuesday's *Examiner* showing what has been done and where the problem has been, but showing equally the levels of support that the Salvation Army used to give, from a hunger point of view, showing those levels going down and at the same time that the volume is going up with the food bank. The point was to show that one provider has pulled out and another has seen a significant rise, because the previous provider has focused their attention on other areas. And fuel poverty, which the Hon. Member mentions, is one area that the Salvation Army has decided to focus on.

So, yes, there is more that can be done. That is one of the areas where I would say we are on amber and we need to ensure we do not slip into red because it is incredibly important.

Mr Thomas: Hear, hear.

The President: Miss Costain, supplementary.

Miss Costain: Thank you, Mr President.

I notice that the Chief Minister did not answer my first question, obviously he probably forgot while he was looking for the answers possibly to my second question, which was would he

circulate his lists of what he has, which are too numerous to read out today for both successes and failures and/or slippages.

The President: Chief Minister.

345

The Chief Minister: Yes, I should have yes to that straight away, that is a given.

The President: Mr Hooper, supplementary.

350

Mr Hooper: Thank you very much, Mr President.

I am really grateful for the Chief Minister actually pointing back to the Programme for Government in his Answer this morning. I think it is quite important that we keep reiterating that that is the central cornerstone really of this Government.

355

It is reassuring to hear the Chief Minister mention he does not want some of the amber to slip into the red because obviously it will get even worse. My question for him is can he maybe give us some information on what it is he is doing himself to try and push his Ministers to make sure they are delivering on the actions that are set out within the Programme for Government?

The President: Chief Minister.

360

The Chief Minister: Thank you, Mr President.

I am happy to confirm that it is a special agenda item on the Council of Ministers every Thursday. I ask every Department, 'Are you on track with your Programme for Government responsibilities? If you are not what are the problems and what are you doing to catch up and is there anything else that we can do to help to put additional support in there?'

365

Nothing would give me greater satisfaction than to say, in a year's time, that we have hit all our targets or everything is green. That is our aim, I am sure we all want to see that.

I live in a world, sadly, where sometimes there are slippages for other reasons. I think I mentioned Manx Gas, and I was really close to getting that sealed and delivered and then along came climate change and our statements, as a Tynwald, on what we were going to do for our strategy. Obviously that raised concerns about the infrastructure and we needed to give them a little bit of extra time to work on that as a result because it had a key impact on their core business. So, yes, that is a slippage, it is a slippage I regret, but when you look at the bigger picture – I am giving this as an example now, you have to concede that if we as a Government come up with something that is going to fundamentally alter a business then it should be given a little bit extra just to look at the detail when it is negotiating with us. That is something where there has been slippage but I think it is reasonable and I am doing everything in my powers to move that on.

375

The President: Miss Costain, final supplementary.

380

Miss Costain: Thank you, Mr President.

Could I just ask the Chief Minister, I know the Programme for Government is the central cornerstone of everything that this administration looks at but there will be things – and I would say usually successes – that are outside of the Programme for Government that have happened. Would he include those in the list that he is circulating and could he also, on that list, because my original Question did ask what he is using to measure the success or failure of each, and I would ask him if he would be including that when he circulates the lists of both to all Members?

385

The President: Chief Minister.

390

The Chief Minister: Thank you, Mr President.

I am more than happy to circulate, I have a document here which shows, and I think it is available to Members; it lists all the items of Government business in the Programme for Government and says where we are. It says who has taken responsibility to deliver that, it gives what is a success, what is the key performance indicator and the date that it is to be completed. I will happily send it to all Hon. Members, just reminding them where we are with all the items in the Programme for Government. To some who are not on Departments I concede it will not be something they get to see on a weekly or a monthly basis but to others it will be something that they will see when they take part in their Department meetings of where their Department is in providing the deliverance of the Programme for Government.

The President: Mr Thomas, you had a final supplementary.

Mr Thomas: Thank you, Mr President.

Does the Chief Minister agree with me that in April a Programme for Government debate is scheduled and for that report, as every year, there will be a clear set of indicators about achievement of the strategic objectives of the Programme for Government, and also this year a clear indication of all the national indicators against each of the 20 outcomes as well as the performance on the red, green and amber scale in terms of the actions to deliver that Programme for the Government?

And the key reference is gov.im/performance, where all the documents that the Chief Minister has referenced have been available in public for a great deal of time.

The President: Minister.

The Minister: Thank you, Mr President.

I thank the Hon. Member of the Cabinet Office, Mr Thomas, for reminding me of the fact that these are available and showing us all that this is an administration that is open. It wants to share what it has achieved.

We may not be perfect, I am sure far from it, but we are doing our best and sharing information with the public and with all of this Hon. Court is important.

If there are any areas where people feel that we are slipping, that maybe a Department has been not as vigorous as it should be and that I have not pointed that out to them, then I am more than happy to receive feedback from Hon. Members, and I will do my best to improve the situation.

19. ARUP Laxey independent flood report – Publishing

The Hon. Member for Garff (Mr Perkins) to ask the Chief Minister:

When the ARUP Laxey independent flood report will be published?

The President: Question 19, Hon. Member for Garff, Mr Perkins.

Mr Perkins: Thank you, Mr President.

I would like to ask the Chief Minister when the ARUP Laxey independent flood report will be published?

The President: Chief Minister to reply.

435 **The Chief Minister (Mr Quayle):** Thank you, Mr President, and I thank the Hon. Member for his Question, which I do understand is a serious issue in his constituency.

 In accordance with the Terms of Reference for the Independent Review into Laxey Flooding, sent to the Hon. Members for Garff on 18th October and then to all Tynwald Members on 21st October last year, the final report is expected to be supplied to the Cabinet Office next month.

440 It has always been my intention that the report, or as much of the report as possible, will be published.

The President: Supplementary, Mr Perkins.

445 **Mr Perkins:** I thank the Chief Minister for his reply and we certainly look forward to that report being published.

 It is vitally important that the Government does respond in a manner that is seen as equitable because there are people on Glen Road who have been flooded and they have virtually lost everything. They are struggling to get insurance at a price they can afford, some are
450 struggling to get flood insurance at all. They are unable to sell their houses. Many residents are in a state of despair.

 Would the Chief Minister agree with me it is vital that when we get this report the Government acts on it and does everything possible to alleviate the worries and the concerns that local residents of Glen Road have?

455

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

460 I share the concerns of the Hon. Member for Garff and I am sure his colleague, Mrs Caine, too will have exactly the same concerns.

 I had better be careful on equality now, a person's home – it used to be an Englishman's home – is their castle, isn't it? And it does not matter whether you live in a billionaire's house or a one-bedroom house, that is your home, and to see it flooded ... I had the honour of being invited into people's houses to see them at their worst, and it was very humbling and moving to
465 see the awful mud and water and the downstairs of their houses, if they had a two-storey, absolutely ruined and all their personal belongings trashed. That is why I said we would have an independent review into what went on and that independent review will come next month, and I will do my utmost to ensure that we take on board whatever that review says and make the improvements to help those people who have been affected.

470 Government is not a bottomless pit, Mr President. We have seen the terrible flooding in Yorkshire in the last few days where hundreds and hundreds, if not thousands, of homes have been flooded.

 But there are schemes that I know we are looking into, the UK scheme, to see whether we can help from an insurance point of view for the residents, and not just for the residents of
475 Laxey, but should this happen in the future elsewhere we need to make sure we are well prepared, so we will do our utmost.

The President: Further supplementary question, Mr Perkins.

480 **Mr Perkins:** I thank the Chief Minister for that and the reassurance that he has given us. Would he agree that it is important to make sure the Departments still continue working together, not just in Laxey, but across the Island, and that we actually communicate to the people what we are doing and when we are doing it?

485 **The President:** Chief Minister.

The Chief Minister: Yes, Mr President.

I am well aware, having personally read the report into itemising the number of areas of the Island that were accessible or could have been flooded in an exceptional event, and whilst Laxey was high up at number five, if memory serves me correct, there are other areas. I think it is important that whilst we focus – and we have done, we have built a brand-new storm-proof wall along Laxey River. The previous wall was purely there to stop cars crashing into the stream, it was not able to take a heavily swollen river – we do look at all the other areas in the report and ensure that we get there as quickly as possible.

But I have to put a marker down that obviously there is significant cost involved in doing everyone. We cannot do everyone straight away, it will take time, and if Hon. Members read the report they will see the time put aside for the various levels and areas of concern.

The President: Supplementary question, Mr Baker.

Mr Baker: Thank you very much, Mr President.

Would the Chief Minister agree with me that for the issues of both flooding and coastal erosion where there is significant cost, these issues are going to continue to recur until action is taken, and that we cannot necessarily afford to wait until we can afford to do these things at a slow pace and that this may be an area in which some of the innovative financing solutions which were talked about during yesterday's budget debate, where we are investing in the infrastructure of the Island to address these issues where there may be something that needs to be considered.

The President: Chief Minister.

The Chief Minister: Thank you, Mr President.

I take on board the Hon. Member's comments, and I am trying to be fair here. I could point out he sits on Infrastructure and therefore has a greater knowledge than me of what is being prepared, but I am taking it as a genuine concern.

Looking at pictures on the television in the last couple of days we have seen people coming on and saying in the 100 years that records have begun in Yorkshire a bridge has never seen the water as high as has happened. Now, we could put the very best flood defences in Laxey, where we are putting the best that we can do, we could put them in Ramsey where I know we are looking at putting a wall in and that is in negotiation with the people of the north at this moment in time –

Mr Cretney: Build a wall! *(Laughter)*

The Chief Minister: – but sadly, there is no guarantee that when we do that that we will save ... If you have a high tide at the same time as you have a flash flood coming down a river, we did not have that in Laxey, a few hours difference and we could have been looking at something far more serious.

What I am trying to say, Hon. Members, is no matter what we do we cannot beat Mother Nature. We have seen global warming. We have agreed a strategy to try and reduce our net carbon emissions down to zero by 2050. There are events that are going to happen that no matter how much work we do, sadly, flooding will take place.

I hope Hon. Members, when we do this work it is not a case of if it happens in the future we are going to get assassinated because we have not done enough, because the answer is we can never do enough for this sort of thing. But anything we can do we should do as soon as possible.

The President: Mr Baker, supplementary.

Mr Baker: Thank you very much.

I was concerned for a moment there that it may give the impression that we were not going to take the actions. But the Chief Minister, I think your final comments said that we absolutely
540 need to address these issues and take the steps that are necessary, because these are serious issues. So if you could reconfirm that is what I heard at the end, I would appreciate that.

The Chief Minister: Yes, I can absolutely confirm, Mr President, that this administration and especially the Department of Infrastructure, working with the MUA, will be doing their utmost to
545 drive forward the changes.

Laxey had been getting the various modulations done of the river flow and the rain in that area, and was on track to have work done. It had started; about to work on the Promenade but the river burst its banks. It is something that the team are working on, but obviously with the events of Laxey I am sure it has focussed everyone's minds that we must work harder and we
550 must do better in this area.

EDUCATION, SPORT AND CULTURE

4. Union pay negotiations – Minister and Department member presence

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Education, Sport and Culture:

How many times he and his Department members have been present at union negotiations on pay?

The President: Question 4, Hon. Member for Onchan, Ms Edge.

Ms Edge: Thank you, Mr President.

I would like to ask the Minister for Education, Sport and Culture how many times he and his
555 Department members have been present at union negotiations on pay?

The President: I call on the Minister to reply, Mr Cregeen.

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

560 Mr Hooper and the Chief Executive Officer met with NAHT at the Comis Hotel on 5th September, in connection with their trade dispute but this was not part of any pay negotiations. I was off-Island at the time.

Mrs Corlett and I had a meeting with the NAHT together with the Chief Executive, Director of Education and HR business partner on 30th September 2019, in relation to their trade dispute,
565 as a result of which a 10-point heads of agreement was agreed, which included suspension of their industrial action and an agreement to seek JNC approval for a working group to discuss pay.

The political Members and I had a meeting with ASCL on 1st October 2019, in relation to their trade dispute, but this also was not part of any pay negotiations.

570 Other than this, the political Members and I have been kept fully updated regarding the pay negotiations with the teaching unions but have played no part in the negotiations.

During the four days of pay negotiations with all four teaching unions on 7th, 8th, 11th and 12th November, I attended on the first day to greet the unions, and that was for about five or 10 minutes. Mrs Corlett, Mr Hooper and I attended after lunch on the fourth day for 35 minutes for
575 a short question and answer session, but we did not engage in negotiations.

The President: Supplementary question, Ms Edge.

Ms Edge: Thank you, Mr President.

580 The Minister just said that the Hon. Member for Ramsey and the CEO met on 5th September but that pay was not discussed at that point, so was it not part of the dispute at that point?

I would also like to ask the Minister, because I am quite certain in the local press or on the local radio he said he has not been involved in any negotiations, but he has quite clearly been attending briefings and been updated, you said that yourself and Mrs Corlett were also in attendance for a briefing. I am just unsure really of the clarity around this.

585 And the Minister has only talked about teachers, I asked about his Department and negotiations on pay and we have a lot of other employees other than teachers within the Department of Education.

The President: Minister to reply.

590

The Minister: Thank you, Mr President.

The Question says:

How many times he and his Department members have been present at union negotiations on pay?

That is what the Question is. It was not about officers; it was about myself and the members. The discussion was about their trade dispute. We did not take part in the negotiations, and I think it is quite appropriate that we are kept up-to-date from officers who are doing the negotiations.

595

The President: Supplementary, Ms Edge.

Ms Edge: Thank you, Mr President.

600

I think the Minister is missing the point. So is he confirming that pay for the whole of his Department is getting negotiated at these meetings? Because I have not specifically said, and he read the Question out again, the Question was:

How many times he and his Department members have been present at union negotiations on pay?

It is not just union negotiations with regard to the current dispute; it is any union negotiations.

605

The President: Minister.

The Minister: Thank you, Mr President.

610

I cannot recall being in negotiations on pay.

Mr President, we have been waiting a number of weeks for three of the unions to get back to us to agree a date to go to the Manx Industrial Relations Service. They have not got back to us yet to agree a date. I would urge the three unions, even at this stage, to contact the Manx Industrial Relations Service so that we can meet even this week to try and come to an agreement so it does not disrupt our children's education any further.

615

**5. National Sports Centre –
Improvement works**

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

If he will make a statement on the improvement works to the National Sports Centre?

The President: Question 5, Hon. Member for Arbory, Castletown and Malew, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

I would like to ask the Minister for Education, Sport and Culture if he will make a statement
620 on the improvement works to the National Sports Centre?

The President: I call on the Minister to reply, Mr Cregeen.

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

625 It is with great regret that the flumes in the leisure area of the pool are still not open, but
dialogue is still progressing with the main contractor, specialist sub-contractor and supplier to
resolve the issues with the new flume installations, which has held up the reopening of the
leisure pool. It is hoped that this will conclude shortly and that, following approval, work can
progress, including the necessary manufacturing of new stair components and steelwork for
630 installation.

The negotiations are a matter of commercial confidence. I will update Members on the
proposed completion date of the works once the negotiations have been concluded and
approval has been granted to recommence.

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

Mr Moorhouse: Thank you, Mr President, and thank you, Minister, for that detailed Answer.

Can we expect an opening of the facility before the Easter holidays?

And with reference to the cost, in the Pink Book it shows a spend of an initial £650,000 this year
640 and £200,000 next year, is this related to this issue?

The President: Mr Cregeen.

The Minister: Thank you, Mr President.

645 Unfortunately the flumes are not going to be open for this Easter. As I said, we are in
contractual talks with both the suppliers and the main contractors. It is extremely disappointing
that when we have gone out to contract for people to supply goods that these goods have not
been supplied in a way that we thought they should have been.

The contract price in the Pink Book is a price for the whole of the scheme. I am not aware of
650 additional costs at this time.

The President: Final supplementary, Mr Moorhouse.

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

655 With regard to the initial cost, that was £4.2 million. The cost in the Pink Book is
£5.348 million. Is that the final figure he expects it to be?

The President: Reply, sir.

The Minister: Thank you, Mr President.

660 I am not aware if there is going to be additional cost to come to the Department.

ENVIRONMENT, FOOD AND AGRICULTURE

6. Trafalgar Hotel, Douglas – Building preservation notice request; DEFA registration powers

The Hon. Member of the Council, Mrs Maska, to ask the Minister for Environment, Food and Agriculture:

What steps his Department has taken in response to the formal request dated 24th January 2020 that his Department serve on the owner and/or occupier of the Trafalgar Hotel, South Quay, Douglas a building preservation notice under section 17 of the Town and Country Planning Act 1999; and what powers and resources his Department has to properly assess and progress the registration of this building?

The President: Question 6, Hon. Member of Council, Mrs Maska.

Mrs Maska: Thank you, Mr President.

665 And if I might just say before, I have a series of Questions but I would like to assure Members that these Questions are asked in the spirit of working together, as the Chief Minister has referred to earlier.

I would like to ask the Minister for Environment, Food and Agriculture what steps his Department has taken in response to the formal request dated 24th January 2020 that his Department serve on the owner and/or occupier of the Trafalgar Hotel, South Quay, Douglas a building preservation notice under section 17 of the Town and Country Planning Act 1999; and what powers and resources his Department has to properly assess and progress the registration of this building?

Thank you, Mr President.

675 **The President:** I call on the Minister to reply, Mr Boot.

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

I am not sure that it is appropriate to comment in this Court on specific cases, nevertheless I shall speak in general terms.

680 The Department may, if it appears that a building which is not registered is of special architectural or historic interest, *and* is in danger of demolition or of alteration in such a way as to affect its character as a building of such interest, serve a Building Preservation Notice.

Such a notice has the effect that the building is treated as being a registered building and the notice remains in force for four months from the date it is served, or until the Department registers the building, or the notice is withdrawn.

685 Unless of the greatest urgency, I consider matters in relation to the imposition of a Building Preservation Notice on a monthly basis at Department meetings.

In cases like this, a desk top exercise is undertaken. This would consider both how imminently in danger of demolition or alteration a building is, and whether the building is of sufficient architectural/historic interest to be considered for registration.

690 I am unable to elaborate further on whether the Trafalgar Hotel is of sufficient architectural or historic interest, as this exercise is not yet complete, nor should this be discussed in this Court.

695 In terms of what powers and resources the Department has to properly assess and progress the registration of a building, the Department has access to historical information and has the right of access to the building if necessary.

You will be aware that the position of Registered Building Officer has been vacant for some time, which has hindered progress on registrations, but this has not meant that assessments have not been carried out or considered by other officers in the Planning and Building Control Directorate. The Department can, and has sought the views of MNH, a statutory consultee in the registration of buildings.

The President: Mrs Maska.

705 **Mrs Maska:** Thank you to the Minister for that tactful response.

I am concerned that there is an extant planning approval for the adjacent site for development of replacing warehouses and this was set out in the form of a request form that the Building Preservation Notice be served. I do understand that there is no method statement contained in the approval, or there is no requirement for a method statement.

710 These buildings are adjacent and adjoin the Trafalgar Hotel and, as has happened historically in similar cases, you can end up with the building that is adjoined to the site becoming imminently in danger and without a building preservation notice which would last, as the Minister quite rightly says, for four months, this building could potentially be in danger. And by service of a Building Preservation Notice, Mr President, it does give the protection for that four months to enable his Department to properly assess the merits of the building.

715 I would ask that the Minister gives a timescale of when this work can be carried out so that it can legally address the protection of this potentially important building.

Thank you, Mr President.

720 **The President:** Reply, sir.

The Minister: Thank you, Mr President.

I understand that the original application included the demolition and redevelopment of the whole site, including the Trafalgar, but was subsequently amended to exclude the building.

725 I also understand that no demolition direction has been received in respect of either site of the planning application or the Trafalgar. So at present it is not considered that the building is in imminent danger of demolition or alteration. If that situation changes then that will give us an opportunity to serve the notice if it is required.

730 **Mrs Maska:** Thank you, Mr President.

The President: Thank you.

7. Historic built environment – DEFA expenditure since October 2016 and budget plans

The Hon. Member of the Council, Mrs Maska, to ask the Minister for Environment, Food and Agriculture:

How much has been expended by his Department on the protection, conservation and enhancement of the Island's historic built environment since October 2016 excluding salaries; how any monies have been expended; and what plans his Department has to increase this budget?

The President: Question 7, Mrs Maska again, please.

735 **Mrs Maska:** Again, to the Minister for Environment, Food and Agriculture, how much has been expended by his Department on the protection, conservation and enhancement of the Island's historic built environment since October 2016 excluding salaries; how any monies have been expended; and what plans his Department has to increase this budget?

Thank you, Mr President.

740

The President: Minister to reply, Mr Boot.

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

745 During this administration £7,653 has been expended on the protection, conservation and enhancement of historic buildings, that excludes salaries, since 2016.

Whilst the Registered Buildings Officer role has been vacant, this has been revenue-funded to an external consultancy to research historic buildings, and assessment of building condition and research material.

750 There are no plans to increase the budget at the current time as the primary resource needed to help protect buildings is staffing, which is why an additional role has been provided in this area, for which we are recruiting, in addition to the registration officer.

The President: Supplementary, Mrs Maska.

755 **Mrs Maska:** Thank you, Minister, for that reply.

760 Would the Minister agree that whilst the post of a Registered Buildings Officer or a Conservation Officer has been vacant for such a long period of time, it has meant that buildings that are on what is known as the provisional list – that is buildings that were identified a long time ago, i.e. 1978, when there were 277 buildings identified, and since that time a considerable number more have been identified – these buildings are basically at risk? And it is not really fair to those who own these buildings, who may not be aware that they are on this provisional list, nor to those who might potentially look at purchasing them, only to find afterwards that they are on a provisional list.

765 Is this actually the right way of dealing with our historic built environment? Such is the responsibility of his Department to do so.

Thank you, Mr President.

The President: Mr Boot to reply.

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

Not having a Registered Buildings Officer or an assistant has been a big hindrance to the Department in progressing.

Your next Question addresses the issue of how many buildings we have looked at, and that I will answer in a minute.

775 When I took over the Department I tried to engage with other bodies, particularly MNH, to see whether we could use an external resource to assess and bring forward registration with recommendations, looking at the situation with regard to the resource we had in the Department. Unfortunately that failed to get any traction and we were left with originally a Registered Buildings Officer and then not having one, so we have had to use resource within the Department.

780 It would be my intention to try and progress the situation more quickly, but the reality is that most of the buildings that were provisionally assessed are owned and maintained by owners or bodies, and are kept in good condition. I think most people, if they own something that is worthy of registration or are aware that it may be worthy of registration, will maintain it with

785 pride. A number of those buildings are Government buildings or institutionalised buildings, such as churches, so they are in essence protected in another way.

So in answer to your question, we could have done it better but we have been hindered by a lack of resource and there may be another way around this. The Hon. Member chairs a forum that may be interested in co-operating with us to help progress registrations in the future.

790 **The President:** Supplementary, Mrs Maska.

Mrs Maska: Thank you.

795 Would the Minister agree that we are at almost a watershed in terms of going forward with major pieces of policy, such as the Climate Change Reform and the way that we would progress? Given that there used to be conservation grants for registered buildings and conservation areas that were removed when the 'VAT bomb', as I would call it, fell on the Isle of Man, one of the first things that was withdrawn were these grants. Now might it be a really important juncture where grants could be looked at again, but combined with the approach to maintaining and
800 looking after our traditional buildings, upskilling our building environment, and working together to look at how we might assist owners?

I would also ask is the Minister aware that in the early 2000s there were a number of external specialists that were commissioned to do reports, over 100 reports were done at that time, and are probably sitting within his Department and need assessing as to where they sit now. But that
805 research is actually ready to go; and would it not be a good idea that that was picked up, especially if we are looking at appointing new officers?

With regard to the Building Conservation Forum that the Minister has referred to, I do chair that forum, this is where some of my Questions have come from today, because there is a concern that our build heritage is not being protected and looked after. We are happy to work –

810 **The President:** Hon. Member, you are in danger of –

Mrs Maska: Yes, of sliding, sorry, Mr President.

815 **The President:** – making a speech. Will you ask the question?

Mrs Maska: Will the Minister confirm that, when he has the necessary resources, what kind of timescale he might put in place to properly engage with those specialist groups that might be able to join forces and look at supporting our built environment in a proper manner?

820 **The President:** Minister.

The Minister: Thank you, Mr President.

I am aware that the Hon. Member predates me with her involvement in conservation and
825 was indeed conservation officer for some time, as I understand it.

In an ideal world we would have grants available for helping owners maintain registered buildings or buildings that are going to be registered. We had the Budget yesterday, we had budgetary restraints and those restraints are outside of my Department's remit. Yes, I would like to see grants introduced and I would like those to be pointed at this sort of area, but there is not
830 much opportunity to do that at the moment.

However, looking at the broader picture, there is some evidence that buildings do fall into disrepair and sometimes there are rationales behind that, but in general terms the buildings around the Isle of Man are in good repair and maintained by responsible owners. Where there are buildings that are not being maintained, or we feel that are endangered or likely to be
835 demolished, for instance, then we do have process available to us to stop that happening in the short-term to make assessments, as I said earlier.

840 In terms of the workforce, I think reintroducing grants would be useful because we have local craftsmen that do have skills which could be used, which are underused at the moment. But also going forward, you will be aware that we have recently revisited and upgraded our building regulations and there are some exemptions for historic building which cannot meet those standards. We are upskilling our labour force generally, but that is not necessarily the craftsmen you are talking about in terms of registered buildings.

845 **The President:** Supplementary question, Mr Speaker.

The Speaker: Thank you.

Could the Minister confirm that in his Answer he mentioned a figure of £7,000 that has been spent on this area: was that per year or was that in total over the last three years?

850 He has also mentioned that for most of that period he had no dedicated staff on this issue. How then can the Minister satisfy this Court that he is actually fulfilling his statutory duty under the Town and Country Planning Act?

The President: Minister to reply.

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

It is £7,653, and that was spent on external consultants and surveyors where we did not have in-house expertise.

860 Whilst we have not had a registered building officer dedicated for some time, as you rightly point out, we do have qualified planning officers who have experience of registered buildings, and they have been fulfilling that role; but that distracts them from other duties and causes problems in other areas.

8. Protected Buildings Register updates since October 2016 – Proper protection of historic built environment

The Hon. Member of the Council, Mrs Maska, to ask the Minister for Environment, Food and Agriculture:

How many buildings have been entered into the Protected Buildings Register since October 2016; how many buildings have been removed from the register and on what grounds; and whether his Department is properly protecting the historic built environment?

The President: Question 8, Hon. Member, Mrs Maska.

Mrs Maska: Thank you, Mr President.

865 Would the Minister for Environment, Food and Agriculture tell us how many buildings have been entered into the Protected Buildings Register since October 2016; how many buildings have been removed from the register and on what grounds; and whether his Department is properly protecting the historic built environment?

Thank you, Mr President.

870 **The President:** Mr Boot to reply.

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

875 I can advise that 27 buildings have been considered for registration since 2016, of which 17 have been registered and 10 have been considered and not registered. In addition, we are working through an initial review of the other buildings that have been proposed.

One has been removed from the register, but an appeal has been made in respect of this, so it would not appropriate to go into the reasons why in this Court.

880 The Question asks whether my Department is properly protecting the historic environment. I would say that we are and that reasonable progress is being made, but we could do better.

Unfortunately the momentum that we built up has been somewhat undermined by staffing and recruitment but we are working to address this. We have also reviewed policy and procedures and published an operational policy on principles of selection. We have, of course been delivering on the Reform of Planning Action Plan and amendments to building regulations in response to the need to be more energy efficient, and officers have been seconded to the climate change team.

I believe the approach is the right one, and with staffing resolved, I hope in the near future, we will be able to continue the progress demonstrated earlier.

890 **The President:** Supplementary question, Mrs Maska.

Mrs Maska: Thank you, Mr President.

895 Would the Minister agree that under the Programme for Government there is an obligation on his Department to carry out an audit of the historic built environment? And I was heartened to see that it is included again in the statements in the Budget. I am wondering if he could enlighten us as to when that audit might start, which is part of protecting our historic built environment?

Thank you, Mr President.

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

The Minister: Thank you, Mr President.

905 Yes, we do have Programme for Government commitments. Unfortunately, as I explained, we have been having staffing resource issue and, of course, when that Programme for Government was drawn up the climate change situation was completely different and a lot of our Department resource has been deployed in helping with the action plan and various other things.

It is my intention to progress that audit, but I cannot make any firm promises at the moment because it is resource dependent.

910 It would be useful if we can engage with the Building Conservation Forum, Culture Vannin or MNH to progress that through third parties, and we may look at maybe funding or aiding with assistance in that if we are approached or there is an appetite to do it.

915 **The President:** Hon. Member for Middle, Mr Shimmins.

Mr Shimmins: Thank you, Mr President.

920 Is the Minister aware that two important town centre developments have been postponed in the last 12 months as a result of last-minute registration? One could bring 200 much needed jobs to Ramsey, another, on the Quay in Douglas, is now an empty building which is deteriorating, blighting this area.

Will his Department consider the importance of town centre regeneration when considering these matters? Ultimately do we want lots of empty dilapidated buildings or vibrant towns?

A Member: Hear, hear.

925 **The President:** Minister.

The Minister: Thank you, Mr President.

 A rock and a hard place come to mind, in answering this: we get calls from one side to register buildings and save them and from the other they are impeding development and redevelopment and economic development.

930 I will not comment specifically on the buildings in question but we have to be careful that we do not encourage people to let buildings deteriorate to a point where there is political pressure or pressure from the community to demolish buildings that are worthy of conservation so, it is not a game, it is something we have to play with very carefully.

935 We are aware, obviously, of both sides of the argument within the Department, particularly in the Planning Department, and it is a difficult conundrum.

The President: Hon. Member for Ramsey, Mr Hooper.

940 **Mr Hooper:** Thank you very much, Mr President.

 I may have missed this comment, but is the Minister able to tell us how many buildings are on this provisional list that the Hon. Member of Council mentioned earlier? He has mentioned that he published a selection policy and how the registration process works, would he consider publishing this provisional list as well? That might help avoid the sort of farcical situation that we see, for example in Ramsey, where you have a building that is registered by the Minister and then deregistered by the Minister very quickly afterwards, and then you have appeals being fought back and forth, all adding to cost and with no real benefit. I think publishing that provisional list would at least give people all the information that they need.

950 **The President:** Minister.

The Minister: Thank you very much, Mr President.

 I think publishing the provisional list would be a retrograde step as this would alert building owners to the fact that their building may be potentially registered in the future and that may lead to activity, alteration that would perhaps not be desirable under the circumstances.

955 **The President:** Hon. Member for Douglas South, Miss Costain.

Miss Costain: Thank you, Mr President.

960 I am wondering if the Minister can comment on respect of the audit that has been referred to that has not yet been started, and that there is no date yet for it to be started. Could he confirm whether that is going to be on the Chief Minister's list of successes and failures under slippage or failure?

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

The Minister: Thank you, Mr President.

 At the moment it is a slippage, it is not a failure.

970 **The President:** Hon. Member, Mr Thomas.

Mr Thomas: Thank you, Mr President.

 Does the Minister agree with me that the strategic plan is full of policies to encourage regeneration, to encourage new development in existing settlements, which is in line with the particular character and identity of the existing settlements? That is basically a presumption of the strategic plan.

Also, would the Minister agree with me that he would encourage creative reuse of these older buildings to make sure that they continue in use, rather than preserving them in aspic?

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

The Minister: Thank you, Mr President.

Yes, I think the strategic plan, and also the planning officers, are very aware that buildings need to have a useful use and creative reuse in a commercial sense secures a building's future.
985 Just setting it in aspic is a bad way of preserving a building because if there is no commercial use or residential use for buildings then they will – unless people are very wealthy or they are monuments of some sort that are maintained by Government – fall into disrepair and that is what we do not want to see in town centres and around our Island.

990 **The President:** Now, I have a growing list of supplementary questions which would be admirably suited for a debate! (**A Member:** Hear, hear.)

We are not going to have a debate so they must be short questions and short answers, please.

Mrs Maska.

995

Mrs Maska: Thank you, Mr President.

Would the Minister agree that once his registered building officers are in place one of the fundamental approaches to conservation is where a building has lost its original use, a reuse being identified can really help generate good design, even on a site which is due for redevelopment, and that can add to the richness of our towns and settlements?
1000

Thank you, Mr President.

Mr Thomas: Hear, hear.

1005 **The President:** Minister.

The Minister: Thank you, Mr President.

Yes, registered buildings officers are able to advise on reuse of buildings but at the end of the day it is down to the owners of those building to come up with schemes that we can advise on for their useful reuse.
1010

The President: Miss Costain, further supplementary.

Miss Costain: Thank you, Mr President.

1015 I will be brief, at what point does the Minister consider that the slippage, as far as the audit is concerned, would be a failure? (*Laughter*)

The Minister: Thank you, Mr President.

It will be a failure if at the end of this administration we have not completed it.

1020

The President: Mr Shimmins.

Mr Shimmins: Thank you, Mr President.

Will the Minister agree with me that converting many very old buildings to modern standards, particularly for climate change, is simply commercially unviable and, unfortunately, the end result is that many registered buildings will continue to blot the urban landscape on this Island as a result?
1025

A Member: Hear, hear.

1030 **The President:** Invitation to express an opinion, Minister. *(Laughter)*

The Minister: That is the hon. questioner's opinion. I think there are different views on that and older buildings, despite the increased building regulations, restrictions or requirements do not necessarily present as being unconvertable or un-reusable.

1035 **The President:** Supplementary, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

1040 I appreciate the Minister's comments about publishing the list giving perhaps too much notice, but does he agree that when people are looking to purchase some of these buildings actually whether the building is possibly going to be registered is quite an important commercial consideration? And the fact that they do not have this information until after the fact actually ends up paralysing development in our town centres (**Mr Shimmins:** Hear, hear.) which then leaves us with derelict and vacant properties.

1045 **Mr Shimmins:** Paralysing.

The President: Reply, sir.

1050 **The Minister:** Thank you, Mr President.

I think the characteristics of buildings that are potentially registered are self-evident. Our Planning Department is very open to approaches, and if a potential developer or owner came to the Department I am sure they would be advised as to the potential for the building to be registered in the near future or what alterations would trigger that.

HEALTH AND SOCIAL CARE

9. DHSC email appointment notification system – Progress

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care:

What progress has been made on an email appointment notification system designed to cut down on postage and improve the speed of communication?

1055 **The President:** We move on to Question 9, Hon. Member for Rushen, Mr Speaker.

The Speaker: Thank you, Mr President.

1060 To ask Minister for Health and Social Care, what progress has been made on an email appointment notification system designed to cut down on postage and improve the speed of communication?

The President: I call on the Minister for Health and Social Care, Mr Ashford.

The Minister for Health and Social Care (Mr Ashford): Thank you, Mr President.

1065 The Hospital Patient Administration System does have the functionality to send letters by email and this has been looked at in the past, but we have been advised consistently by the Government Technology Service that the current method would pose a security risk.

We regularly review this and are also working to review the wider administration and clerical services at Noble's to drive efficiencies where we can.

1070 We also continue to promote the text appointment reminder scheme which is currently in use for all outpatient appointments, and we are shortly extending this to radiology services too.

The President: Supplementary, Mr Speaker.

1075 **The Speaker:** Thank you.

Could the Minister perhaps share the advice that he has had about this being a security risk, because this is saved on the Master Patient Index Page on Medway just in the same way as a postal address; and the ability to send an email to the wrong address is exactly the same as the ability to send a letter to the wrong address – and of course we know that happens as well, but rarely.

1080 So I would appreciate it if we could look at this, because I know this has been on the cards for at least four years – it is just over four years since I first raised it.

The President: Mr Ashford to reply.

1085

The Minister: Thank you, Mr President.

I am more than happy to share it, and it is right up my street actually from my former career in the private sector. It is not in relation to wrong addresses or potentially being sent to the wrong place. It is actually around a feature of how email works. So for instance if you are going to do automated emails off the back of an appointment system which is what we would be looking at, then it uses something called a 'simple mail transfer protocol', or SMTP, that a lot of people will have heard.

1090

The problem with SMTP is that it allows not just the application that you are using to send the email, actually any other applications on the computer can be accessed via that SMTP as well. So you cannot just have it linked to it.

1095

Programmes such as Outlook, which Hon. Members will be very familiar with, have proper authentication systems that mean you must have Outlook open at the time, sending it through; but in order to do an automatic generated appointment one it does not, it has to use SMTP. That means it poses a security risk for malware and anything on the computer that may come through other applications, to also be able to access their SMTP, and therefore spread to all other computers that have the continuously open SMTP – which, across DHSC, would be 2,000-odd computers.

1100

Many Hon. Members will remember of course, Mr President, the issues the UK NHS had not long ago with WannaCry, and one of the issues they had around their radiology systems that were not up to date. And also SMTP was identified there as a vulnerability as well.

1105

Mr Cretney: Hear, hear.

The President: Hon. Member, Ms Edge.

1110

Ms Edge: Thank you, Mr President.

I just wonder if I could seek some reassurance from the Minister that the targeted cost savings in postage will not come in the way of effective communication with people. And, if he moves down this road for digital with appointment letters, how would he envisage it being monitored?

1115

There is a high dependency on people receiving something in the post. I am just wondering how he would monitor that to ensure that appointments are not missed at a greater cost to his Department of an email system that might not be reaching the people that perhaps have not got access. We are aware that we have problems with our broadband in certain areas of the Island.

1120 I am just wondering how the Minister would get over those hurdles.

The President: Minister.

The Minister: Thank you, Mr President.

1125 Unless I have imagined it, I think I have answered something similar in this Hon. Court or another place previously, where I have pointed out from my point of view that any system, be it a text reminder or other, has to be signed up to by the patient. It is up to the patient how they receive it. You cannot go down the route of just saying everyone will receive it via email or via text. It is important we have that so that people, if they do wish to receive post, will still receive it via post.

1130 In terms of the savings, obviously, any savings in postage are not going to get in the way of communication. If appointment letters need to go out, they will go out.

One of the things I think we are looking at electronically is actually using patient apps. Obviously as I have explained there are issues around doing it via email; and to be perfectly honest in this day and age now email is a bit old hat. (**A Member:** Hear, hear.) People end up with so many different emails in their inbox. People much prefer apps and I think if we are going to get with the times we should be going for a 21st century solution, not a 1990s one.

1140 **Miss August-Hanson:** Hear, hear.

The President: Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

1145 We seem to hear a lot in this Hon. Court about one system; tell us once. We have one online system for the Isle of Man Government: has the Minister not considered actually using that to send messages to people? That system seems to have no problem sending automated emails when messages are received, there is no chance of things getting missed.

1150 I am just concerned to hear talk of apps. Whilst it sounds great, again it seems like we are adding more and more of these different portals for people to have to check, where actually we have one system already that is used by a wide variety of Government services. And I would just think that some consolidation and a bit of common sense is probably appropriate here.

Several Members: Hear, hear.

1155 **The President:** Minister.

1160 **The Minister:** I am all for consolidation and doing things in a joined up way, Mr President, as the Hon. Member for Ramsey knows! In relation to what I assume he is referring to, which is the Online Services Portal, in terms of automated emails what you tend to find is – because I use the online portal myself – the automated emails do not actually contain the same sort of electronic information as would be produced by the Medway system in an appointment.

1165 There is no physical way round doing it via email, even if it was linked to the online portal without activating the SMTP route across the Government computers within DHSC. That is the way the system works and that is the protocol it would need to use to be able to access across the multiple –

Mr Hooper: If the Minister would just give way? Actually what I was asking is rather than ...

1170 I am not asking to route things via the online system, what I was suggesting is uploading messages to the online system in the same way the Income Tax Department does where the message is itself securely stored online within that locked account.

The President: Minister.

1175 **The Minister:** Thank you, Mr President.
In order to generate that message from the Medway system it would still require an SMTP to do that. And that is where the issue comes in, Mr President. It still requires the ability to be able to do that via an SMTP which is an open link which, like I say, the Government Technology Service has been very rigid on, because actually it presents a serious security risk.

1180 **The President:** Hon. Member, Dr Allinson.

Dr Allinson: Thank you, Mr President.
I am in awe of the Hon. Member's knowledge of internet security, so I will not question him on that. But from a very basic point of view would the Minister agree that sending an email often to a joint account with somebody's appointment with some personal details, is not particularly sensible? And using texts to somebody's personal phone is a lot more secure and confidential way of informing them of an appointment coming up.
Thank you.

1190 **A Member:** Hear, hear.

The President: Minister.

1195 **The Minister:** Thank you, Mr President.
I am more than happy to agree with the other Hon. Member for Ramsey, Dr Allinson.
Like I say, if you look at where demand is, I really personally do not feel that email is the answer. In terms of apps, if we design an app and the app is the front end, then there are certain things you could look at to link it through to online services from the front end of the app. But at the moment the only way you could really do it in a secure way via email is you could obviously have it print to PDF, but that would then need manual intervention for someone to actually send it on.
You would not be able to just do that because again doing it otherwise would require access via SMTP.

1205 **The President:** Mr Speaker.

The Speaker: A few issues to pick up on, Mr President.
The first one I would like to pick up on, from Dr Allinson's point, is: is the text message solution on the way, while we wait for the 'appy' day that the Minister is looking forward to?
1210 Obviously, we can get other things – and we already have an app for Primary Healthcare in terms of making appointments with GPs and things like that. Is that something that has been looked at as a front end for this?
Again in terms of picking up on Mr Hooper's point, I appreciate the SMTP issue, but actually what I think Mr Hooper was talking about there is actually making that SMTP link internally within Government rather than it being front-facing.
1215 And the final one would be to ask the Minister if, in terms of the print to PDF in an email, what is the difference between a member of staff emailing it out and running it out as an item of post?

The President: Minister to reply.

1220

The Minister: Taking the last point first, I fully agree with Mr Speaker, and that was the point I obviously did not make very clearly, that if it was done as a PDF and sent out there is no saving because it would take just as long as actually posting it out in the first place, if it was done as a print to PDF and then distributed. So via email there is no actual saving in there.

1225

In relation to the SMTP where he mentioned about online services, Mr President, again it is not as simple as that because the actual data would need to be provided by Medway. It then needs to go through the system, even internally, but that SMTP can still be accessed externally because it is constantly open on that computer. So if any form of malware gets on to that computer in any way – in fact, it could be even worse, because my understanding is it could then access and spread across the whole of Government; and that is certainly my understanding from when I worked on this in the private sector as well.

1230

I have forgotten about what one of the other points was, that Mr ... Oh, in terms of a text message reminder. I can say that is already in place for all outpatient appointments. And, as I said in my original answer, we are expanding it to radiology as well.

INFRASTRUCTURE

10. Updated Manx road manual – Provision for active travel and vulnerable users

The Hon. Member for Middle (Mr Shimmins) to ask the Minister for Infrastructure:

What provision will be contained in the updated Manual for Manx Roads for active travel and vulnerable road users?

1235

The President: We move on to Question 10, before we get further graced in technical ...
(*Laughter and interjection*)
Question 10, Mr Shimmins.

Mr Shimmins: Thank you, Mr President.

1240

I would like to ask the Minister for Infrastructure, what provision will be contained in the updated Manual for Manx Roads (MfMR) for active travel and vulnerable road users?

The President: I call on the Minister for Infrastructure, Mr Harmer.

1245

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

All new development requires some new highway infrastructure ranging from simple access on to an existing road or footway, to new highway and footway layouts that serve several hundred houses. It is critical that the built environment and highway infrastructure supports the Government's Road Safety Strategy, Active Travel Strategy and the Programme for Government.

1250

The Department's Manual for Manx Roads currently provides guidance to developers, both private and public, on the application of design and construction principles which will provide people with a safe and environmentally sustainable network, whatever their mode of travel.

The updated Manual for Manx Roads continues to emphasise that the Department, in managing the road network, will only support development that improves accessibility and safeguards highway network capacity for non-motorised transport.

1255

Any new development must be: designed to reduce the risk of collisions occurring and the severity of injuries if a collision does occur; designed to be accessible to all travel modes; and accommodated within the existing capacity of the highway network.

1260 The revised Manual for Manx Roads will also provide updated guidance for new developments on: reducing car parking provision, especially town-centre brown field sites with active travel linkages; cycle parking standards; requirements for electric vehicle charging points; accessibility assessments and measures required to improve active travel linkages; and road safety assessments.

1265 **The President:** Supplementary, Mr Shimmins.

Mr Shimmins: Thank you, Mr President.

1270 I welcome the Minister's comments which were spread over a number of areas. Can he please advise: will the Manual for Manx Roads prioritise the safety of vulnerable road users including pedestrians and cyclists?

The President: Minister to reply.

1275 **The Minister:** Yes.

The President: Hon. Member of Council, Mrs Lord-Brennan.

Mrs Lord-Brennan: Thank you, Mr President.

1280 Could the Minister confirm that the updated Manual for Manx Roads will contain guidance for segregated bike lanes?

The President: Reply, sir.

1285 **The Minister:** Yes. I will check but, yes, that is the intention.

The President: Mr Speaker, supplementary.

The Speaker: Thank you.

1290 Can I ask what provision will be in the Manual for Manx Roads about shared spaces for cyclists *and* pedestrians, especially where there is only space for one or the other? (*Laughter*)

The Minister: I would expect the Manual for Manx Roads to include about shared spaces as well.

1295 **The President:** Hon. Member for Garff, Mr Perkins.

Mr Perkins: Thank you, Mr President.

1300 While we are talking about vulnerable road users may I ask the Minister, is there any provision for hedgehog underpasses or wildlife? (*Laughter*)

The President: We are straying from ... Well, vulnerable users, possibly, yes. Minister.

1305 **The Minister:** Okay, I will have to come back –

The Speaker: It's a prickly subject!

The Minister: I will have to come back, Hon. Member. I am not aware of those sorts of issues, (A Member: Aah.) but I will come back to the Hon. Member.

1310 **The President:** Mrs Lord Brennan.

Mrs Lord-Brennan: Thank you, Mr President.

Turning to the matter of cycle storage, will the updated Manual for Manx Roads contain a detailed definition for the area required for bike storage, including door dimensions?

1315 Thank you.

The Minister: Yes, I think I have mentioned that. Yes.

The President: Mr Shimmins.

1320

Mr Shimmins: Thank you, Mr President.

Can the Minister advise: will the Manual for Manx Roads align to the Police's 'Secured by Design' guidelines? The Minister may be aware that unfortunately there have been a number of bike thefts in Douglas flats recently.

1325

The President: Minister.

The Minister: I will ensure that it will align with the Police guidelines.

11. Electric railways – Reversing decline in passengers

The Hon. Member for Middle (Mr Shimmins) to ask the Minister for Infrastructure:

What actions are being taken to reverse the decline in passengers on the electric railways?

The President: Question 11, Hon. Member, Mr Shimmins.

1330

Mr Shimmins: Thank you, Mr President.

I would like to ask the Minister for Infrastructure what actions are being taken to reverse the decline in passengers on the electric railways?

1335 **The President:** Minister for Infrastructure, Mr Harmer.

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

Fortunately the matter is not quite as serious as it appears in the newspaper. The summer of 2018 was a record year on the MER due to exceptional weather and the promotion of the 125th anniversary. The 2019 season is down but is still the second-best season in the last 10 years, with revenue in 2019 exceeding 2017 by over £130,000 across the four railways operated by my Department.

As well as the return to more normal weather last year, the promenade works have had an impact, and in particular we know from previous research that many horse tram passengers transfer to the MER, and the lack of a horse tram service last year has had a significant effect. There will be an improvement to the horse tram operation during 2020 but not sufficient to restore the numbers. It will be 2021 before we expect the growth that we have seen over the past 10 years to be restored.

1350 There is some good news for next year as we have forward bookings for 731 groups, versus 698 in 2019, and 682 in 2018. It will also be the 125th anniversary of the Snaefell Mountain Railway which should encourage some more visits by enthusiasts.

This shows how it takes all four railways working closely together with Manx National Heritage to grow the tourist market.

1355 **The President:** Mr Shimmins.

Mr Shimmins: Thank you, Mr President. I am grateful for that response.

1360 A number of members of the public have contacted me to advise that when they took their family and visitors on a day out on the Manx Electric Railway last summer, they boarded the tram but then had to get off because the guard could only take *cash* for tickets. They had anticipated that they could pay by card, like pretty much any other train in these times.

Why can you not pay by card? Why have the railways not modernised?

1365 **The Speaker:** You can on the steam trains.

The President: Minister.

The Minister: Thank you.

1370 I am not aware of the whole situation on other railways, as I believe you can; and certainly we have gone to contactless on buses. Obviously I will look into that to see what technology we can introduce. Obviously, the more methods we can take payment by the better.

I would emphasise that actual individual numbers have been fairly consistent. So we had a reasonably good year last year.

1375 **The President:** Mr Shimmins.

Mr Shimmins: Thank you, Mr President.

1380 Other members of the public have advised me that they have tried to travel on the railways with bicycles but were refused, so they could not buy a ticket. Other railways have grown their passenger numbers and income by accepting bicycles. Why do our railways not tap into this growing popularity of cycling, to grow their passengers?

The railways have goods vans which they use for photo trains for enthusiasts to take pictures; which is great. Why can they not use them to transport bikes?

1385 Mountain biking is growing. Why can the Snaefell Mountain Railway not transport them to the summit then folk can ride down the trails to Laxey? It would be very popular and grow our passenger numbers.

A Member: Hear, hear.

1390 **The Speaker:** They will not buy a return ticket then, will they? *(Laughter)*

The President: Minister to reply.

1395 **The Minister:** Okay. I will certainly have a look into it. I mean, obviously there are limitations with historical trams and what they can do; and obviously I have been frustrated in other areas where I have wanted to use bicycles.

If we can do it, then certainly we will make efforts. Remember these trams are 125 years old and it may not be feasible. But certainly we will look into it.

1400 **The President:** Mrs Lord Brennan.

Mrs Lord-Brennan: Thank you, Mr President.

Will the Minister consider talking to his officers about the ways that the trams and the steam trains can interlink with other aspects of transport, and indeed other policy areas? There is obviously active travel, and climate change, and they do seem to operate in a distinct area which is just for them.

Thank you.

The President: Minister.

The Minister: Thank you; you have hit on a very interesting point.

When we were talking about a strategy, in actual fact at first it was that we were talking about a rail and bus strategy, for example, but actually they are two very different things. Rail is very much a journey for what is termed in the industry as 'a genuine desire'. It is a leisure activity; you do not *have* to do it. It is very much working with MNH and the tourist industry and the Visit Agency about increasing revenue and increasing tourists.

Buses very much form part of what we are internally looking at – a smarter movement strategy. This is all about taking people away from their cars and looking at active travel, and how we can do better journeys and bring people to where they live, so we are not making unnecessary journeys. Taking active travel as your next step; taking a bus journey as better ... and that fits in with our climate agenda.

So the two are very separate pieces, and I think when we tackle those two and address the issues and investment in those two separate pieces we will get the right strategy.

The President: Hon. Member, Mr Shimmins.

Mr Shimmins: Thank you, Mr President.

I appreciate, as the Minister says that the trams are very old but previously they were used to transport all sorts of goods all round our Island. It seems to me we need a more creative approach and more commerciality on our railways.

Will he take action to try and instil a more commercial, modern and open-minded approach to the operation of our railways to try and reduce the multi-million pound annual cost to our taxpayers?

A Member: Hear, hear.

The Minister: Thank you; and I would just like to remind the Hon. Member, and I appreciate his comments, that it was the second-best year in terms of revenue. So it is commercial and I just want to emphasise, because I suppose some days there have been other headlines which have been very frustrating – the second-best year in terms of revenue and commerciality.

But he is right, it is really important and we will work with innovative ideas and work with the Visit Agency. We will work with the Member to increase revenue and to continue to increase numbers.

The President: Hon. Member, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

I remember 2017 being a record year and then 2018 being a record year – it seems like every year is a record year except when it is not. (*Laughter and interjection*)

I would be grateful if the Minister could just answer three questions for me. The first is: he says this is the second-best year that we have had. Is that in relation to the Manx Electric Railway specifically, or is that railways as a whole? And is there a difference between the two?

I remember a newspaper article talking about a change in methodology this year, which may have impacted on passenger numbers. Can he comment on the impact that methodology change has had on the passenger numbers?

1455 Lastly, I remember these numbers appearing very briefly on the Heritage Railways website and they now appear to have disappeared, and I am just curious as to why.

The President: Minister.

1460 **The Minister:** I cannot answer the second or the last questions. I do not know, I am not aware of the numbers, but obviously I will look into that.

In terms of records, yes, when you have a record and next year is better, then it is another record; and it is another record, and so forth. What we had in terms of revenue and in terms of numbers was a dip last year compared to previous years, but it was the second-best *across* the railways.

1465 The point I am making – and again, I work with the Department for Enterprise on this – is that they are holistic. I think people try and separate one tram or one train from another, but that simply does not work. We offer a package – a very good package, I believe – on the Isle of Man and our Visit Agency across all of our sites, and across Castle Rushen, Peel Castle and so forth. It is a whole package. We are in danger of splitting things up and it does not work.

We know for a fact that passengers come for a day, they actually go from one method of transport to another. And we know that next year we have got a really good offering and I am glad to be able to advertise it today: the 125th anniversary of the Snaefell Mountain Railway.

We have some really good, unique events. We must never sit on our laurels.

1475 I appreciate as a revenue, it does not make money, so you would not do it; and it is only on the basis of heritage and the basis of how we fit in with the visitor economy that it stacks up. Obviously we cannot sit on our laurels, and we have got to work with everyone to improve it.

The President: Hon. Member, Mrs Maska.

1480 **Mrs Maska:** Thank you, Mr President.

Would the Minister agree that there might be a formula that could combine supporting historic railways whereby a modern, light electric railway system could be used for commuting purposes?

1485 Looking at the gauge it may be that would have to be something that you look at in due course, but surely there is a potential so that the heritage railways might not be the main vehicles that are used on the tracks. But you could look at alternatives to get people travelling in a different mode.

1490 **The President:** The Minister.

The Minister: Thank you.

I think it is a very interesting question but it brings to mind my point before. I think we were getting ourselves, in the Department, into a muddle because we were mixing journeys of desire, or leisure, with integrated transport. Actually, they do figure very differently. And, in terms of length, if you think about commuting on the steam railway, yes, as a special treat you might have a breakfast, but it takes you an hour and a half. You cannot do it every day and I would not suggest you would.

1500 I will put my cards on the table and, dare I say it, I would have never have gone for a diesel locomotive because I do not believe in mixing a Heritage Railway with a mode of transport, with buses and so forth which get people round where they need to go. It is the same with active travel: it is about encouraging people to dispense with the car, for health and for climate change, and for all those other good reasons.

1505 I think there is a danger when we try and mix something ... It is a special asset and I know people have different opinions about it, but it is a special thing that we have. But it is very different to the day-to-day travel that we need to do for our jobs, for our schools and to move and to make those necessary journeys.

**12. DoI housing strategy –
Laying before Tynwald**

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Infrastructure:

When his Department intends to lay its housing strategy before Tynwald?

The President: We move on to Question 12, Hon. Member Mr Hooper.

1510 **Mr Hooper:** Thank you very much, Mr President.
I would like to ask the Minister for Infrastructure when his Department intends to lay its housing strategy before Tynwald?

The President: Minister for Infrastructure, Mr Harmer.

1515 **The Minister for Infrastructure (Mr Harmer):** Thank you, Mr President.
The Affordable Housing Strategy has been drafted and, subject to unforeseen circumstances, will be laid before this Hon. Court in March.

1520 **The President:** Supplementary, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

I note the Minister slipped an additional word in there, it is now an 'affordable' housing strategy. I am just curious as to why he feels that the Isle of Man should not actually be looking at housing of *all* types when we are looking at development across the Island?

1525 My other question for the Minister is: how does he respond to recent news from charities like Graih where they are talking about significant upsurges in demand? Does he really think that we can continue to delay this process of bringing these strategies forward, and actually starting to take action to tackle some of these challenges?

1530 **A Member:** Hear, hear.

The President: Reply, sir.

1535 **The Minister:** Thank you, Mr President.

I think the difficulty is that the Department does not have the *vires* to deliver a holistic strategy. However, I can reassure the Member that we are working on a number of work streams in particular, including the Cold, Hunger and Homelessness; young, vulnerable care leavers; public health and integrated services; and victims of domestic abuse. So, although this is not part of this strategy, which just relates to the Department, we are working very much on the homelessness issue. And I was speaking to the Minister just this very day about that issue.

So it has not gone away, but the Department can only really deliver a strategy that it is responsible for.

1545 **The President:** Supplementary, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

Again, that is somewhat concerning. The previous document that has been referred to, which was the Housing Review Recommendations Report actually dealt with housing in a much broader context.

1550 I have heard the Minister talk in the past about things like landlord registration in respect of private tenants, so to hear him now say that the Department does not have the *vires* to tackle some of these issues is quite concerning.

1555 Would he not agree with me that Government as a whole has the *vires* to tackle all of these problems and these challenges, and Government should be working as a single body to tackle them, rather than trying to think purely in respect of his own Department?

The President: Minister.

The Minister: Thank you; we will be doing both.

1560 The original strategy for 2013 was about the affordable housing and obviously there is loads of other work that we are doing. We are doing, as I say, the Mid-Rent housing and we are moving forward with that. We are moving forward, and I think the Minister from the Cabinet Office talked about – and it is really important to me – the Landlord Registration Bill and the Rental Deposit Scheme which revised rental policy and the ICT platform for public sector housing. So there are loads of things that we are doing, as well as taking this forward.

The President: Hon. Member, Mr Callister.

Mr Callister: Thank you, Mr President.

1570 Given the importance of this topic, I was wondering if the Minister could actually give reassurance today that he will provide us with a copy of that report, or his actual document, as soon as possible; and not just lay it on the Court's agenda, if possible, given the importance?

The President: Minister.

1575 **The Minister:** We will provide it as soon as we can. We are working on it, but as soon as we have completed it, it will be ...

The President: Supplementary, Mrs Maska.

1580 **Mrs Maska:** Thank you, Mr President.
Would the Minister agree that, as the largest social housing landlord on the Isle of Man, the *vires* does lie with his Department to examine all the possible aspects that feed into social housing and that those in housing need?

1585 If it is not with his Department, where else would it sit?
Thank you, Mr President.

The President: Minister to reply.

1590 **The Minister:** I think there are a number of issues and I know one or two have been raised today, and they are very, very important. Like I have said to this Court, we will be working ... But they do involve working with other Departments such as Health and Social Care, and such as the Cabinet Office. Homelessness is an issue particularly that crosses many Departments and we will be working tirelessly towards that.

1595 **The President:** Supplementary question, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

I would appreciate it if the Minister could provide just a bit more clarity. He started off by saying this was just affordable housing, because that is all he had the *vires* for. Now he has confirmed there are other work streams going on in respect of, say, private sector rental. Can he just confirm that this housing strategy he is going to be bringing forward on behalf of the Government is actually going to be a holistic housing strategy that deals with housing need on the Isle of Man in the broader context and not just very specifically ... ? I would be very disappointed if that is the case.

The previous document that was brought by the Hon. Member for Douglas East, Mr Robertshaw when he was a Minister, was a holistic plan for transforming how we deal with housing need on the Isle of Man, and I think moving away from that would be a disastrous, retrograde step.

The President: Reply, sir.

The Minister: Thank you.

It really follows on from the Minister at the time, the Member from Douglas East, and it does two things: (1) it talks about all the actions ... What you have got to remember is we do actually have a strategy and it had a date at the end, but we are actually carrying on and we are moving ahead with that strategy. It really will form the next step on from that strategy, so it reviews that strategy and builds on that strategy.

The President: Hon. Member, Mr Thomas.

Mr Thomas: Thank you, Mr President.

Does the Hon. Minister agree with me that all aspects of social housing are covered in the Affordable Housing Strategy, to avoid any doubt?

Secondly, does the Minister agree with me that Tynwald had a very clear resolution in October 2019 in respect of homelessness and the definition of homelessness, in the investigation of legislation? That is being taken forward on a cross-Government basis.

Does the Minister also agree with me that the most important thing, in responding to the new data from Graih and the homeless shelter, is to get inside the individual lives of the people involved to make those lives better? And that is exactly what Government is doing on a cross-Government basis working between DOI, DHSC, Cabinet Office, Treasury and the charities involved.

The President: Minister.

The Minister: Yes, obviously I agree with the first point that it is all social housing.

But I think the Minister makes a very important point that it is actually getting beyond the data, and it is getting involved in those individual lives, because at the end of the day we are all about changing people's lives for the better. We can have lots of words and things like that but we must be focused on actually delivering; and, as I said, we have had conversations and we are working together to deliver on that.

POLICY AND REFORM

**13. Key worker supply –
Adequacy**

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Minister for Policy and Reform:

If he will make a statement on the adequacy of supply of key workers?

The President: Question 13, Hon. Member, Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

I would like to ask the Minister for Policy and Reform if he will make a statement on the adequacy of supply of key workers?

The President: Minister for Policy and Reform, Mr Thomas to reply.

The Minister for Policy and Reform (Mr Thomas): Thank you, Mr President.

Recruiting key workers is an issue for all employers on the Island, and not least for the Isle of Man Public Service, which has a range of specialisms, particularly in Health for which the demand often outstrips the supply. It can also be challenging to fill certain vacant positions, especially as such hard-to-recruit roles are often subject to wider national or even international shortages.

Therefore it is right that every effort is made to encourage new employees who have the necessary skill sets and experience to be able to best support our existing workforce.

The Isle of Man Public Service People Strategy has a work stream aimed at ensuring we are able to attract and hire people at all levels across the public service. The Office of Human Resources supports the delivery of this work stream, and has been improving the supply of key workers.

Since the start of this work a number of key achievements have been made including increases in applicants suitable for shortlisting for consultant and speciality doctor vacancies. During 2019 all consultant and speciality doctor vacancies advertised were successfully filled.

During the summer of 2019 campaign, 28 teachers were appointed externally, including 10 for Maths and Science. A recent visit to an occupational therapy conference to promote the Isle of Man as a place to work developed a list of over 120 leads and has already resulted in one application for a live vacancy.

All this is being achieved whilst reducing the costs of advertising positions, by using more online adverts as opposed to print adverts, and focusing on cost-avoidance through increasing the number of vacancies filled first time.

In addition to the work being carried out on recruitment and attraction campaigns for the public service for the whole business sector – and in fact the whole employment sector – financial support in the form of the National Insurance holiday and a relocation package is frequently available for candidates moving to the Isle of Man to take up key worker roles. Only yesterday we heard that the Key Employee Scheme was being put into primary legislation to aid this.

So, in summary, the Council of Ministers Social Policy and Children's Sub-Committee is actively looking at the issue of keyworkers, including keyworker housing, with plans and proposals being worked up by relevant Departments across Government.

Thank you, Mr President.

The President: Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President; and thank you, Minister, for that Answer.

1685 In terms of the overview it was quite a broad summary of what was going on. In terms of the key sectors you recognise as employing key workers, what areas are they?

And also, in terms of summarising the key projects that are going on, that was encouraging; but in terms of updates, how frequently do you receive those so you are able to keep your eye on the pulse of these really quite regular changes?

1690 **The President:** Mr Thomas.

The Minister: Thank you.

1695 So the Council of Ministers publishes its quarterly update on economics and statistics which looks at things on a sectoral basis. In the Locate.im programme in the documents published around that, they present their research which identifies local labour market shortages in particular in ICT, financial services and accounting, engineering and manufacturing, healthcare, education and hospitality.

1700 Finally, to answer that question there is a cross-Government work stream where we are looking at defining key workers with a view to actually focusing more in terms of responses to key-worker deficits, particularly around housing; and that is being led particularly by the Cabinet Office and Department for Enterprise who are currently scoping and defining key workers with others involved across various sectors, to put together a prioritised register of professions, making sure that we understand the need better and exactly what we can do in terms of response.

1705 I expect that update to come back to the Council of Ministers Sub-Committee that I chair, by the end of the first quarter of 2020. And I am sure if Miss Costain was here, to avoid her asking me a supplementary question, I could report if that slips it would become a failure quite quickly, because increasing the economically active population is one of the key macro-indicators for this Isle of Man Government, and addressing skill shortages is the key macro-indicator. So anything
1710 that we do not manage to do in that score is a failure of this Government, and I hope is of every Member in this Hon. Court.

The President: Hon. Member, Dr Allinson.

1715 **Dr Allinson:** Thank you, Mr President.

I would like to thank the Minister for his international perspective on this. Would he also agree, particularly given the news from the United Kingdom this morning about their immigration policy, that the way the Department for Enterprise and the Immigration Service work here, in terms of having flexible immigration rules and a work permit system that
1720 particularly prioritises key workers, is very important for this Island in terms of workforce both in the private and in the public sector?

Thank you, Mr President.

The Speaker: Hear, hear.

1725

The President: Mr Thomas.

The Minister: Thank you, Mr President; and that is an excellent point made in a very good question.

1730 People are now focusing on transformation across Government projects in terms of climate change and in terms of healthcare. But for three years we have been working across Government, for instance in respect of the housing platform that the Minister for Infrastructure referred to. The point identified just now by the questioner is another perfect example because Enterprise and Cabinet Office have brought together Work Permits and Immigration in the light

1735 of what is going on in the UK and what is permissive. We have had roadshows within key sectors, and I want to congratulate the Member and also all the officers involved over those last three years for putting us in a better place.

1740 I also want to thank the questioner because a few weeks ago he asked a question in respect of Immigration and Nationality-type statistics and that data is all out there. It is something that the Council of Ministers and the officers provide updates to follow regularly, because increasing the economically active population inside the Island through things like the Equality Act and training, and lifelong learning is vital for us; but also bringing people to the Island to enrich us, as immigrants always have done, is also a vital part of our Government's Programme.

1745 **The President:** Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

1750 DESC recently offered to adjust teachers' pay to incorporate the London fringe benefits. This appeared to be quite innovative. Have any other Government workers been offered similar incentives?

The President: The Minister. *(Interjection)*

1755 **The Minister:** So basically there are market adjustments from time to time which take into account the local economy, the profession, the international economy and the national economy, however it is defined. So to answer your question, the basic principle of human resources and remuneration is one of job evaluation and grading – a fair system of job evaluation and grading – but surrounding that there can be adjustments in a fair way to take into account that sort of thing in some professions in the private sector and also in the public sector.

1760

14. Douglas Head – Progress on designation and conservation

The Hon. Member of the Council, Mrs Maska, to ask the Minister for Policy and Reform:

What has been done to assess the character appraisals which were submitted in mid-2018 in support of designation and conservation of the Douglas Head area?

The President: Question 14, Hon. Member, Mrs Maska.

Mrs Maska: Thank you, Mr President.

1765 I would like to ask the Minister for Policy and Reform what has been done to assess the character appraisals which were submitted in mid-2018 in support of designation and conservation of the Douglas Head area?

Thank you, Mr President.

1770 **The President:** I call on the Minister to reply, Mr Thomas.

The Minister for Policy and Reform (Mr Thomas): Thank you, Mr President.

The document proposing Douglas Head as a conservation area was submitted to Cabinet Office as a response to the publication of the draft Area Plan for the East in May 2018. There is, however, no power in the Town and Country Planning Act 1999 to designate conservation areas

1775 through the area plan processes. Conservation areas are covered by section 18 of the Town and Country Planning Act.

I understand that an updated 'appraisal' document was submitted to Cabinet Office in respect of this proposal in January 2019 and a reply was sent to the author at the time confirming that there was no intention to specifically commit to a new conservation area for Douglas Head, ahead of a wider review of conservation areas.

1780 There is a commitment, though, to undertake an audit of the Island's built heritage assets during 2020, as part of the action plan to improve the planning system. Cabinet Office will be playing its part in setting out a timeframe for reviewing the current system of conservation areas as part of this audit, working in partnership with the Department of Environment, Food and Agriculture colleagues, and as resources allow. And also in conjunction, I think as agreed perhaps 1785 this morning, with other bodies like the Building Conservation Forum, Manx National Heritage and others who want to be involved – in a very valuable alliance for building conservation.

Having said that, there has been some preliminary work undertaken by Cabinet Office in respect of the Douglas Head proposal, including an initial review of the proposed boundary and a meeting with the author or authors of the proposal; but, as it stands, Cabinet Office is not 1790 currently progressing with a Douglas Head conservation area.

The President: Supplementary, Mrs Maska.

1795 **Mrs Maska:** Thank you, Minister, for that Answer.

Would he not agree that in the spirit of the Programme for Government and working together, the work that has been done by members of the Building Conservation Forum in bringing together this area appraisal and submitting it – and maybe mistakenly – to the Eastern Area Plan process but then to his Cabinet Office, that has been done in the spirit of working 1800 together?

Is it not unfortunate that this now cannot be picked up? I have seen the document; I think it has got a lot of worth in it. Is there not a way that this can be looked at, because when this is out there and unprotected, again, buildings are at risk? I would ask that this be looked at sooner rather than later, especially with the audit that is proposed in the Programme for Government. If 1805 I refer to the audit that has happened in Jersey, it started in 2008 and they are still trying to finish it. So this is not something that can be done overnight.

We want to work together but then it seems when matters are progressed from our end they come in and they just get nowhere. Would the Minister not agree that it would be worthwhile working more closely together and maybe getting around a table and seeing how this can be 1810 done in a meaningful way, rather than –

The President: Hon. Member, we must keep these questions much shorter. I am sorry. Minister.

1815 **Mrs Maska:** Thank you, Mr President.

The Minister: I am sure, knowing the author, that there will be lots of merit in the specific proposal made to Cabinet Office, without in any way committing or binding anybody in any legal capacity. I also remind the hon. questioner that section 18 is very specific in terms of the 1820 process; so the law is already in place.

Thirdly, I would remind the hon. questioner, who knows this much better than anybody else in this room, that there are 10 or so policies in the strategic plan that deal with this sort of thing in terms of conservation – Environment Policy 30 through to 39, from memory. So there is lots of protection already, given documents that have been available.

1825 But the most important thing I heard in the question was the statement that the Building Conservation Forum that the hon. questioner chairs, and the Departments involved and others

who need to be involved, should sit down and scope realistically the order – which might end up being a 10-year process by the sound of it, from a questioner with some expertise, but needs to be done sooner rather than later. And that is certainly a commitment that I am sure the Hon. Minister from the Department of Environment, Food and Agriculture sort of implicitly made this morning – that we ought to have that meeting about the next steps with those bodies.

**15. Conservation areas other than Douglas Head –
Plans for designation**

The Hon. Member of the Council, Mrs Maska, to ask the Minister for Policy and Reform:

What conservation areas other than Douglas Head are going to be designated and when?

The President: Question 15, Mrs Maska.

Mrs Maska: Thank you, Mr President.

I would like to ask the Minister for Policy and Reform, what conservation areas other than Douglas Head are going to be designated, and when?

Thank you, Mr President.

The President: Minister to reply.

The Minister for Policy and Reform (Mr Thomas): Thank you, Mr President; and I thank the Hon. Member for this Question, as well.

As the Hon. Member is aware – my Answer says ‘might be aware’, but I am absolutely sure she is aware – character appraisals were carried out some time ago for a number of areas, particularly in the south. These areas are: Ballabeg; Cregneash; Port Erin; Port St Mary; Silverdale; St John’s; and Sulby.

It is fair to say that it would be sensible to review all of these appraisals as part of a broader exercise to draft an up-to-date list of potential new conservation areas. Cabinet Office will clearly have to examine the resources available to undertake the necessary work, which is specialised, requiring the right professional technical expertise.

The President: Supplementary, Mrs Maska.

Mrs Maska: Thank you, Minister, for that Answer.

It is heartening to know that his Department is alive to the fact that there are proposed conservation areas designated, as he outlines, in the Southern Area Plan and then St John’s and Sulby.

I would ask: is it not somewhat unfair that these proposed areas are now in a state of limbo, whereby when planning applications are made there is a certain amount of uncertainty regarding what policies should be applied in an emerging or a proposed conservation area for all involved? And given the matter of resources, when we hear that DEFA has committed £7,653 in this administration, will he undertake that resources can be sought to carry on with this very important process?

Thank you, Mr President.

The President: Minister to reply.

The Minister: Playing with words here. Of course the Minister can confirm that resources *can* be sought. *(Interjection and laughter)*

1870 So basically the hon. questioner makes a very important point. And, to remind the listeners and everybody in this Hon. Court, the Island is well blessed with a rich and varied historic environment. Work is continuing on the expansion of the list of designated conservation areas and registered buildings in recognition of their particular architectural, social or historical interests; and within the Island there are so far 250 registered buildings and 19 conservation areas. In addition, there are many as yet unscheduled and unidentified buildings and areas
1875 which are either locally important or potentially worthy of designation.

So that is what the Strategic Plan has said since 2007 and we need to gather together, as part of the preparation for this multi-year heritage audit, a realistic plan; and I welcome the hon. questioner's engagement. This is no small task, it has defeated previous generations of politicians and it has defeated us over decades, in fact. I welcome the questioner's engagement
1880 with this issue and look forward to that meeting being called.

Obviously I have got to declare an interest of Culture Vannin. I am not sure whether the Building Conservation Forum can continue the excellent work it has done for five or six years. I think I was the first pioneering member of the Building Conservation Forum and I am obviously conflicted to an extent now, and that is why I have stepped back from active involvement. I put
1885 that conflict now on record. But let's see how the different bodies can agree to be involved in planning that multi-year audit that we are now talking about.

In closing, I restate: planning decisions under section 10 of the Town and Country Planning Act are always made in the light of the material considerations. One of those material considerations is the whole of the Strategic Plan with its 10 environmental policies relating to
1890 the registered building and conservation areas. So there is a degree of statutory protection in place already and I know for a fact that those existing appraisals in the past are already taken into account in that process.

POST OFFICE

16. Ballasalla Post Office consultation – Balthane businesses contacted

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Chairman of the Post Office:

On what date businesses in Balthane were contacted regarding the consultation on Ballasalla Post Office?

The President: Question 16, Mr Moorhouse.

1895 **Mr Moorhouse:** Thank you, Mr President.

I would like to ask the Chairman of the Post Office, on what date businesses in Balthane were contacted regarding the consultation on Ballasalla Post Office?

The President: Chairman of the Post Office, Ms Edge, to reply.
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The Chairman of the Post Office (Ms Edge): Thank you, Mr President.
Isle of Man Post Office wrote to 260 registered business premises on 15th January 2020, including addresses in Balthane.
Thank you, Mr President.

1905 **The President:** Supplementary.

Mr Moorhouse: Thank you, Mr President; and thank you, Chairman.

Two earlier dates were 19th December when the consultation began, and 10th January when the public meeting occurred and this oversight was brought to your attention. Why was such a key group, so important for the business, not consulted earlier; and given so little time before the end date of the consultation to reply?

The President: Ms Edge.

1915 **The Chairman:** Thank you, Mr President.

Until 17th December, Isle of Man Post Office was not aware that the sub-postmaster might rescind his resignation. So, following Principle 6 contained within the Isle of Man Post Office Retail Strategy and approved by this Hon. Court, we adopted the formal consultation process at that point and engaged with constituents, politicians, local government, third sector organisations and special interest groups before changing a service method or removing a service access point.

It has been well documented and discussed in this Court previously that Isle of Man Post Office consulted, and we feel we have exceeded Principle 6.

1925 **The President:** Mr Moorhouse.

Mr Moorhouse: Thank you, Mr President.

In terms of the limited time, that was an issue; but also in terms of that grouping of businesses, have you any indication of what proportion of the transactions business users are making up of the existing Ballasalla post office provision?

The President: Chairman to reply.

The Chairman: Thank you, Mr President.

Obviously, Isle of Man Post Office has been in discussions with these businesses. With regard to individual transactions from a Post Office point of view, we have transactions and footfall through each sub-post office, but I could not say which businesses they relate to.

17. Sub-postmasters on 31st January – Receiving payments to a company or as a salary

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to ask the Chairman of the Post Office:

How many of the sub-postmasters in place on 31st January received their payments (a) into a company and (b) as a salary?

The President: Moving on, Question 17, Mr Moorhouse.

1940 **Mr Moorhouse:** Thank you, Mr President.

I would like to ask the Chairman of the Post Office, how many sub-postmasters in place on 31st January 2020 received their payments (a) into a company and (b) as a salary?

The President: Ms Edge, to reply.

1945 **The Chairman of the Post Office (Ms Edge):** Thank you, Mr President.
As at 31st January 2020, 13 sub-postmasters received their remuneration from Isle of Man Post Office into a company; and eight sub-postmasters were remunerated directly.

1950 **The President:** Supplementary, Mr Moorhouse.

1950 **Mr Moorhouse:** Thank you, Mr President; and thank you, Chairman.
Those receiving the payments as a salary will presumably have their National Insurance and tax deducted at source. If this is the case, what makes them any different from other Post Office employees?

1955 **The President:** Ms Edge.

1960 **The Chairman:** Thank you, Mr President.
They are not employees of Isle of Man Post Office. Each sub-postmaster works under a service contract to provide services for Isle of Man Post Office. They are therefore not salaried personnel.
I understand the basis of the payment was determined based on advice from the Treasury at the time.

1965 **The President:** Supplementary.

1970 **Mr Moorhouse:** Thank you, Mr President; and thank you, Chairman.
Those receiving the payments into a company, a separate legal identity, does that mean that if the sub-postmaster gives up the position it can simply sell the business as a company entity to someone else?

1970 **The President:** Reply.

1975 **The Chairman:** Thank you, Mr President.
No. No individual contract that is held can sell the business and the services they provide for it. Well, they can sell their business and it is these people that are choosing options around their business, but they cannot sell on the Isle of Man Post Office Service Contract.

INFRASTRUCTURE

20. Housing Act 1955 and Landlord and Tenant Act 1954 – Provisions requiring local authority compliance with DOI policy

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Infrastructure:

Which provision of sections 47, 49 or 52 of the Housing Act 1955 or section 4(1) of the Landlord and Tenant Act 1954 enables the Department to enact a Department policy with which local authorities are required to comply?

The President: Question 20, Hon. Member for Ramsey, Mr Hooper.

1980 **Mr Hooper:** Thank you, Mr President.

I would like to ask the Minister for Infrastructure which provision of sections 47, 49 or 52 of the Housing Act 1955, or section 4(1) of the Landlord and Tenant Act 1954 enables the Department to enact a Department policy with which local authorities are required to comply?

1985 **The President:** Minister to reply, Mr Harmer.

The Minister for Infrastructure (Mr Harmer): Mr President, I thank the Hon. Member for his Question.

1990 Section 47(1) of the 1955 Act provides that the general management of houses provided by a local authority is vested in the authority, and that it may set charges for the occupation of such houses, subject to the Department's approval.

1995 This subsection is in itself subject to section 47A of the 1955 Act and Schedule 3 to the Housing (Miscellaneous Provisions) Act 1976. As the Hon. Member will be aware the Schedule relates to the initial selection for an allocation of public sector housing, in respect of which the Department may choose to adopt an all-Island policy, subject to the approval of Tynwald. The policy adopted by DOLGE and subsequently approved by the Council of Ministers on 17th January 2002 is deemed to be an all-Island policy, which was approved by Tynwald in this way – see paragraph 6(6) of Schedule 3 to the Housing (Miscellaneous Provisions) Act 2011. Paragraph 1A(3) of Schedule 3 to the 1976 Act requires a local authority to comply with an all-Island policy adopted in this way.

2000 Section 49 does not enable the Department to make policy in respect of rents and rebates, which are to be fixed by a local authority; however, as both matters are subject to the Department's approval, clearly it has some control over how they are practically applied.

2005 Section 52 simply enables the Department to make payments to local authorities in a manner approved by Tynwald. The Hon. Member will recall from an Answer provided in August 2019 that this is presently in the form set out in the Tynwald resolution made on 20th October 1999 and commonly known as the 'deficiency payment'.

2010 Section 4(1) of the Landlord and Tenant Act simply defines the concept of a tenancy for years. It has nothing whatsoever to do with the adoption of a policy on allocation of houses.

2010 Ultimately an authority not wishing to follow the Tynwald policy can do so by stepping outside the deficiency process. Of course, any authority doing so would need to comply with the legislation and be mindful of any impact on their tenants and potentially their ratepayers.

2015 As much of this information is technical in nature, I am more than happy to discuss with the Hon. Member this and any other matter in much more granular detail with officers from the Department.

The President: Supplementary, Mr Hooper.

2020 **Mr Hooper:** Thank you very much, Mr President; that was quite a detailed answer from the Minister and I thank him for that.

2025 It is interesting that he says the Landlord and Tenant Act actually is not relevant to Department policy. I have asked previously in this place which powers the Department has in respect of policy and that was specifically mentioned. So I am glad that he has clarified the situation in respect of that.

2025 The reason I am asking this question is actually quite straightforward. The Department has a fixed-term tenancy policy which does a number of things, one of which is it means tests tenants. The Minister in his Answer actually did not make any reference to any powers that allow the Department to means test tenants, other than those that are subject to Tynwald approval.

2030 So my question really for the Minister is: what is the legal *vires* for means testing tenants under a fixed-term tenancy policy? The management of the authorities' houses clause that he referenced before which requires approval of the Department only makes reference to 'reasonable charges' the authority can make, it makes no reference to the ability to means test

people. In fact, none of the provisions the Minister has outlined either in his previous Answer or in his Answer just now give the Department the legal *vires* to means test people in accordance with any Department policy.

So I would like some clarification from the Minister: what is the legal basis for his means testing of these tenants.

The President: Mr Harmer.

The Minister: Thank you, if I may, Mr President, I do not know if the learned Attorney General can ...?

The President: I do not think that would ...

The Attorney General: Mr President, it is outside the scope of the actual Question which was asked, which the Minister will acknowledge I have advised with reference to the detailed Answer that he gave. I am more than happy to take that question away, sir, and I will answer it in writing, if I may? (*Interjection by the President*)

The Minister: Thank you, Mr President, this is why I was saying in the last –

The President: Clearly, you have asked a question which is beyond the actual scope of what is here. I suggest that you table a question for the learned Attorney; that would be a perfectly acceptable way of getting that information which, sir, you are not in a position to provide, really.

The Attorney General: No.

Mr Hooper: I have another supplementary.

The President: Further supplementary.

Mr Hooper: Thank you, Mr President.

I am more than happy to do that and I will table such a Question.

So my follow-up for the Minister then is in respect of enacting a Department policy with which local authorities are required to comply. He has outlined that the local authorities are required to comply in respect of the charges they may make. That is quite clearly set out there. They are required to comply in respect of the deficiency payments.

I am still struggling to understand where the Department gets the powers to issue a policy with which the local authorities must comply in respect of things like the length of someone's tenancy and the frequency with which a tenancy must be reviewed. None of that was mentioned in his Answer.

So, again, we have a fixed-term tenancy policy that deals with the allocation of housing to tenants across the whole Island which – according to the Minister's own words, 'an all-Island policy is subject to Tynwald approval' – that has not had Tynwald approval.

So again, Minister, which one of the specific provisions that you set out in Answer to a previous Question actually gives you the legal powers to issue this particular policy and force local authorities to comply with it?

The President: Mr Harmer.

The Minister: Thank you, Mr President.

I will have to come back to the Member on that question.

2085 What I would say is that for local authorities the actual fixed-term tenancies are working well. The local authorities are very supportive and a lot of this has come from them. Some of the things that have been said actually have not taken place, and it is working well. But on these technical issues I will have to come back to the Member.

**21. Mobility scooter users –
Public transport policy**

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Infrastructure:

What his Department's policy is in respect of individuals who require the use of a mobility scooter using public transport?

The President: We move on to Question 21, Mr Hooper.

2090 **Mr Hooper:** Thank you, Mr President.
I would like to ask the Minister for Infrastructure what his Department's policy is in respect of individuals who require the use of a mobility scooter using public transport?

The President: Mr Harmer.

2095 **The Minister for Infrastructure (Mr Harmer):** Thank you, Mr President.
I would like to be very clear about this issue. We welcome passengers of all abilities and disabilities, and I will do whatever I can to increase the numbers of people using our bus services. We have already seen encouraging growth and I very much hope that as people respond to the climate challenge they give up their car in favour of active travel and public transport.

2100 Those with problems walking have seen many improvements in recent years. We have low-floor buses across the fleet and our buses are fitted with suspension that can easily allow the driver to lower the height of the step to meet the kerb. More and more stops are fitted with higher kerbs and all of our buses have ramps. We have no problem with wheelchairs, powered or not. We are in no way discriminating against those who have problems walking; rather, we are asking those who cannot walk, or walk far, to choose their mobility aids carefully if they want to use it on the bus.

2105 Our policy is to carry all the passengers that we can safely and legally carry. Buses are designed to carry wheelchairs and prams without the need for special additional restraint and our drivers regularly carry these. Disabled passengers using a powered wheelchair can readily be accommodated because these fit within the dimensions specified in the vehicle's type approval and can be secured using the standard fittings.

2110 The larger mobility scooters designed for use on pavements or roads cannot be carried because they cannot be safely restrained. Whilst our drivers rarely have to make an emergency stop in a bus, under heavy braking passengers can be thrown suddenly forwards. In the event of an impact they may then be thrown backwards. An unrestrained mobility scooter poses an unacceptable risk to anyone sitting on it or being carried on the bus.

2115 We did conduct a brief trial with one passenger who was keen to assist us. Unfortunately, whilst the passenger could get on to the bus, the scooter did not remain still during the journey. This means that it would have to be restrained and we have no restraint system available.

If the future we can, and would aim to, buy buses that are fitted with suitable restraints for mobility scooters and we will certainly make this clear to the travelling public.

The President: Mr Hooper.

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Mr Hooper: Thank you very much, Mr President.

So it seems that the Minister is saying it is the type of buses we are using, and we do not have the right equipment.

2130

Mr Cretney: Buy more buses!

Mr Hooper: It is interesting that other jurisdictions that use the same types of buses that we use, and that follow the same types of regulations that we follow actually do have schemes in place to allow for certain types of mobility scooters to be used. Typically, these are type 2 scooters, the smaller mobility scooters, not the type 3 larger scooters that the Minister says are too big. So if in other jurisdictions, including the United Kingdom, for example, where this is regularly accepted practice across the entire country by a wide number of bus companies, why is it they can do this but the Isle of Man for some reason cannot?

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The President: Mr Harmer.

The Minister: I do not think it is as simple as that and I have looked at a number of different issues and about guidance and so forth and that simply is not the case.

If we can do it legally and safely I am absolutely with the Hon. Member, that if we can get a type 2 mobility scooter safely restrained we will do so. It is all about being legal and safe. It is as simple as that and I am as passionate as him wanting to achieve that for the smaller-type mobility scooter. If that can be done legally and safely I have made it very clear to officers we will do that.

2145

2150

The President: Hon. Member of Council, Mrs Poole-Wilson.

Mrs Poole-Wilson: Thank you, Mr President.

I wonder if the Minister could please confirm, as I think I heard him say in his initial Answer, that his Department *is* prioritising looking at this issue, particularly in light of the fact that his Department will be looking to change buses to meet the climate change challenge; and making sure that in drawing up the specification for any new buses that these issues of allowing for maximum access for all passengers with different conditions is properly being taken into account and prioritised?

2155

Thank you, Mr President.

2160

The President: Mr Harmer.

The Minister: Thank you, Mr President.

I want to be absolutely clear. I take this issue as seriously as every Member of this Court does. We want to do this. It is about being legal and safe; and obviously any bus that is looked for, then that is something that we will consider.

2165

The President: Mr Hooper, supplementary.

2170

Mr Hooper: Thank you very much, Mr President.

The Minister has used the words 'legal' and 'safe' a number of times. He also said that they ran a trial. So can the Minister confirm that the trial was legal and safe; or was he intentionally and deliberately putting passengers in danger during that trial?

2175 Now, if they can run a trial for I think it was two months, legally and safely, why is that not permanent? Why is this not something that can be made permanent, quite simply, perhaps with some reasonable adjustments?

The President: Mr Harmer.

2180 **The Minister:** Thank you.

It was clear from the trial that it was not safe. That was the point of the trial.

Just to give you some other aspects: in London, the average speed of a bus is six miles an hour; our buses routinely operate at 50 miles an hour. So there are differences in circumstances and we will, as I said, look to deal with this.

2185 Certainly from my point of view it probably was premature. It was a well-intentioned trial but perhaps it created the expectation that we could not meet until new buses were available. So I think it was well-intentioned but I think it probably caused more problems than it solved.

The President: Hon. Member, Miss Costain.

2190

Miss Costain: Thank you, Mr President.

Could the Minister advise everybody? If it is shown not to be legal and safe, could he circulate the legislation that says that it is not legal; and any other documentation relating to that as to the safety issues, etc., so we have all got a better understanding?

2195

The President: Mr Harmer.

The Minister: I can distribute the documentation; that is fine.

2200 **The President:** Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

2205 Is the Minister aware of the UK Confederation of Passenger Transport which has set out public guidelines that are widely in use throughout the United Kingdom, not just in London, on rural routes as well which are similar to our own Isle of Man routes? That sets up guidelines for the safe carriage of smaller mobility scooters.

2210 So, again, I am struggling to understand how something that can be legal and safe in the United Kingdom – and that can be legal and safe in other jurisdictions using very similar buses to what we have – can be made legal and safe after making reasonable adjustments to the service and to perhaps the buses themselves. Why is this something that his Department is finding so difficult to implement on the Isle of Man?

The President: Minister to reply.

2215 **The Minister:** I think, as I said to you before, it is the disadvantage of perhaps taking a trial ahead of time. I think there are a number of different buses, different certifications of buses, so you cannot just say 'similar'; it has to be particular to that bus. This is about practicality and about operation, it is not about policy. Policy is to deliver as many people as we can and everyone that we can. This is simply a technical issue.

2220

The President: Supplementary question, Dr Allinson.

Dr Allinson: Thank you, Mr President; and I would like to thank the Minister for his ability to be flexible on this matter.

2225 He talks a lot about the legality, and obviously one of the most important laws this Tynwald
has passed is the Equality Act, which highlights the use of suitable modifications to allow people
with a disability to access Government services and public transport. My question to him really
is: in determining the policy, has he consulted with the equality adviser to get some more up-to-
2230 date advice in terms of those modifications that could be allowed on the Isle of Man to allow the
passage of people with disabilities who use more mobility scooters?
Thank you.

The Minister: Yes, we have.

**22. Public sector rent increase –
Application on higher rents under fixed term tenancies**

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Infrastructure:

*Whether the recent increase to public sector rents also applies to the higher rents charged to
tenants under the fixed term tenancy policy?*

2235 **The President:** We move on to our final Question.
Question 22, Mr Hooper.

Mr Hooper: Thank you, Mr President.

I would like to ask the Minister for Infrastructure whether the recent increase to public sector
rents also applies to the higher rents charged to tenants under the fixed-term tenancy policy?
2240

The President: Minister for Infrastructure, Mr Harmer.

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

2245 Where a new fixed-term tenancy is offered on different terms, there are three options.
Firstly, where the financial eligibility threshold for public sector housing has been exceeded by
no more than 10%, the standard public sector rent will increase by a further 15%. In this
instance, any annual change to the rental levy will apply.

2250 Secondly, where the eligibility threshold has been exceeded by more than 10% but the
household income is less than £60,000 the rent will be applied at 80% of market rate. In this
instance, there will be no annual change to the rental levy.

Thirdly, where the household income is more than £60,000, the rent will be applied at 100%
of market rate. In this instance, there will be no annual change to the rental levy.

2255 **The President:** Supplementary, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

I wonder if the Minister could circulate a copy of the policy where those three percentages –
that 10% uplift and the 80% is set out, because I do not recall seeing that in the fixed-term
tenancy policy that was previously circulated. So I would be grateful for that.

2260 Is the Minister not concerned, then, that by increasing some of these lower rents but not
actually increasing the market-rate rents, all he is eventually going to do is move public sector
rents up to a level that is comparable to the market rate, which sort of defeats the whole
purpose of having public sector rents in the first place? Could the Minister comment on that?

2265 **A Member:** Hear, hear.

The Minister: Yes, I can.

Firstly, I am happy to circulate that.

2270 Secondly, obviously market rents do vary and they will go up over time. In actual fact the rental increase this year still maintained that we were quite well below 50% of market rents, and that is one of the factors in terms of affordability and all the other issues that go into determining what the public rent is.

The President: Mr Speaker.

2275 **The Speaker:** Thank you.

Would the Minister not agree that the idea of public sector housing is that it is there for the needy; and if people can afford to pay the market rate they should be paying the market rate in the market, so that people can access it who are on the waiting list and whose means are not as adequate?

2280

The President: The Minister.

The Minister: Thank you, Mr President.

2285 I think the key is there are some that do still have a housing need for various different reasons, maybe disabilities or aids, or whatever. And therefore if they can pay and are allowed to stay on their own in that accommodation then they can do so. But obviously if they have got a good income then they should pay appropriately.

2290 **The President:** Hon. Members, that brings us to the end of Questions for Oral Answer. Written Answers will be circulated shortly.

Questions for Written Answer

TREASURY

23. Budgets 2019 and 2020 – Approved and not approved bids

The Hon. Member for Garff (Mrs Caine) to ask the Minister for the Treasury:

If he will publish all the budget bids received ahead of the 2019-20 Budget (a) approved and (b) not approved?

The Minister for the Treasury (Mr Cannan): The numbers of bids received for the 2019 and 2020 Budgets, by Department or other body, are provided below.

Details of approved bids are included in the respective Pink Book for each year, under each Department's narrative.

	Number of Bids		Approved/ Partial Approval		Not Approved	
	2019-20	2020-21	2019-20	2020-21	2019-20	2020-21
Attorney General's Chambers	5	3	2	0	3	3
Cabinet Office	11	5	2	4	9	1
Clerk of Tynwald's Office	1	2	1	1	0	1
Communications Commission	1	1	1	1	0	0
Department for Enterprise	5	6	2	5	3	1
Department of Education, Sport and Culture	1	4	1	3	0	1
Department of Environment, Food and Agriculture	1	5	1	2	0	3
Department of Health and Social Care	2	8	2	6	0	2
Department of Home Affairs	10	14	7	4	3	10
Department of Infrastructure	8	17	2	11	6	6
Financial Intelligence Unit	1	1	1	1	0	0
Gambling Supervision Commission	2	1	2	1	0	0
General Registry	2	1	1	1	1	0
Information Commissioner's Office	1	1	1	0	0	1
Isle of Man Post Office	1	1	1	1	0	0
Manx Industrial Relations Service	1	1	1	1	0	0
Manx Museum and National Trust	3	2	2	2	1	0
Financial Services Authority	0	1	0	1	0	0
Treasury	5	7	5	4	0	3

24. Sir Jonathan Michael Report – Costs by component

The Hon. Member for Douglas South (Miss Costain) to ask the Minister for the Treasury:

What the total cost was of the Sir Jonathan Michael Report broken down into its various components?

2295

The Minister for the Treasury (Mr Cannan): The total cost of Sir Jonathan Michael's Independent Review of the Health and Social Care System was £906,039.32 during the period

March 2018, when Sir Jonathan was appointed, to May 2019 when his Final Report was submitted to Tynwald.

The component costs are:

- 2300
- £761,899.32 for external consultancy.
 - £784.00 for catering.
 - £143,356.00 for staff and other costs.

25. Procurement – Legislation and policies

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for the Treasury:

What statutes, regulations, policies, procedures and guidance exist around procurement other than financial regulations; and where they are published?

The Minister for the Treasury (Mr Cannan): The important Isle of Man legislation relating to procurement is:

- 2305
- the Fair Trading Act 1996;
 - the Bribery Act 2013;
 - Customs and Excise and Income Tax legislation.

The principal and overarching policy in place in relation to Government procurement is the [Isle of Man Government Procurement Policy \(GD 2017/0026\)](#) which was presented to Tynwald in July 2017 at which it approved the key policy objectives of:

2310

- (1) Achieving best value for the Isle of Man from Government purchasing whilst ensuring Government's purchasing power is used to spend locally wherever possible.
- (2) Purchase through fair and open competition.
- (3) Make selling to Government as simple and straightforward as possible.

This policy is also published on Government's Procurement Services website¹ (managed by the Attorney General's Chambers).

In accordance with this policy, Government's forthcoming Tender Plans are published on the website², along with the majority of current procurement opportunities – both 'Quick Quotes' (contracts greater than £10,000 and less than £100,000) and Tenders (contracts greater than £100,000).

2315

Where appropriate, consideration and compliance is required in Government procurement to meeting the provisions of the [Single Use Plastics Reduction Plan for Isle of Man Government, GD 2018/0046](#)³, which was approved by Tynwald in July 2018.

2320 All such procurement opportunities are managed within the online procurement portal (<https://in-tendhost.co.uk/iomg/asp/Home>) managed by the Attorney General's Chambers.

Whilst *ad hoc* verbal guidance and support in relation to the use of the procurement portal is available from procurement services officers, in addition the following information and guidance is available online via the portal:

- 2325
- Portal Privacy Notice.
 - Standard Terms and Conditions for Goods and/or Services precedent (including GDPR amends).
 - Supplier Instruction Notes – Completing Expression of Interest Stage.
 - Supplier Instruction Notes – Sending Project Correspondence.

2330

 - Supplier Instruction Notes – Uploading Tender Return Documents.
 - Supplier Instruction Notes – Resetting your Password and Adding or Removing a User.

- Supplier Instruction Notes – Adding further Business Classifications.
- Supplier Information for those responding to Quick Quotes and Tenders.
- Isle of Man Government Select Lists.
- Project Management and Consultancy Services – AFA Pack.
- Application for Admission – Select List for Cleaning.
- Application for Admission – Select List for Window Cleaner.
- A Guide to the Combined Tender Process.
- A Guide to the Tender Process.
- Combined Frequently Asked Questions.
- PQQ Frequently Asked Questions.
- Tender Appeals Procedure.

¹<https://www.gov.im/about-the-government/offices/attorney-generals-chambers/civil-division/procurement-division/>

²<https://www.gov.im/categories/business-and-industries/expressions-of-interest/>

³<http://www.tynwald.org.im/business/opqp/sittings/Tynwald%2020162018/2018-GD-0046.pdf>

POLICY AND REFORM

26. MARS, VARS and Government redundancy schemes – Payout details

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Policy and Reform:

What MARS, VARS and other redundancy scheme payouts have been made since schemes were introduced, broken down by Departments, Government Offices or Statutory Boards and budget utilised showing (a) total number of applications accepted; (b) grades of individuals; (c) cost per employee group; (d) Departments, Government Offices, Boards per application; (e) salary savings; and (f) pension savings?

The Minister for Policy and Reform (Mr Thomas): I regret to advise that in the time available it has not been possible to provide the requested information. However, I will endeavour to do so as soon as reasonably practicable.

Please note that MARS and VARS are not redundancy payments.

ATTORNEY GENERAL

**27. Government commercial contracts signed 2018-19 –
With and without confidentiality clauses, January to March 2019**

The Hon. Member for Rushen (Mr Speaker) to ask HM Attorney General:

How many commercial contracts with commercial confidentiality clauses were entered into by Government Departments, Boards and Offices during the financial year 1st April 2018 to 31st March 2019; and how many of those contracts (a) with such clauses and (b) without such clauses were signed in the last three months of that financial year?

The Attorney General: The standard contract template drafted by the Attorney General's Chambers (AGC) is provided to Departments with guidance, which recommends consideration of confidentiality provisions and retention of clauses that are necessary and appropriate in the circumstances.

The following statistics have been provided to AGC by Finance Officers of the Department, Board or Office concerned. Where information is marked 'To follow', this will be forwarded as soon as it becomes available.

Department/Board/Office	How many commercial contracts were entered into between 1/4/2018 and 31/3/2019	(a)	(b)
		With commercial confidentiality clauses entered into between 1/1/2019 and 31/3/2019	Without commercial confidentiality clauses entered into between 1/1/2019 and 31/3/2019
Attorney General's Chambers	0	0	0
Manx Industrial Relations Service	0	0	0
Financial Intelligence Unit	0	0	0
Department of Infrastructure	48	3	1
Department for Enterprise	52	2	17
Public Sector Pensions Authority	1	0	1
Department of Environment, Food and Agriculture	To follow	To follow	To follow
Isle of Man Information Commissioner	0	0	0
General Registry	1	1	0
Department of Health and Social Care	14	5	1
Department of Home Affairs	2	0	0
Isle of Man Financial Services Authority	4	0	2
The Treasury	26	5	2
Manx Utilities Authority	81	4	11
Isle of Man Gambling Supervision Commission	1	0	0
Communications Commission	0	0	0
Department of Education, Sport and Culture	To follow	To follow	To follow
Cabinet Office	To follow	To follow	To follow
Isle of Man Office of Fair Trading	To follow	To follow	To follow
Manx National Heritage	9	3	0
Road Transport Licensing Committee	0	0	0

**28. Government procurement contracts –
Litigation cases in last five years**

The Hon. Member for Rushen (Mr Speaker) to ask HM Attorney General:

In how many cases in each of the last five years has litigation taken place in relation to procurement contracts with a Government Department, Board or Office as (a) a claimant and (b) a defendant?

2355 **The Attorney General:** In relation solely to procurement contracts with a Government Department, Board or Office as (a) a claimant and (b) a defendant, one matter has resulted in litigation (court action) in the last five years in which an officer from the Attorney General's Chambers has represented a Government Department.

2360 This case in question was brought in 2018, serial number CHP 2018/102, being a dolence claim in which a Government Department was the respondent (defendant). The judgment in this case was delivered on 24th April 2019 and is published here:

<http://judgments.im/content/J2511.htm>.

The Attorney General's Chambers do not hold records of cases which may have been dealt with by lawyers external to the Attorney General's Chambers.

2365 It has not been possible to identify procurement disputes which solely relate to recovery of debt proceedings.

ENTERPRISE

**29. Barclays Bank site, Castletown –
MNH plans**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Enterprise:

What plans Manx National Heritage has for the Barclays Bank site in Castletown?

The Minister for Enterprise (Mr Skelly): The property is leased to Barclays who occupy the site. Manx National Heritage has no other plans at the present time.

EDUCATION, SPORT AND CULTURE

**30. Student grant budget –
Allocation and spend since 2017-18**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Education, Sport and Culture:

How much the student grant budget allocation and spend were for years 2017-18, 2018-19 and the current year to date?

The Minister for Education, Sport and Culture (Mr Cregeen):

Net Expenditure Student Awards 2019-20 (YTD)	Current Budget £'000	Year to 31st January 2020			
		Budget £'000	Actual £'000	Variance % £'000	
Student Grants					
Free School Meals	650	530	484	9%	46
Maintenance Grants	1,618	1,626	2,337	(44%)	-711
Tuition Fees	8,591	7,559	6,867	9%	692
Student Loans	-1,301	-1,301	-1,178	9%	-123
Student Grants - total	9,558	8,414	8,510	(1%)	-96
Net Expenditure Student Awards 2018-19	Current Budget £'000	Year to 31st March 2019			
		Budget £'000	Actual £'000	Variance % £'000	
Student Grants					
Free School Meals	680	680	733	(8%)	-53
Maintenance Grants	1,599	1,599	1,671	(4%)	-72
Tuition Fees	8,663	8,663	8,294	4%	369
Student Loans	-1,390	-1,390	-1,673	(20%)	284
Student Grants - total	9,553	9,553	9,024	6%	523
Net Expenditure Student Awards 2017-18	Current Budget £'000	Year to 31st March 2018			
		Budget £'000	Actual £'000	Variance % £'000	
Student Grants					
Free School Meals	584	584	606	(4%)	-22
Maintenance Grants	1,715	1,715	1,617	6%	98
Tuition Fees	8,795	8,795	8,504	3%	291
Student Loans	-1,100	-1,100	-1,004	(9%)	-96
Student Grants - total	9,994	9,994	9,723	3%	271

**31. DESC expenditure this year –
By Division and operational area**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Education, Sport and Culture:

If he will report on his Department's expenditure in the present year to date broken down by Division and by operational area within each Division?

2370 **The Minister for Education, Sport and Culture (Mr Cregeen):** An extract from the Department's January 2020 Financial Report is at the following link:

http://www.tynwald.org.im/business/hansard/20002020/t200219_Q31_LinkedReport.pdf

Whilst the Hon. Member requested only expenditure, the Report identifies this but also provides income data to provide as accurate picture as possible.

32. National Sports Centre in past five years – Revenue from swimming and leisure pool access

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

How much revenue was generated in each of the past 60 months by the National Sports Centre from (a) all swimming and related activities; and (b) access to the leisure pool?

The Minister for Education, Sport and Culture (Mr Cregeen):

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Admissions – Pool												
2015	26,549	24,569	13,719	24,015	29,975	23,343	20,322	22,649	17,371	20,914	25,725	35,540
2016	16,559	12,327	17,723	17,466	40,893	17,567	29,958	11,540	14,762	21,869	22,355	56,181
2017	18,711	16,151	25,258	16,532	23,434	32,246	21,786	26,689	12,115	15,442	44,030	29,988
2018	24,441	10,060	11,563	21,719	21,021	5,905	121	8,068	1,216	19,447	21,614	23,175
2019	481	691	123	441	1,877	24,346	9,322	36,487	8,326	224	588	185
Admissions – Pool	86,740	63,798	68,141	80,173	117,200	103,406	81,268	89,296	53,791	77,896	114,312	145,068
Swimming Lessons												
2015	21,905	19,864	6,664	21,361	7,478	19,760	17,282	14,865	20,639	10,542	20,425	20,617
2016	23,053	11,850	15,555	23,990	10,968	12,555	24,735	16,742	19,527	21,582	14,205	22,074
2017	13,860	22,543	17,648	21,036	12,271	18,651	21,783	17,930	15,119	15,000	23,994	58,076
2018	14,202	15,478	23,183	16,483	59	7,417	12,441	5,366	5,562	17,861	14,768	22,066
2019	5,064	8,027	4,800	6,369	5,009	13,645	9,867	14,185	11,142	8,197	5,949	8,601
Swimming Lessons	78,084	77,761	67,849	89,239	35,786	72,028	86,108	69,088	71,989	73,182	79,340	131,434
Sales of Other Items												
2015	5,045	4,947	2,341	4,934	6,487	8,224	4,445	4,601	2,120	4,406	3,339	6,655
2016	4,842	2,685	4,346	4,763	9,921	5,948	7,997	3,272	4,127	7,962	5,645	4,160
2017	4,277	3,654	5,078	3,760	5,137	8,817	5,092	4,015	3,408	4,095	7,122	7,366
2018	4,708	2,949	2,877	5,298	26	1,759	1,138	1,117	559	4,924	4,541	4,723
2019	127	498	615	132	1,999	4,658	802	813	1,479	516	413	1,462
Sales of Other Items	19,000	14,732	15,257	18,888	23,570	29,406	19,475	13,818	11,694	21,904	21,059	24,366
Health Suite												
2015	15,547	18,924	12,032	19,094	12,422	19,440	16,246	18,715	13,086	9,199	7,303	26,740
2016	17,625	16,721	19,415	18,201	19,523	8,682	23,973	15,018	18,953	20,100	15,612	25,976
2017	16,120	23,534	22,493	20,634	15,997	23,534	23,102	18,905	18,362	32,595	22,280	24,366
2018	910	3,725	4,927	19,134	17,947	17,944	19,121	15,727	74,123	21,578	20,743	15,997
2019	11,659	17,057	13,025	12,457	15,487	19,532	13,628	15,394	16,324	16,656	12,027	22,130
Health Suite	61,862	79,961	71,892	89,519	81,377	89,132	96,070	83,758	140,848	100,128	77,965	115,208

It is not possible to identify Leisure Pool user separately. The Health suite has been included as membership subscriptions enable user to use the Gym and Pool.

ENVIRONMENT, FOOD AND AGRICULTURE

**33. Coal and coal-related products –
Import volume and value in last three years**

The Hon. Member for Douglas South (Miss Costain) to ask the Minister for Environment, Food and Agriculture:

How much coal and coal-related products, (a) by volume and (b) by value, were being commercially imported in each of the last three years for re-sale locally?

2375 **The Minister for Environment, Food and Agriculture (Mr Boot):** Government does not hold this data. The last available data is from 2005 when 3,070 tonnes of coal and coal-related products were imported. This was significantly lower than the 8,844 tonnes imported in 2000.

**34. Coal and coal-related products –
Households using for heating and cooking**

The Hon. Member for Douglas South (Miss Costain) to ask the Minister for Environment, Food and Agriculture:

How many households are using coal and coal-related products for heating and cooking?

2380 **The Minister for Environment, Food and Agriculture (Mr Boot):** In the 2011 census, 885 households reported using coal/solid fuel as the primary source of heating in their homes. In the 2018 Household Condition survey, out of a sample of 932 private sector homes, only four of these properties reported using solid fuel as their primary source of heating. It is not possible to differentiate the use of coal and solid fuel (i.e. wood and wood-related products) in households. None of Dol's housing stock of 1,213 dwellings have solid fuel as a primary source of heating.

2385 Furthermore, some homes may use coal and solid fuel as a secondary heating source i.e. open fires, log burners, biomass boilers etc. Households using coal and coal-related products for heating will be able to switch to using alternative solid fuel sources such as wood and wood related products.

Government does not hold data on households using coal and coal-related products for cooking.

**35. Central heating oil imports –
Volume and value in last three years**

The Hon. Member for Douglas South (Miss Costain) to ask the Minister for Environment, Food and Agriculture:

How much central heating oil, by (a) volume and (b) value, was commercially imported in each of the last three years for re-sale locally?

2390 **The Minister for Environment, Food and Agriculture (Mr Boot):** This data is presented in the following Table 35A.

Table 35A

Year	Heating Oil (litres)	Estimated Value
2017	44,110,598	£21,878,857
2018	46,119,178	£26,749,123
2019	43,759,974	£25,380,785

36. Oil for central heating – Households and businesses using

The Hon. Member for Douglas South (Miss Costain) to ask the Minister for Environment, Food and Agriculture:

How many (a) households and (b) businesses are using oil for central heating?

The Minister for Environment, Food and Agriculture (Mr Boot): (a) It is not possible to give an exact number of households as customers purchase heating oil from more than one supplier. Based on data provided in 2019 from the local petroleum suppliers it is estimated there are 17,287 households using oil for central heating.

2395 (b) Government does not hold this data. However, based on data provided in 2019 from the local petroleum suppliers it is estimated that approximately 10% of the volume of heating oil is used in commercial properties (which includes Government properties).

37. Reducing fossil fuel usage – Action planned and timescales

The Hon. Member for Douglas South (Miss Costain) to ask the Minister for Environment, Food and Agriculture:

What action is planned, with what timescales, to:

(a) ban the commercial advertising for sale of fossil fuels;

(b) ban (i) the importation of coal and coal products, and (ii) the importation of central heating fuel oil; and

(c) ban new build houses and properties with (i) open hearth domestic fires, (ii) flues for cookers and stoves burning coal and coal related products, and (iii) flues for boilers burning central heating fuel oil?

The Minister for Environment, Food and Agriculture (Mr Boot): In January this year Tynwald agreed the Isle of Man Government Action Plan for Achieving Net Zero Emissions by 2050. This is an ambitious first phase of climate action informed by Prof. James Curran's independent report. The Government Action Plan outlines 60 actions that can be commenced as soon as possible to ensure that we are reducing our emissions in line with the target of net zero emissions by 2050 which the Chief Minister made a commitment to in May last year.

2400 Emissions from residential sources (predominantly heating homes and cooking) accounted for over 35% of Isle of Man greenhouse gas emissions in 2017, and reducing the use of fossil fuel heating is acknowledged as a priority.

2405 In the Government Action Plan there is a commitment to ban the use of fossil fuel heating appliances in new build properties by 2025, and to set a date by which to ban the replacement of heating with fossil fuel oil boilers.

2410 A key component of the Government Action Plan is to improve our understanding of the social and economic impacts of climate actions proposed by Prof. James Curran in his report. One important area where people will be directly impacted by climate action will be in the transition away from the use of fossil fuels in home heating.

2415 Further research will be needed to understand the implications of additional bans on fossil fuel heating, for example coal. This knowledge can then inform realist targets that both meet our commitments to reach net zero by 2050 and ensures that the transition away from all fossil fuels is fair and does not impact disproportionately on the more vulnerable members of our society, and that the business affected are given appropriate notice. This work will form part of the research and development work for Phase 2 of the Government Action Plan.

2420 To answer the questions specifically:

What action is planned, with what timescales, to:

(a) ban the commercial advertising for sale of fossil fuels;

2425 There is no specific action planned at the moment to ban the commercial advertising of the sale of fossil fuels, but there is an action in the Government Action Plan to build awareness and skills for contractors in low carbon heating options which will help the public to make lower carbon choices when they replace their fossil fuel heating systems in future. Future strategies for reducing domestic use of fossil fuels will be developed over the next year to inform Phase 2 of the Government Action Plan.

(b) ban (i) the importation of coal and coal products,

2430 There is no specific action planned for banning the importation of coal and coal products. New build homes will not be able to use coal-fired heating appliances once the ban on fossil-fuel heating is implemented, by 2025. Additional measures to address the emissions associated with coal will need to be considered in Phase 2 of the Government Action Plan.

and (ii) the importation of central heating fuel oil;

2435 A ban on the importation of fossil fuel based central heating fuel oil has not been considered in Phase 1 of the Government Action Plan. It will not be possible to build new homes that are heating using fossil fuel oil by 2025 and there is a commitment to set a date to ban the replacement of existing heating systems with fossil fuel oil system. Options to facilitate the transition away from fossil fuel heating oil will need to be considered for the Phase 2 plan.

2440 Carbon-neutral fuel oil based on renewable sources (biofuels) might in the future represent one of the options for sustainable alternatives to fossil fuel heating oil, so importation of this category of heating oil would not necessarily need to be restricted to reduce emissions.

(c) ban new build houses and properties with

(i) open hearth domestic fires,

2445 There is not currently a plan to specifically ban open hearth domestic fires, but as explained earlier, effective measures to reduce emissions from all domestic fossil fuels will be considered in Phase 2 of the Government Action Plan.

(ii) flues for cookers and stoves burning coal and coal related products,

2450 There is no current plan to ban flues for coal cookers and stoves, but action to reduce emissions associated with the use of coal for heating and cooking will need to be considered in future.

and (iii) flues for boilers burning central heating fuel oil?

The ban on fossil fuel boilers would include flues for boilers burning fossil fuel central heating oil outlined above.

2455 *Additional information:*

In terms of other measures to assist in the transition away from domestic use of fossil fuels, the Government Action Plan includes a series of five actions associated with raising awareness

on climate change and inform changes to ensure the 2050 net zero emissions goal is reached. These include a public information and engagement campaign, improved information resources, community events and focus groups to inform the Phase 2 Action Plan.

An important consideration in the move away from the domestic use of fossil fuels will be the impact on the most vulnerable people in our community. An action in the Government Action Plan is to develop a strategy for 'just transition' to support all sectors of society to make the necessary change and to prevent exclusion or disadvantage through change.

HEALTH AND SOCIAL CARE

38. Patient need – Calculation and informing staff to patient ratios

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care:

How the acuity of patient need is calculated; and how it informs the ratio of staff to patients on all wards?

The Minister for Health and Social Care (Mr Ashford): The acuity of patient need is currently calculated through professional judgement, the results of which then determine the ratio of staff to patient need. Professional judgement in relation to measuring patient acuity and staff ratios is considered the nearest to gold standard.

Ward sisters are responsible for such calculations and they can take advice from Heads of Nursing.

Whilst the evidence base for use of safer staffing tools is weak the appetite for formal systems and tools exists.

The Director of Nursing is currently sourcing a safer staffing tool licence for use in Adult Inpatient Wards.

Such tools will always be used in conjunction with professional judgement.

Reference: Griffiths et al (2019). Nursing workload, nurse staffing methodologies and tools: A systematic scoping review and discussion. International Journal of Nursing Studies. www.elsevier.com/ijns

39. Community nurses – Recommended number; effect of integrated care; number in post

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care:

What the recommended number of community nurses for the Island's population is; whether this will change in light of integrated care; and how many are in post?

The Minister for Health and Social Care (Mr Ashford): There is not a recommended number based on population, this has been looked at many times in the UK under the 'safe staffing' remit, with there never being a definitive answer.

It depends on other services available, as in the UK there are many services provided separately from those of community nursing (walk in centres, IV teams, tissue viability teams, lower leg treatment rooms etc.). On the Island all of those functions are undertaken by the Community Nursing service.

2485 There should be no reason to believe integration in its current form (Western Project) will require more community nurses, but if more services are offered at or closer to home, rather than in the hospital setting, staffing levels would be re-evaluated based on the needs of the additional community based services offered.

We have 44.5 WTE community nurses (mix of all grades); this is made up of 53 people (full and part-time team members) in five teams across the Island and nine specialist nurses based in a community setting.

**40. DHSC reviews during 2019 –
Recommendations or outcomes other than Sir Jonathan Michael's**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care:

Other than the Sir Jonathan Michael Review, what other reviews have been undertaken during 2019 that now need to have recommendations or outcomes commented on?

2490 **The Minister for Health and Social Care (Mr Ashford):** In the year 2019, there were three reviews of function within the Department, two of which were in Noble's and one of Manannan Court.

2495 The Department commissioned the North of England NHS Commercial Procurement Collaborative (NOECPC) to undertake a high-level review of the current arrangements in place for the procurement and sourcing of temporary workers for Isle of Man Hospitals. The latest progress update follows:

Positional Statement in respect of the draft review and 18 recommendations issued by the North of England Commercial Procurement Collaborative in August 2019.

R1. Use the Agency Diagnostic Tool to carry out a full internal review of their current arrangements.

Internal Audit are progressing this and the report is in draft and awaiting review by the Chief Auditor.

R2. Agree ceilings for agency rates and agree a formal executive level sign off procedure for all breaches.

Ceilings for agency rates have been agreed.

R3. Undertake a full establishment review.

On hold at the moment due to on-going work with PiP and transformation.

R4. Engage with current agencies, improve management and agree SLAs and KPIs.

This is pending some information from the Attorney Generals Chamber before we go out to tender, pending the Regulation of Care Act being passed by Tynwald March/April 2020. Any KPIs will be identified and driven from a review of SLAs.

R5. Introduce target and ceiling rates for agency doctors with agreed override authorisation protocols.

Rates agreed. Override processes involve the Chief Operating Officer (doctors) or Director of Nursing (nurses).

R6. Adopt a formal mechanism to ensure high priced agency doctor bookings are reviewed and challenged ahead of agreeing any extensions.

High priced bookings are now reviewed / challenged with the Workforce Expenditure Panel (WEP).

R7. Introduce routine monitoring and reporting of compliance against leave timescales for medical staff and put measures in place to remedy non-compliance.

Monitoring and reporting now addressed at WEP.

R8. Introduce a culture of check and challenge for timesheets indicating hours above rostered hours.

There is now an established procedure whereby all timesheets indicating excess hours are returned to the originator for additional LRQs to be submitted.

R9. Agree rate reductions (doctor pay rate AND agency fee) for all agency doctor non-residential on-call duties. *These are now being challenged directly by the TSO with an expected reduction of 50% of the total charge rate for on-calls.*

R10. Introduce a cascade structure for vacancy releases and approach agencies to understand the potential for rate reductions in return for advanced visibility.

A tiering structure is in place to ensure best value for money. However, as bank doctors are normally cheaper than Agency staff, we do email the Bank Doctors in the first instance and only turn to Agency if necessary.

R11. Carry out a full review of individual bank doctor rates.

We have a meeting with HR on the 20th January to discuss changes in bank contracts. Additionally, we are exploring the reduction of non-residential on-call rates, unpaid breaks and free accommodation outside of the agreed protocols.

R12. Investigate and remedy as necessary claims of overtime being paid to bank workers.

Weekly report of all bank overtime is sent to the Director of Nursing and Heads of Nursing. There will need to be a contractual change for this to be implemented and there are concerns that complete withdrawal of overtime availability may reduce our bank establishment.

R13. Complete the roll-out of the E-Rostering system and investigate the benefits of Bank Staff adoption.

Due to be completed for Bank Doctors once all Employee Online accounts are added to HealthRoster.

R14. Investigate resource requirements to enable doctors to be moved to the E-Rostering system.

Resources identified (Care Group Business Managers) who are now adding all bank doctor shifts to HealthRoster.

R15. Introduce a formal vacancy reduction programme with regular updates to the board.

Work on-going to identify variances between establishment and PiP positions. A full review of PiP has been asked for by the Executive Team.

R16. A Temporary Staffing Policy should be agreed and embedded within the organisation.

Policy written and awaiting executive sign off.

R17. Introduce a reporting dashboard to enable the key metrics associated with variable pay expenditure to be communicated regularly to board members.

Certain KPIs are now being reported at WEP (savings on non-paid breaks, break glass cases etc.) A full reporting dashboard is still to be completed.

R18. Consider the adoption of a multiple workstream approach to reducing variable pay expenditure utilising the additional resources referenced in this report to support and inform these workstreams.

A full review has been undertaken of the terms of reference and required attendees at WEP (particularly at clinical levels). New policies written and awaiting formal ratification. Prior Information Notice now with the Procurement team for replacement of the E-Rostering system.

Prof. Dickinson undertook a review of the nursing care and service provision on Manannan Court's Harbour Suite, Isle of Man. This was concluded in September 2019. An update of progress was given to the Social Affairs Policy Review Committee in February this year and is detailed below:

Key Themes from Review

- **Ensuring a clearly defined and explicit separation of managerial and clinical leadership roles.**

The recent resignation of the Manannan Court Service Manager, whilst regrettable has afforded the opportunity to review the existing managerial and clinical leadership functions to reflect the above recommendation. A revised management and leadership structure has been agreed with clearly defined and explicit roles and responsibilities. The most fundamental of changes is the introduction of a modern matron role within Manannan Court.

The core focus of this role would be on driving quality ensuring that assessment, planning and evaluation is both evidenced based and consistent with best practice. A key focus would be the review of existing systems enabling the effective transition of patient care between community and inpatient care. It is envisaged that initial tasks would be introduction of the safe wards protocol and developing collaborative relationships with the care safety and quality team, this to ensure that performance is measurable and subject to regular audit.

The previous service manager role included both clinical and managerial responsibility leading to a blurring of roles, this being a phenomenon identified within Dr Dickinson's report dated. The introduction of the modern matron role

above will enable the Inpatient Manager to focus on managerial leadership, including a particular focus on performance management, resource management, managerial supervision and service development. Job descriptions for both roles have been written and have undergone evaluation and grading. It is anticipated that both will be advertised in the coming days.

- **The implementation of the Safe wards Model.**

The previous service manager had commenced a programme of work to establish the safe wards model within Manannan Court. The ambiguity of the role however, did not maximise opportunity to promote, monitor and galvanise the approach. As indicated above the newly developed modern matron role will be intrinsic to the realisation of the safe wards model. The care safety and quality team will work in collaboration with the modern matron and inpatient manager providing both support and oversight.

- **Risk Management and Care Planning**

The Mental Health Service has recently invested in the Dices Risk Management system. This evidenced based approach utilises a variety of assessment tools to support the formulation of a robust risk management plan. Training is mandatory for all mental health clinical professionals with inpatient staff being prioritised to undertake the training. It is recognised that the existing electronic care planning template is not recovery focussed and fails to maximise the opportunity for collaborative care planning. Ward based professionals are currently exploring alternative care planning tools.

- **Physical Health Assessment**

A Registered General Nurse has been recruited to undertake Physical Health screening and assessment within Manannan Court, this includes access to ECG and phlebotomy. This approach supplements existing physical health assessment undertaken at point of admission by nursing and medical staff. In addition to the above patients are offered smoking cessation by an in reach specialist. Ward staff are also supported through access to a dedicated specialist mental health pharmacist and visiting mental health dietician.

- **Therapeutic Engagement and Observation**

The Therapeutic Engagement and Observation policy version 6 was ratified on the 06/12/19. This reviewed policy now provides nursing staff the autonomy to review and amend observation levels based on presentation, history and risk. The care safety and quality team undertake regular external audits to monitor compliance against the policy.

- **Staffing Ratios and staff rotation.**

Staffing ratios have been maintained at the levels reported within Dr Dickinson's report. The mental health service is actively recruiting registered mental health nursing staff in order to fill vacancies and reduce reliance on agency staff. It is positive to report that incidences of higher level observations have reduced significantly in recent months. Affording staff the opportunity of rotation both internally and off island remains a key priority. The mental health service is currently in discussion with colleagues from South West London & St George's MH Trust with a view to accessing reciprocal rotation and training opportunities.

- **Bed Occupancy**

Bed occupancy levels continue to exceed the target of 85%. The Mental Health Service are employing a variety of strategies to support more effective patient flow, these include:-

- review of the existing round process to support multi-disciplinary decision making
- Restructuring of the existing Crisis Response Home Treatment Service to enable a greater focus on gatekeeping and home treatment as a viable alternative to psychiatric admission.

The third Review was undertaken by the Royal College of Emergency Medicine (RCEM).

2505 The Terms of Reference (TOR) for the visit were:

- (1) To provide advice on redesign and remodelling of the department
- (2) To provide recommendations on workforce planning and development
- (3) Review aspects of the nursing model relating to professional development, and extended roles
- 2510 (4) Review the MIU in Ramsey
- (5) Advice on adoption of KPIs / audit apart from 4-hour performance.

Although the Department has started work on some of actions, the recommendations will be monitored and managed through the Urgent Care Transformation Programme. A dedicated resource has been seconded to lead this work as part of the Transformation Programme.

2515 The recommendations are themed on the terms of reference and follow:

Design recommendations

Process of Design

1. Use an architect well versed in ED design, the operational processes within the ED and demand analysis.
2. Consider your processes before attempting to design and if required redesign or develop them e.g. rapid assessment, streaming at the front door or the identification of the potential infectious patients. Ensure the

processes are the best they can be and reflect the needs of patients and the requirement to deliver flow through the ED. The design must facilitate the delivery of these processes and so must follow the process.

3. Define the level of quality you wish the design to deliver and ensure it is financed to deliver that.
4. Engage with all disciplines, specialities and grades of staff as well as the full spectrum of patients managed within the ED in order to acquire a detailed picture of what could be improved within the department and what would enhance the experience of staff working within the ED and patients being assessed within the ED. A organisation-wide workshop to consider the emergency care pathway is often a valuable approach to engaging staff in considering processes and re-design. It is important to also liaise with colleagues in other emergency services to understand their perspective.
5. Cherish strong clinical engagement and provide dedicated time for this. Invite staff to challenge design adjacencies and re-think clinical support spaces.
6. Use demand, at least 10 years into the future, and the daily maximum (peak activity, not the mean) attendances to inform the design. Consider the number of patients arriving and the length of stay within the ED to determine the number of cubicles required. Consider variations in seasonality, population growth and the type of patients you anticipate e.g. older patients, patients with behavioural problems within the design.
7. Develop a shared understanding of the metrics that will be used to judge the ED and the emergency medicine service and ensure the facility facilitates have effective delivery of processes against these key metrics and standards.

Space

1. Describe the purpose and function of each space, interrogate what services are to be delivered and how these will be experienced by patients. For instance, if you consider the potentially infectious patient, how do staff identify them? How do they promptly isolate them? Currently there is no process or isolation suite to enable staff to do this safely so this functionality needs to be built into both standard operating procedures and the design.
2. Consider how you can provide for the major patient groups that exist in your demographic, for example, the older person, those with mental health or behavioural problems, paediatric (and adolescent) patients or those with bariatric requirements. Use national recommendations to guide such facilities. I would suggest it is useful to visit departments who have successfully designed for specific patient groups.
3. Define patient streams and waiting spaces with greater functional intent. This might include acuity adaptable rooms or the use of chair centric strategies. Design in new flows (as well as process) such as same day emergency care (SDEC) to ensure efficient flow and meet new UK targets (if you wish to align to these). If streaming to a primary care service is likely to be introduced the assessment areas at the walk in entrance need to support this development.
4. Limit patient flow through the ED to those who need to be within the ED; patients requiring access to other departments will need alternative routes into the hospital that avoid the ED walk in entrance.
5. Design in safety at every opportunity. For instance - infection control such as built in whole room decontamination, privacy for patients through the use of 100% single patient rooms, quiet space for staff to think and process complex information, sufficient work areas for documentation to avoid the risks associated with cramped work space. Review your incident and risk registries to ensure these are mitigated for within the design.
6. Consider how the topology can be designed to deliver efficient patient flow, minimise staff travel, maximise staff interaction with patients, enhance staff resilience and maximise the flexibility to accommodate future growth.
7. Build in facilities known to reduce delay such as formal point of care labs or pneumatic tube system, 24-hour stocking within rooms.
8. Consider the requirement for disaster preparedness and if necessary, build into the design.
9. Design an adequate storage space for equipment and corridor space. Avoid reducing this space in order to reduce cost. Ensure modern approaches to stores, medicines and linen management are considered.

People

1. Improve staff experience through an understanding of ergonomics and human factors to fully appreciate clinical functionality.
2. Review signage and how patients can be informed of their journey as they pass through the ED.
3. Consider space and equipment requirements for designing the best in rest facilities, changing rooms and teaching spaces for staff. Do not be tempted to reduce investment in these as an approach to reducing cost.

Final Points

1. Once the above has been considered the team must prepare an accurate brief for the chosen architect. The multidisciplinary team must continue to work closely with the design team.
2. In the final stages of design, but before sign off, test room designs in a mock up to ensure it works and delivers anticipated requirements.

3. Carefully consider the planning and use of decant, temporary space to ensure service continuity throughout the build or refurbishment.

Medical workforce recommendations

- Despite there being a significant increase in attendances over the last few years there has not been an associated increase in medical staffing.
- The junior tier is vulnerable given its reliance on F3 doctors prepared to work a highly antisocial rota. The latter is unsustainable: RCEM would recommend a minimum of 8 people manning a 24/7 rota for short periods, and 12 in the longer term
- The middle tier appears relatively robust (compared with similar sized units elsewhere), however it is reliant entirely on Specialty doctors/non-training grades at this level. RCEM guidance states that 12 middle grade doctors are required to run a sustainable 24/7 middle grade rota.
- RCEM guidelines for consultant/equivalent grades of staff are currently undergoing revision. The historical number advised for a small unit would be a minimum of 10 WTE consultants. Development of roles and consideration of sustainability suggest that a higher number of Senior Decision Makers will be required in the longer term. The department is clearly a long way short of this.
- Two consultants do not currently hold CCTs in EM. It would be more usual practice for consultant positions to be held as locums until eligibility for CCT is established.

Although recruitment and retention is likely to remain challenging, ensuring that there is sustainable permanent medical staffing is essential. The key F3 and Middle Grade tiers require nurturing and development, since these are the areas of greatest current vulnerability. Strategic and persistent expansion of the consultant tier will be required. This can all be approached in a number of ways and typically means different things to different individuals. However, in small EDs it usually requires tailoring posts and development plans to each individual. Examples include:

- Portfolio careers for more senior doctors
- Less than full time working
- Supporting those in (or developing towards) Associate Specialist posts to act as senior decision makers, potentially on the consultant rota
- Exploring CESR programs with, if necessary, training rotations off the island
- Development of a thriving education and governance program with full engagement of all tiers of staff.
- Obtaining training approval would clearly be beneficial.

Given difficulties with medical recruitment, and lack of development of alternative workforce roles, there is an opportunity to actively develop a more balanced workforce.

- There is a nurse consultant, who the review team were unable to meet, and two Advanced Nurse Practitioners. There is also an established Physician's Associate role within the department, however at present this is limited to one individual.
- Advanced nursing roles are currently focussed on more traditional nurse practitioner roles that have been developed to ensure that there is coverage of minor injuries presentations. With the developments around integration of unscheduled health services on the Island there is an opportunity to grow a tier of advanced clinical practitioners (ACPs) able to deliver clinical care either within or outside the hospital environment.
- The challenge here will be to provide effective 24/7 coverage in community as well as the ED or Urgent Treatment Centre. Typically, a 24-hour team working in one environment needs a minimum of 11 individuals, but to cover multiple sites would require a greater number. However, RCEM would recommend pursuing this option in order to provide a sustainable service moving forward.
- Consideration of the development of paramedic / physiotherapist ACPs, and ED based pharmacists should be considered.
- RCEM did not explore opportunities to integrate primary care clinicians into the ED workforce.

Nursing workforce and model

Nursing workforce recommendation

There are no concrete recommendations for nurse staffing levels in ED, although generally accepted standards would suggest one nurse in charge at all times, one nurse per 1-2 patients in resus (however in a one bedded resus, would need one nurse plus a backup / relief), and one nurse to every 4 majors patients (again in a stand-alone 4 bedded unit, need a backup / relief). This would suggest that the department has inadequate numbers of nurses and HCAs available except perhaps during the period where there are seven nurses working, albeit with a single HCA. Overnight and early morning nursing adequacy will depend on boarding levels.

Other workforce recommendation

RCEM would recommend that the departmental management and administrative support be reviewed with this information in mind.

MIU Recommendations

- The MIU is clearly a valuable resource with a committed nursing workforce. Ideally this unit could be developed to provide a more comprehensive service with on-site general practitioners and extended radiology access. This may relieve pressure on the main ED. The current NHS specifications for an urgent care centre may provide a useful point of reference.
- There would likely be merit in setting up rotations between the ED and MIU for nurse practitioners, particularly as the tier develops.
- The MIU should have reception cover whilst open to maximise the efficiency of the nurses.
- The development of telemedicine links, along with some simple improvements such as those suggested by the nurses when the review team met them, would both improve quality of care, and show value / respect for the MIU nursing team.

Quality indicator recommendations

- The Isle of Man is in the fortunate position of being able to describe its own quality metrics. RCEM would currently recommend that the 4-hour standard be maintained at least until the NHS in England has concluded its review and RCEM has formulated a position on the outcome. Consideration should be given to measuring the aggregated patient delay, and using it to support flow improvements.
- Other focused flow and process metrics may be useful in improvement efforts, particularly time to initial assessment and time to see a doctor: given what the review team have heard about the waiting room. Another metric that may help around flow in this ED's case is the time from a patient being ready for admission (defined by the EM team), and them being admitted.
- The review team would strongly recommend that efforts to use metrics are focused around collaborative methodology, and that the problem of ED and hospital crowding be framed as a system-wide issue and not one solely for the ED. A culture where perceived bullying is unacceptable, and any attempts to manipulate data, should not be supported.

**41. DHSC information-sharing –
Opting out options and implications; impact assessment**

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care:

What option there will be to opt out of information-sharing between his Department and other bodies, and between Noble's and Mental Health; and what impact assessment has been done of the implications?

The Minister for Health and Social Care (Mr Ashford): Information sharing is an important part of current business as usual care delivery and the implementation of an integrated care record as it makes it easier for health and social care professionals to work together in order to improve care decisions by allowing secure, relevant and proportionate access to complete and accurate health and care information.

It means that those involved in a person's care can see relevant information about their diagnosis, treatment and care, so the patient or service user can receive support which is more closely tailored to their needs. The patient or service user can opt out of sharing completely or to specific service areas if they wish, consent to share is captured at presentation which allows the patient or service user full control of who can and cannot view their information.

There are occasions when patient or service user information may be shared without consent, this is called 'best interest' and made by a relevant care professional who will record in the patient or service users record the determination, this would be the impact assessment based on each individual case.

Under certain circumstances, the disclosure of medical or social care information will be shared if it is required by law.

Pursuant to the Applied GDPR, Data Protection Impact Assessments are conducted, for example, the implementation of the integrated care record taking into account whether any

2535 processing, either on its own or combined with other factors, is likely to result in a high risk to the rights and freedoms of individuals.

**42. New Private Patient wing –
Type of lease**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Health and Social Care:

What type of lease he intends to put in place for the new Private Patient wing?

2540 **The Minister for Health and Social Care (Mr Ashford):** The Department is undertaking a competitive dialogue procurement approach to secure a third party provider to deliver a range of private healthcare services. Therefore, as part of this exercise, the type of contract for the use of the Private Patient Unit based at Noble's Hospital will be negotiated as part of the procurement exercise.

**43. DHSC contracted-out services –
By service, provider and budget**

The Hon. Member for Onchan (Ms Edge) to ask the Minister for Health and Social Care:

Which services his Department contracts out, broken down by service; who provides each service; and how much is budgeted for each?

The Minister for Health and Social Care (Mr Ashford): Please find here a table which details a number of procured services which the Department contracts out:

http://www.tynwald.org.im/business/hansard/20002020/t200219_Q43_LinkedTable.pdf

Included within the spreadsheet is the following information:

- 2545
- Directorate (service area)
 - Contract/Supplier
 - Service or Product (provided)
 - Purpose (of the contract)

2550 The Department has not in the time available to answer this Question been able to undertake any meaningful assessment of the competing considerations relating to disclosure of individual budgeted amounts for each contract and/or service area, as would fall for consideration were an FoI request to be made for the information for the subject in question.

2555 Budgeted amounts often have a similar degree of sensitivity to contract payments when it comes to future negotiations and commissioning services. It should also be noted that budgeted amounts may apply at the level of a broad service area or for particular services within a service areas or at both levels. Budgeted sums may also cover a number of contracts that need to fit together or which cross-over to other service areas. Budgets also change, according to demand and prioritisation of service provision.

2560 In light of the information provided, the Department would be happy to consider any specific requests for further information whether as to budgeted or contract amounts in relation to particular contracts and service areas.

**44. Out-patient appointments –
Waiting times by specialism and/or procedure in last year**

The Hon. Member for Douglas South (Miss Costain) to ask the Minister for Health and Social Care:

What the waiting times were for out-patient appointments broken down by specialism and/or procedure in the last 12 months?

The Minister for Health and Social Care (Mr Ashford): The way our current system is set up means that we cannot gather historic or retrospective data. However we have started to collect data on a month by month basis for all Consultant referrals. Therefore a full year's data will be available in 2021.

Detailed in Table 44A is the data as at 5th February 2020 which has recently been provided for the Public Accounts Committee.

Table 44A: Consultant outpatient referral data as at 05/02/2020 11.59.59 p.m.

Specialty	Total live referrals	Total waiting for 1st appointment	Booked 1st appointment	AVG time waiting for 1st appointment total (days)	Max time waiting for 1st appointment total (days)	AVG time waiting for 1st appointment 2WW (days)	AVG time waiting for 1st appointment Urgent (days)	AVG time waiting for 1st appointment Routine (days)
Acute Internal Medicine	1	0	0		0			
Adult Mental Illness	1	1	0	1,379	1,379			1,379
Breast Surgery	745	13	65	24	390	10	13	83
Cardiology	3,310	554	329	175	825		63	211
Child and Adolescent Psychiatry	1	1	0	950	950			950
Clinical Oncology	2	2	0	605	1,210			605
Clinical Physiology	300	227	35	258	813		90	263
Colposcopy	218	11	32	51	743	8	19	87
Community Paediatrics	6	6	0	340	853		287	350
Critical Care Medicine	3	3	0	24	56		56	8
Dermatology	1,749	503	141	339	1,321	4	46	361
Diabetic Medicine	1,398	166	59	584	1,618		46	619
Endocrinology	874	237	69	720	1,696		165	765
ENT	2,607	1,141	140	324	835	2	46	342
Fertility	99	20	17	90	707		62	91
Gastroenterology	1,683	129	202	102	1,527	18	69	119

TYNWALD COURT, WEDNESDAY, 19th FEBRUARY 2020

General Medical Practice	5	2	0	1,265	1,367			1,265
General Medicine	1,400	23	52	120	1,092	2	43	138
General Surgery	2,129	146	375	48	589	37	38	53
Genitourinary Medicine	1	1	0	44	44		44	
Gynaecology	1,847	51	213	38	1,100	9	20	44
Haematology	109	6	32	40	496		8	56
Nephrology	582	28	41	125	966		114	128
Neurology	1,436	608	50	341	1,056		44	360
Obstetrics	481	1	113	32	573		26	32
Old Age Psychiatry	1	1	0	268	268			268
Ophthalmology	7,166	542	711	229	1,309		81	252
Oral Surgery	1,490	548	145	176	649	5	24	211
Paediatric Audiology Medicine	2	2	0	619	1,204			619
Paediatric Ear Nose and Throat	1	1	0	8	8			8
Paediatric Neurology	70	3	6	185	866			185
Paediatric Ophthalmology	112	3	43	63	476		68	62
Paediatric Trauma and Orthopaedics	46	14	8	90	238			90
Paediatrics	1,680	31	176	51	433		25	56
Pain Management	590	178	53	159	1,105		67	168
Physiotherapy	3	3	0	250	315			250
Plastic Surgery	445	13	48	37	153		22	53
Podiatry	1	1	0	286	286			286
Respiratory Medicine (Thoracic Medicine)	1,248	42	162	86	693	4	65	96
Respiratory Physiology	6	6	0	304	1,294			304
Restorative Dentistry	6	1	0	196	196			196
Rheumatology	1,822	247	176	337	1,154		112	361
Stroke Medicine	20	1	0	716	716			716

Thoracic Surgery	66	1	4	43	124		77	21
Trauma & Orthopaedics	3,267	1,251	313	254	1,251		25	273
Urogynae	217	3	9	101	1,093		21	128
Urology	1,378	461	86	226	1,392	13	44	257
Total	40,624	7,233	3,905	242	1,696	16	52	273

INFRASTRUCTURE

45. Mid-rent pilot scheme – Calculation of income thresholds; consideration of living wage report

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Infrastructure:

How the income thresholds for the mid-rent pilot scheme were arrived at; and whether any consideration was given to the cost differential included in the living wage report?

The Minister for Infrastructure (Mr Harmer): The income thresholds for the *de minimis* pilot were decided initially by a Ministerial Decision in 2016 and subsequently amended in 2018 making them more reflective of market conditions and to encourage participation in the pilot.

The first Living Wage Report was issued in late 2017 and was not considered for the pilot. There is however direct alignment to the First Time Buyer Schemes which has always been the intent.

In particular the maximum income limit of £60,000 and the thresholds for access of £35,000 for single applicants without children, £55,000 for couples without children and £60,000 for single or couples with children all match that of the 'First Home Choice' Scheme, which is the Scheme which enables eligible applicants to purchase their first home on the open market.

It is the Department's intention to progress mid-rental as a long-term affordable housing option and as such will be consulting on a range of items, including that of eligibility.

46. Fixed term tenancy policy – Calculation of higher rate rents; frequency of updates

The Hon. Member for Ramsey (Mr Hooper) to ask the Minister for Infrastructure:

How the higher rate rents included in the fixed term tenancy policy were arrived at; and how often they will be updated?

The Minister for Infrastructure (Mr Harmer): The average rental limits cited in the fixed term tenancy policy were derived by the Department in conjunction with the Government Valuer.

The values were arrived at from a market test of average rents undertaken during 2017. The Department in any case conducts its own market testing and has not noted any significant shift in the market in recent years.

The Policy is due to be reviewed in August this year and as such the Department has as a precautionary measure already requested the assistance of the Treasury to conduct new market tests.

Order of the Day

23. Public petition of Judith Corrin – Law relating to fireworks – Debate commenced

The Hon. Member of the Council, Mr Cretney, to move:

That Tynwald takes note of the Public Petition of Judith Corrin [[PP No 2020/0008](#)] relating to fireworks and that a committee of three members be elected to consider the operation and practical effects of the Fireworks Act 2004 and to report by July 2020.

The President: Item 23, Public Petition Fireworks. Hon. Member of Council, Mr Cretney to move.

2590

Mr Cretney: Thank you, Mr President.

Hon. Members, I hope my resolution is self-explanatory.

I am asking that you *note* the petition of Judith Corrin and over 800 others. Her concerns are related to her personal experiences in October and November 2019 and the detrimental effect on her horses and donkey. She refers also to concerns of many others via social media at the time. The petition avers that publicly organised firework displays are sufficient, and for silent fireworks in rural areas.

2595

Contrary to some ill-informed commentators I have never said fireworks should be banned. What I have suggested is that not only with this piece of 2004 legislation, but with other controversial pieces of legislation it would constitute good parliamentary practice to review such after a period of time following enactment.

2600

I suggest this piece of legislation was controversial because both Branches of the legislature were in disagreement and held a conference. A good parliamentary mechanism, if I may say so. Following the conference, a report was issued before matters proceeded. So that is the first principle I believe worthy of examination.

2605

Then to certain aspects of the 2004 Act which I believe would benefit from a review. There is at clause 4(1) parts (a) and (b) a provision that outside certain specified times a notice should be given to the Department of Home Affairs specifying the time and place of the display, and the Department should ensure this is published in a newspaper circulating in the Island. That is what the law says.

2610

The second item I believe would benefit from a review is whether, 16 years on, such limited communication remains appropriate? I am aware social media has been used on an informal basis but I believe a more formal approach and considering all methods of communication might usefully help the situation for concerned residents.

2615

The third item I think the Committee, if established, could consider is the dates when no notice whatsoever has to be given to the public. Again, clause 4(4) (a) and (b). For the period around Bonfire Night, 5th November, the law states that no notice is required for the period beginning on the last Friday, at least two clear days before 5th November, and ending on the Monday following 5th November.

2620

So as an example for 2020: from Tuesday, 3rd November to Monday, 9th November no notification or communication with the public is required for those six nights.

For the period around New Year's Eve, the law states that no notice is required for the period beginning on 28th December and ending on the Monday following 1st January.

2625 So, as an example for 2020, this would be from Monday, 28th December until Monday, 4th January 2021. So, again, no notification or communication with the public whatsoever is required in law for those eight nights.

The final point I believe would benefit from a committee examination is clause 5, and that is about 'Harassment ... by letting off of fireworks'. There is a defence sub-section that states:

... it shall be a defence for the accused to show that he had no reason to believe that there was any person or domestic animal within hearing or sight who was likely to be caused harassment, annoyance, alarm or distress.

2630 So I hope Hon. Members may agree it is worth a Committee of three being established to report back in July to Tynwald after considering the Act and its operation and practical effects, and inviting the public to participate in such a review.

Mr President, I beg to move.

2635 **The President:** Do we have a seconder?
Miss Costain.

Miss Costain: Yes, Mr President. I am happy to second and reserve my remarks.

2640 **The President:** Thank you very much.
At that point, Hon. Members, we will adjourn until 2.30 p.m.

*The House adjourned at 1 p.m.
and resumed its sitting at 2.31 p.m.*

**Public petition of Judith Corrin –
Debate continued –
Motion carried –
Committee of three elected**

The President: Please be seated, Hon. Members.

We are dealing with Item 23, Fireworks Public Petition, the motion in the name of Mr Cretney has been moved and seconded.

2645 Does any Member wish to speak? Miss Costain.

Miss Costain: Thank you, Mr President.

There was no point reserving my remarks, really, if nobody else wants to speak! *(Laughter)*

2650 So I will just say what I believe in. I think we are a country of animal lovers – why would we not want to look at something that could benefit them without inconveniencing anybody else too much? I do not think it is being truculent or anything else to try and get a committee just to have a look at it to see what is viable and what will work for everybody.

2655 I have had experience myself, with a dog I had a number of years ago, who was absolutely terrified of fireworks and when they went off he used to try and scratch his way in the cupboard under the stairs. It was bad enough when we were there to comfort them and say, 'Look, it's okay'. He got so wound up and terrified then with us there that on a night we were not expecting it, if that had happened and we were out, I really dread to think what a state the poor creature would have been in. And I know it is a similar story for a lot of other people.

2660 I have been contacted about this; I was surprised there was not a seconder lined up, but I was very pleased to be able to second it because I think that it is a very sensible motion and it is

not committing anybody to anything apart from let's have a look at it and see if we can find a sensible way around this.

So really that is all I have got to say, Members. I hope you will consider it and I hope you will support it and have a committee set up to look at this.

2665 Thank you.

The President: Dr Allinson.

Dr Allinson: Thank you, Mr President.

2670 I think it is a very valid motion, and it is obviously responding to people's concerns. Could I just ask the mover that if a committee is set up they take some evidence from the Fire and Rescue Service that apart from just the animals being affected, obviously stray fireworks can do a lot of damage either to people or premises as well.

2675 Also, it is interesting to note the change in technologies now, you can get quieter fireworks. We do not always have to have the big bang, and actually quite a few of the public fireworks displays have music to go along with them; so that need for noise now I think is something that needs to be looked into again on the Island.

Thank you very much, Mr President.

2680 **The President:** Hon. Member of Council, Mrs Lord-Brennan.

Mrs Lord-Brennan: Thank you, Mr President.

2685 I am going to support this today. I think on the point that has been mentioned that it is helpful from time to time to look back at legislation to see how it is going, I think the hon. mover did mention about post-legislative scrutiny. If this is something that is worthwhile for this piece of legislation and it might be an opportunity to test that out by way of a select committee, I think we should. It is helpful to appraise how the legislation that has been previously passed is working and if it needs to be tweaked, so I will support it on that basis.

Thank you, Mr President.

2690

The President: Mrs Barber, Hon. Member.

Mrs Barber: Thank you, Mr President.

2695 I would also be interested to hear from the mover whether he sees an opportunity here to look broader, almost through an equality lens actually, as to whether we should be also considering Chinese New Year, Diwali and Eid for fireworks celebrations, because it seems quite restrictive as it currently stands. Maybe there is something better we can do for all of our community if we going down the route of considering this, so I would be grateful to hear from the mover.

2700 Thank you.

The President: I call on the mover to reply.
Mr Cretney.

2705 **Mr Cretney:** Thank you, Mr President and Hon. Members.

2710 In relation to Mrs Barber's point, the legislation at the moment would allow you to have a display on any of the alternative occasions which she has mentioned. What would be required would be notification; and if notification was given in the paper or, as I see it, a more modern means of communication, then that would be perfectly acceptable. Whether the Act itself requires encompassing the various dates which she speaks about, that is something that the committee might wish to look at.

In relation to Mrs Lord-Brennan, I think it is a very important principle, in particular with legislation that has been controversial at its inception such as this, that at a future date it is worthy of consideration to see how that particular piece of legislation is going and whether it is having the right effect that Members anticipated at the time of its passing. So I think that is a really important principle and I do hope Members might support it on that basis.

Dr Allinson, yes, in relation to the Fire and Rescue Service I think if a committee were to be established – and I am talking about a committee for a short time, not to take up a great deal of Hon. Members' time – then advice from the Fire Service, and others could be elicited and I think that would be helpful in terms of their experiences of how the legislation presently operates.

And, yes, I have been made aware about quieter fireworks and music to go with firework displays, which is kind of a modern thing which I think is really good. I think the thing that does disturb animals most are the large bangs and, maybe I am just getting old and maybe I am no longer the 'Minister of Fun'; (*Laughter*) however, I do not want to be seen as a damp squib. (*Some Members: Ahh!*) Well, you have to take it while you have got a chance, haven't you? (*Laughter and Interjection*)

I would like to thank the Hon. Member, Miss Costain, for seconding. I did not think I was going to get a seconder for a moment. I have not gone round and asked anybody, I just think it is self-explanatory; it is a simple thing to just review.

I do think that the times are overgenerous where notification is not required and I do think it would be helpful if we were able to do something about that, and I do hope Hon. Members think it is worthy of a committee having a brief look at this and reporting back to Tynwald in July.

I thank Hon. Members for their interest.

The President: Hon. Members, I put before the Court the motion as set out at Item 23. Those in favour, say aye; against, no.

A division was called for and electronic voting resulted as follows:

In the Keys – Ayes 21, Noes 2

FOR

Mr Ashford
Mr Moorhouse
Dr Allinson
Mr Baker
Mrs Barber
Mr Boot
Mrs Caine
Mr Callister
Mr Cannan
Mrs Corlett
Miss Costain
Mr Cregeen
Ms Edge
Mr Harmer
Mr Hooper
Mr Peake
Mr Perkins
Mr Quayle
Mr Shimmins
Mr Skelly
Mr Thomas

AGAINST

Mr Robertshaw
Mr Speaker

The Speaker: Mr President, in the Keys, 21 votes for, 2 against.

In the Council – Ayes 9, Noes 0

FOR	AGAINST
Miss August-Hanson	None
Mr Cretney	
Mr Crookall	
Mr Henderson	
The Lord Bishop	
Mrs Lord-Brennan	
Mrs Maska	
Mrs Poole-Wilson	
Mrs Sharpe	

The President: And in the Council, 9 for, none against, the motion therefore carries.

2740 We now have to elect a committee of three Members. I remind the Court that four Members of Legislative Council will in fact be going out of office before the next sitting of Tynwald, so please take that into account when making nominations.
Mr Ashford.

2745 **Mr Ashford:** I propose Mr Moorhouse, Mr President.

Mr Skelly: I second.

2750 **The President:** Mr Moorhouse is proposed and seconded, thank you.
Dr Allinson.

Dr Allinson: I propose Mrs Lord-Brennan.

2755 **The President:** Mrs Lord-Brennan has been proposed.

Mrs Poole-Wilson: Seconded.

The President: And seconded.

2760 **Mrs Barber:** I propose Miss August-Hanson.

The President: Miss August-Hanson has been proposed.

2765 **Mr Shimmins:** Seconded.

The President: And seconded.
We have three Members. Yes, Mr Moorhouse.

2770 **Mr Moorhouse:** I propose Miss Costain.

The President: Miss Costain, thank you, has been proposed.

A Member: Seconded.

2775 **The President:** And seconded.

I have four nominations. I proceed to Ms Edge.

Ms Edge: Can I propose Mrs Caine, please, Mr President.

2780 **The President:** Mrs Caine is proposed.

Mr Hooper: I will second that.

2785 **The President:** And seconded.
Chief Minister.

The Chief Minister: Can I propose Mr Callister, please.

2790 **The President:** Mr Callister has been proposed.

Mr Boot: And I will second.

The President: We have six nominations. Are nominations closed?

2795 **Members:** Agreed.

The President: Agreed, thank you.

2800 **The Clerk:** The Members nominated, Mr President, are: Miss August Hanson, Mrs Lord-Brennan, Mrs Caine, Mr Callister, Miss Costain and Mr Moorhouse.

A first ballot took place and electronic voting resulted as follows:

Vote Results	
Mrs Lord-Brennan	20
Mr Callister	17
Miss August-Hanson	15
Mrs Caine	15
Mr Moorhouse	14
Miss Costain	12
Number of spoilt papers	1

Full voting results

Voting for Miss August-Hanson

Miss August-Hanson
Mr Baker
Mrs Barber
Mr Callister
Mrs Corlett
Mr Cretney
Mr Crookall
Mr Henderson
Mrs Lord-Brennan
Mr Moorhouse
Mr Perkins
Mrs Poole-Wilson
Mrs Sharpe
Mr Shimmins
Mr Speaker

Voting for Mrs Caine

Miss August-Hanson
Mr Baker
Mrs Barber
Mrs Caine
Mr Callister
Mrs Corlett
Mr Crookall
Ms Edge
Mr Hooper
Mr Perkins
Mrs Poole-Wilson
Mrs Sharpe
Mr Shimmins
Mr Speaker
The Lord Bishop

Voting for Miss Costain

Mrs Caine
Mr Callister
Mrs Corlett
Mr Cretney
Ms Edge
Mrs Lord-Brennan
Mrs Mask
Mr Moorhouse
Mr Perkins
Mr Speaker
The Lord Bishop
Mr Thomas

Voting for Mr Callister

Dr Allinson
Mr Ashford
Miss August-Hanson
Mr Baker
Mr Boot
Mr Cannan
Mr Cregeen
Ms Edge
Mr Harmer
Mr Hooper
Mr Moorhouse
Mr Peake
Mr Quayle
Mr Robertshaw
Mrs Sharpe
Mr Skelly
Mr Thomas

Voting for Mrs Lord-Brennan

Dr Allinson
Mr Ashford
Mrs Barber
Mr Boot
Mrs Caine
Mr Cannan
Mr Cregeen
Mr Cretney
Mr Harmer
Mr Henderson
Mr Hooper
Mrs Lord-Brennan

Mrs Maska
Mr Peake
Mrs Poole-Wilson
Mr Quayle
Mr Robertshaw
Mr Shimmins
Mr Skelly
Mr Thomas

Voting for Mr Moorhouse

Dr Allinson
Mr Ashford
Mr Boot
Mr Cannan
Mr Cregeen
Mr Crookall
Mr Harmer
Mr Henderson
Mrs Maska
Mr Peake
Mr Quayle
Mr Robertshaw
Mr Skelly
The Lord Bishop

The President: The result of the ballot is that Mrs Lord-Brennan has 20 votes, Mr Callister has 17 votes, so they are both elected. There was one spoilt paper. We vote on the other four candidates.

A second ballot took place and electronic voting resulted as follows:

Vote Results	
Mrs Caine	14
Mr Moorhouse	9
Miss August-Hanson	7
Miss Costain	2

Full voting results

Voting for Mrs Caine

Mr Baker
Mrs Barber
Mr Cannan
Mrs Corlett
Miss Costain
Mr Crookall
Ms Edge
Mr Hooper
Mrs Lord-Brennan
Mrs Maska
Mr Perkins
Mrs Poole-Wilson
Mr Shimmins
Mr Speaker

Voting for Mr Moorhouse

Dr Allinson
Mr Ashford
Mr Boot
Mr Callister
Mr Cregeen
Mr Harmer

Mr Quayle
Mrs Sharpe
Mr Skelly

Voting for Miss August-Hanson

Miss August-Hanson
Mrs Caine
Mr Cretney
Mr Henderson
Mr Moorhouse
Mr Peake
Mr Robertshaw

Voting for Miss Costain

The Lord Bishop
Mr Thomas

2805 **The President:** The result of the ballot is that Mrs Caine received 14, Mr Moorhouse 9, Miss August-Hanson 7, Miss Costain 2. We go for a further round of voting, this time we knock off Miss Costain from the list. *(Laughter)*

2810 **The Chief Minister:** I didn't say it! *(Laughter and Interjection)*

Mr Shimmins: In your dreams! *(Laughter)*

A Member: Thank you for that.

2815 **Mr Henderson:** Is that in Standing Orders? *(Laughter)*

A third ballot took place and electronic voting resulted as follows:

Vote Results	
Mrs Caine	19
Mr Moorhouse	13
Miss August-Hanson	0

Full voting results

Voting for Mrs Caine

Miss August-Hanson
Mr Baker
Mrs Barber
Mrs Caine
Mrs Corlett
Miss Costain
Mr Cretney
Mr Crookall
Ms Edge
Mr Henderson
Mr Hooper
Mrs Lord-Brennan
Mrs Maska
Mr Moorhouse
Mr Perkins
Mrs Poole-Wilson
Mr Robertshaw
Mr Shimmins
Mr Speaker

Voting for Mr Moorhouse

Dr Allinson
Mr Ashford
Mr Boot
Mr Callister
Mr Cannan
Mr Cregeen
Mr Harmer
Mr Peake
Mr Quayle
Mrs Sharpe
Mr Skelly
The Lord Bishop
Mr Thomas

The President: The result of the ballot is that Mrs Caine has 19 votes and is elected. The Committee therefore is Mrs Lord-Brennan, Mr Callister and Mrs Caine.

Thank you, Hon. Members.

**24. Post office closures –
Referral of community impact to Economic Policy Review Committee –
Debate adjourned until June sitting**

The Hon. Member for Arbory, Castletown and Malew (Mr Moorhouse) to move:

That the matter of the impact on a community of the loss of post office services stand referred to the Economic Policy Review Committee; and that Tynwald is of the opinion that no sub-post office should be closed where a replacement sub-postmaster can be found to take it over, pending the report of the Economic Policy Review Committee before July.

2820 **The President:** We turn to the final Item on our Order Paper, Post office closures, the motion is in the name of the Hon. Member for Arbory, Malew and Castletown, Mr Moorhouse to move.

Mr Moorhouse: Thank you, Mr President.

2825 In October 2019, Tynwald supported the Isle of Man Post Offices Strategy. I fully respect that decision has been made.

The motion which I have brought today wants Tynwald to take a step back and consider the wider implications of this decision – the impact on some of our most vulnerable people.

2830 The cover page of the first Programme for Government is emblazoned with the words: ‘Our Island: a special place to live and work’. In 2017, sentence 7 of the Treasury Minister’s first Budget speech was:

Today we stop looking at the needs of the spreadsheets and start looking at the needs of our society first.

What has gone wrong?

This motion wants to take us back to that place of good intentions and fully evaluate the impact on a local community of the loss of a sub-post office service.

2835 For some, the impact is huge, and I am grateful for the Commissioners of both Garff and Malew for writing to us to show their support of the motion. I hope you have all received the communication and had the opportunity to really consider their concerns.

In Ballasalla alone, 165 people decided to collect their benefits at the post office, for very specific and personal reasons. These included convenience and the need to have weekly payments. These individuals have now been told they will have to move on. This is creating real

2840 concern, genuine fear and worry for some of the oldest and most vulnerable people on the Isle of Man. Okay, on paper there are options, but many of these individuals already have difficult and challenging lives. Are the options we are presenting to them actually real and achievable? We are supposed to help, not create challenges and fears.

2845 The Economic Policy Review Committee has the capacity to bring this motion to a fruitful outcome in limited time. Now, I am only talking about just over a hundred days, it is a really limited timeframe. The first line of their first report is:

Striking the right balance between the commercial and social obligations to be placed on the Post Office is a complex question for policymakers in every jurisdiction.

It is clearly the case that this stunning realisation still needs to be acted upon. We have accepted the commercial strategy; we now need to assess the social implications and whether these can be resolved.

2850 In the executive summary of the Economic Policy Review Committee's report it clearly states:

If the Post Office services and a network of sub post offices are left to wither their loss could never be replaced, resulting in a serious setback for enhanced public services in the community.

What is happening now has the potential to see the network becoming unviable and increasingly costly, very quickly. That is why action is required now.

2855 This motion focuses on all post office closures, but many Members will recognise that my immediate concerns are at Ballasalla. There is a viable outlet and, as the chair has stated with such clarity, the business is demand driven.

2860 The performance figures for the last month will go some way to highlight my concerns. Ballasalla is in the top 10 of the best performing post offices on the Island. It is ranked number 6 for vehicle licensing, and eight for sales of post office products, issuing benefits and pensions and paying for utility bills and TV licences. The reason this closure is taking place now is because circumstances allow it. This is an easy option for the Board.

The Ballasalla post office is one of the better performers, and the Board has clearly stated that measures can be taken to cover the position until a permanent solution is found. Limited time and limited disruption for one of the Island's most trusted companies – this is not a big ask. As I mentioned before, it is around about a hundred days.

2865 I recognise the Isle of Man Post Office has challenges; I am concerned we are only hearing the carefully edited words of a board in crisis.

The directors of Carillion, Brixton, Yell, Enron, Marconi, Bradford and Bingley – the list goes on – made positive noises in their most recent trading updates, but all have now gone.

2870 The £1.2 million figure placed on the loss of sub-post offices is challengeable, potentially. Where the community payment is not increasing and the payment on sales of other products is falling what is the real reason for the loss? Last week, in response to a Written Question seeking clarity on head office's contribution to these costs, the Answer was very worrying:

The data required to provide the analysis requested does not exist, but we will work to analyse the requested split based on current costs and issue in the coming week.

2875 The reason why I mention the £1.2 million loss is to draw attention to the Board's core justification for the required closures which lacks the clarity we expect from such an important decision.

The motion clearly states:

... no sub-post office should be closed where a replacement sub-postmaster can be found ...

And a clear final date for that is provided. The Post Office should be actively encouraged to create the specification the sub-postmaster would require at Ballasalla, and expressions of

interest sought. This motion simply wants all potential viable alternatives to be considered, that is the most appropriate way to test the viability of this offering. At this stage, we have been presented with no evidence that this outlet is not viable.

Over one third of businesses fail in their first year, here is a company with the potential to be profitable for at least three years. The requirements of the Post Office can reflect the mid-term uncertainty, but the market should be tested.

To summarise the two priorities which this motion draws together, which I would appreciate your support on, are: an investigation into the social impact of sub-post office closures; and request the Post Office to actually test the market to see whether the sub-post office proposition in Ballasalla is actually a viable business. I recognise both options need to be received and discussed by the July deadline.

Thank you, Mr President.

The President: Hon. Member for Arbory, Castletown and Malew, Mr Cregeen.

Mr Cregeen: Thank you, Mr President.

I beg to second.

The President: Hon. Member for Douglas East, Mr Robertshaw.

Mr Robertshaw: Thank you, Mr President.

I fear I might be on my feet for a little while, so do please bear with me.

Mr President, I totally understand why the Hon. Member for Arbory, Castletown and Malew should bring this motion to the floor of Tynwald. I have great sympathy with him, but he understands that I actually cannot support the motion in full as presented, and have therefore placed before this Hon. Court an amendment in my name.

I am going to try and explain my position, as Chairman of the Economic Policy Review Committee, by taking the whole Court through a swift timeline, if I may: the Post Office exists because of political decisions made in the past in two areas. First of all, the postal service itself through a political decision to apply an exclusive privilege to that service, in other words a monopoly, it was our decision to do that. Separate to that, you had a determination, a political will, that benefit systems *et al* would be provided to our citizens through the Post Office. So the two elements of the Post Office emerged because we had made certain decisions that that should be so.

In due course, of course, the Royal Mail was taken over by the Isle of Man, it became the Isle of Man Post Office and at the time there was a political determination that our interest lay in the importance that the Post Office should be profitable and that it would supply funds to the exchequer, which it did loyally and remorselessly. And in the process of doing so became the most trusted brand on the Isle of Man effectively, the place that people trusted.

As time went by, and turbulent changes started kicking in ever more quickly, we ended up in a situation where the Post Office, quite understandably, started to struggle. The first political reaction, in the last House, was one erring towards, 'Well, maybe we should privatise the Post Office'. In the end we hesitated, and it was understandable that we hesitated, because it is difficult to imagine an organisation with a monopoly sitting inside the private sector. And so we hesitated, and those who were involved in this in the last House remember there were 12 points that were brought forward for consideration to that House, and we rejected all 12, bar one. And the one we did not reject was alright, well, let's see what ... would look like if we did privatise – it never went anywhere.

Scroll forward to this House, so we decided that we did not want to privatise. And the profits progressively and understandably disappeared. Now, what we should have done at that stage was both charge the Post Office to do its part and we should then have done our part, which

2930 was to deal with what good future strategy looks like. We did not do that. What we did was we said, 'No, no, no, it is up to the Post Office,' and we washed our hands of the Post Office.

I remember one Member who did not was the Hon. Member for Ayre and Michael, Mr Baker, who eloquently argued for the case that actually there is a liability and a responsibility for the future of the Post Office in the strategic sense that lies in here, and his wise words were effectively put to one side and we said to the Post Office go forth and decide what it is that you want to do.

We were asking a huge amount of the Post Office in those circumstances because their letter mail business was contracting, the business through the post offices was contracting, and it is little surprise then that, having done their best, the Post Office brought back to Tynwald a project which would result in what I can only describe – and we did in our first report – as 'managed decline'. We accepted that report, we voted for it, and we asked the Post Office to get on with it. We cannot now at this stage, however much we are inclined to do so, interfere with that, we cannot have it all ways at once. We cannot say, 'No, no, no, it is up to you to do this,' and then say, 'Oh, but hang on, that is inconvenient'.

2945 I want to turn our sights for this debate away from the Post Office, who have done their best within the very tight constrictions we have placed them in, and address our responsibilities as politicians and a Government in terms of what a good future looks like.

Now, I would like to start with our first report, which came to Hon. Members last year, and I want to read out our conclusion as a Committee, and our conclusion at the end of our report read as follows:

At this point in our Report we would normally offer one or more recommendations for Tynwald to debate. However, the present Report has been brought forward to coincide with the Post Office bringing its own Report and recommendations to Tynwald. We have therefore decided not to make recommendations of our own in this Report. Instead we would encourage all Hon Members to read this Report and to pay particular attention to the wording in bold.

Now, before I read those words in bold, I just want to turn to page nine, because we were forecasting then what is happening now, that is so obviously worrying so many Members. In paragraph 32 we said:

We were told that 39% of the income of sub post offices came from these two Government contracts...

2955 Here we are talking about the MiCard and the vehicle and driving licensing *et al*. The Department of Infrastructure and the Social Security office, the two of them are mentioned. Now, you all read this:

If both were lost, the network in its current form would disappear.

2960 That is what is happening. We asked you to read it. We were advised in the first half of September 2019 that 20% of sub-postmasters were already considering their future but if the withdrawal of these two contracts were confirmed, that figure would rise to 80%. It is happening now because we have not fulfilled our duty.

So my amendment effectively identifies those two areas and says to sub-postmasters, look, we understand we have responsibilities here, we want to put a hold on the migration away from these two important revenue streams. We want to consider as politicians and as a Government, what we consider a good future looks like so we can understand ourselves how we see post office services in their various forms fitting into what we think the future looks like. But we have not decided what the future looks like.

2965 We have the Department of Infrastructure in engagement on a Question Time with the Hon. Member for Ramsey, Mr Hooper, talking about wanting to regionalise the housing stock, something I was talking about years ago, and it has still not happened.

2970 We have the Minister of Health talking about – and rightly so – the absolute imperative of regionalising the health service, but there is a long way to go.

We have the chair, in the form of my friend and colleague for Douglas East, Mrs Barber, of the committee looking at libraries but not really able – I hope I am not misreading my understanding of their work – to formulate exactly where that should go because they cannot
2975 see this issue of what this famous word ‘community hubs’ actually means. It is something that floats in and out of the room like a fly that annoys you. It is very important. What do we mean by community hubs? We cannot waffle on endlessly about these things. We are supposed to form policy and points to the future; that is our job. If we do not do that then you get all this happening. It is not the Post Office’s fault, it is our fault.

2980 I think there is also an organisation under the Chief Minister looking at ... is it community hubs?

The Chief Minister: No, it is community.

2985 **Mr Robertshaw:** Just community, thank you very much.

Incidentally, because I have only got an amendment, if any Hon. Members want to interject and ask me any questions I am perfectly happy to respond to any that you may want to throw at me.

The President: I would not invite that! *(Laughter)* It depends on what you say, whether
2990 Members are motivated to ask you.

Mr Robertshaw: I hope I do not end up being got rid of, like the Hon. Member for ... Mr President!

2995 **The President:** Just my words will not do it. *(Laughter)*

Miss Costain: If the Member would give way?

Mr Robertshaw: I would be delighted. Nice to see you are still here. *(Laughter)*
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Miss Costain: Yes, it is just a point of clarity.

When I became Minister of Health and Social Care there was no definition for ‘community hub’ and there was not a lead. That was sorted out after; I do not know if it has changed since. But we did get a definition and we did get a lead on that to try and bring things forward in a
3005 more organised fashion.

Mr Robertshaw: Thank you.

I think the Hon. Member expresses a sentiment which exists around this Court, which is we actually need to get a collective mind as to what we think community hubs are all about. We
3010 cannot be endlessly wishy washy, it is just not acceptable. If we want to be wishy washy we should not be sitting in these chairs. *(Interjection)* Sorry?

The President: Carry on, Hon. Member.

3015 **Mr Robertshaw:** Okay.

I want to now express the view – and it is a theme you have heard me use and return to many times – that there is an issue of operational and there is an issue of strategic ... that effectively the Post Office is an operational organisation. We have got to have the strategic mind that locks into that, and at the moment I feel dreadfully sorry for the executive and the Board of
3020 the Post Office because they just wonder where this is all going.

So we must not snap back at the Post Office at this stage, and say we want you to do this, that and the other. The Post Office should be saying to us, 'But we need to know where you stand and where you want the future to go'.

3025 Now, returning back to our report, turning to page 16, we identified a number of key areas which needed an awful lot more work. We identified the fact that:

Paper vehicle licence [*discs*] should not be withdrawn without full consideration having been given to all the potential consequences.

So my amendment sits in line with the report from last year. The second thing is:

We see no reason in principle why the Post Office's exclusive privilege should not be extended to small parcels. There should be an urgent review of the scope of the privilege and how it can be better enforced.

So that is a piece of work that the Policy Review Committee wants to do. It also, at paragraph 49, said:

The MiCard system has considerable unexploited potential. The Government should not move away from MiCard without a clear alternative with equivalent or better capabilities and potential.

I could talk to you now until teatime about –

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The Speaker: We believe you. (*Laughter*)

Mr Robertshaw: Pardon?

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The Speaker: We believe you.

Mr Robertshaw: – the potential that exists there, that at the moment, or historically, or currently it has been seen as a cost. Actually, if we fully understood the potential that exists within the MiCard it would be a significant revenue stream, a key to get into all sorts of other services, and a way to re-enable the relationship between Government and the citizen.

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I personally pursued that on behalf of the Committee, I think it was last week, when the Chief Executive of the Post Office very kindly brought the people behind the MiCard over and we had a two-hour session looking at what the opportunities were. And later on my Committee also engaged in some of the potential when we spoke to the FSA in our annual session with them with regard to the whole issue of bank accounts and cash handling.

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And this is where we go where we should belong, and that is up at the strategic level. I do not know whether Members understand how fast the world is changing around us: how quickly banks are shutting, how quickly ATMs are disappearing and how quickly societies are becoming cashless – but also the implications of that.

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Let me just see if I can find a note here ... there is an organisation in the UK called the Access to Cash Review and the leading spokesman, Natalie Ceeney, said this morning, as it happens:

Many people may want a completely digital future, but we need to ensure that this shift doesn't leave millions behind.

We heard the Chief Minister this morning talking about being a compassionate society; about the vulnerable. That is what I am talking about here. We cannot rush off down the road, 'Oh, leave it to the Post Office and let's go digital'. We have got to understand all those people who have vulnerabilities and need support, and that fits in to the whole concept of the health review, the housing review, community hubs, how post office services, with the MiCard or whatever form that authority developed into – it might be an app on your phone, for example.

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But let's go further out and look at Sweden, who nearly went cashless, they are about 10 years ahead of the UK. The UK will go cashless down to only 1-in-10 transactions being in cash in

3060 10 years. The Swedes are already there and now they are frightened of what they have done. And they are frightened of what they have done because they suddenly realised that their whole structure is capable of being subject to a cyberattack. And they are now starting to wind back to think, 'Oh, how do we retain cash?'

Let me just see if I can read a quote here, this is from the UK:

The communities that need cash are fast losing the ability to get it. We are going to see quite significant bits of the UK left behind.

3065 If we rush our fences here we are going to be leaving bits of our community behind and individuals behind. All of this because we have not yet done our job, in here, about looking at what the future should look like so that the Post Office can do its job to fit into that.

The President: Can I ask you to come a little closer to the case for the particular amendment you are making, rather than material which, in fairness, was covered in a previous general debate of October.

Mr Robertshaw: Thank you, Mr President.

3075 As confidence is draining out of the sub-post office sector, and why wouldn't it? The point of the amendment, as it is presented, is to say, the Policy Review Committee cannot form policy, what it can do is it can advise Tynwald, it can bring forward recommendations, and then you as Tynwald will pick up the recommendations, or not, and the executive will then choose to respond to them, or not. That is the process that needs to happen. But we are losing confidence in the sub-post office sector so fast that we need to do something now.

3080 It is little bit like the guy standing in the Dutch dam with his finger in in the hole in the dam saying, 'Hang on a second, let's work out how to solve this'.

My amendment says the executive – the Environment and Infrastructure, sorry – I am in too many Committees! (**A Member:** Hear, hear.) (*Laughter*) The Economic Policy Review Committee will look at bringing a set of recommendations forward to this Hon. Court as quickly as it can, which is May. We cannot do it any quicker; we would like to but we simply cannot.

3085 That means we can debate it substantively in July. But in the meantime saying to the sub-post offices, 'Look, we will put a hold on issues that you are concerned about, i.e. loss of revenue streams; believe us when we, Tynwald, are looking at these issues' ... and hopefully that will slow the closure rate down without interfering with the strategy that the Post Office is working towards.

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The Speaker: Would the Hon. Member give way for a quick question?

Mr Robertshaw: Of course.

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The Speaker: Is the Committee envisaging being able to assess the extent to which the sub-post office network and the access to cash in local communities actually props up the remainder of the high street, whether that be Ballasalla, Port St Mary, or anywhere else where they have access to those services?

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Mr Robertshaw: We will certainly be taking evidence from wherever it is appropriate to do so. We would like to hear all sorts of views. We will have an awful lot to do in an awfully short time.

3105 But, Mr President, Mr Speaker identifies a very important point: this whole issue about cash handling, which I addressed earlier. There are some really big issues here that we cannot blunder into blindly on the basis that it is somebody else's task.

I think, as Mr President wants me to remain tight on this, perhaps I should draw my contribution to this debate towards an end. But what I would encourage Members to appreciate is that the Hon. Member for Arbory, Castletown and Malew and means well in bringing his motion forward but that we have duties that we should fulfil, and I suppose the advantage of this particular debate today is it gives the Economic Policy Review Committee a chance to feel the mood of Tynwald in regard to giving us a bit of a steer or making a series of comments which will help us in our work.

So with that, Mr President, I beg to move the amendment standing in my name:

Amendment:

To leave out all the words after 'That the matter of the impact on a community of the loss of post office services stand referred to the Economic Policy Review Committee;' and to add the words 'and that

(i) the MiCard system for the delivery of pensions and benefits through sub post offices should continue in use at least until the end of 2024;

(ii) the Department of Infrastructure should continue to deliver driver and vehicle licensing through sub post offices at least until the end of 2024;

(iii) the Economic Policy Review Committee should report by May 2020 with recommendations on the future of the Post Office.'

The President: Mrs Lord-Brennan, Hon. Member of Council.

Mrs Lord-Brennan: Thank you, Mr. President.

I am happy to second the amendment from Mr Robertshaw. I think he does make a good point about what a good future looks like. It seems to me like there possibly is more to explore about our responsibility and I think the main thing is that a bit more time seems to be required.

So on the basis of that requirement of more time and the wish for the Economic Policy Review Committee to do that work, particularly around the potential of the MiCard, I am happy to second that amendment.

Thank you.

Mr Shimmins: Point of order, Mr President.

The President: Mr Shimmins.

Mr Shimmins: Under Standing Order 3.27, I would like to move a motion of adjournment of this debate until June this year.

I think we all recognise the difficult trends and pressures facing the Post Office and the private businesses who are the sub-postmasters as customers seek more convenient options to transact.

I very much welcome the commitment made just recently from the chair of the Economic Policy Review Committee to issue a further report on this matter in May. When Mr Robertshaw opened a debate in October he said that:

Your Committee is of the view that some of the exchanges over the last year ... have become heated, and on occasion verging on the personal. Today we ask Hon. Members to consider our Report at a higher [strategic] level.

That is what Mr Robertshaw said in October and, Hon. Members, there is a real danger that today also descends into an emotional debate, when facts and strategy are what is needed here.

The promised report will deliver those facts, strategy and the context. And, as Mr Robertshaw eloquently stated, the role of this Court is to set policy. We must be wary of micro-

managing operational detail in any statutory board or any stand-alone company. That is a very dangerous thing for this Court to do.

As such, I beg to move:

That this debate is adjourned until the June sitting of this Court.

3145 **The President:** Hon. Members, we are now in an adjournment debate and the five-minute limit rule applies.

Mr Thomas.

The Minister for Policy and Reform (Mr Thomas): Thank you.

3150 I fully support the suggestion to adjourn this debate because it is very important, but we are minded that we had a debate in October, and last year. But there are some very good points that need further investigation.

As Mrs Lord Brennan said just now, we need some more time in areas; we need more time to consider the cashless society issue that has been raised by Mr Robertshaw. We perhaps need
3155 more time to consider the whole idea of the fifth of the expenditure on the community subsidy that is involved in keeping the retail services network involved, in terms of the overall Government policy. A few more months would give us time in Government to make progress on the digital inclusion, on the Government services strategy that we are developing which we will be able to report on by then.

3160 Basically, I want to associate myself with the remarks of Mr Shimmins, particularly to say what is absolutely paramount for me in this is the nature of the Post Office as an arm's-length body, that has actually achieved massive things already in terms of some of the things it has taken forward. We need to make sure we are not in any way undermining a fundamental part of our approach to working with Statutory Boards and arm's-length organisations like the Steam
3165 Packet, and so on.

In closing, I want to go back to when Mr Robertshaw first floated the idea of community hubs, back in 2012, 2013, 2014, because it seems like some people are actually still looking around for a definition. There is actually a really good section of the strategic plan in planning policy to define community facilities. I think we are looking for this mythical one place which has
3170 to be somewhere around the Island to do all of the things. But in actual fact if you read chapter 10 of the strategic plan very carefully you will find that community medical facilities and care facilities are part of it; pubs are part of it; shops are part of it – shops are linked in with post offices in the strategic plan; facilities for mothers and toddlers groups, to me, are part of it; schools that have playing fields for recreational facilities are part of it, and we will make some progress in that time.

3175 So with that, Mr President, I fully support the idea of adjourning for three or four months so we can have an absolutely important debate from Government and from the Post Office – that arm's-length board that has achieved so much for us; and basically, in this Court, we can have a well-informed debate with all of the strands put together.

3180 Thank you very much.

The President: Now, to speak to the adjournment.

Hon. Member, Mr Robertshaw.

3185 **Mr Robertshaw:** Thank you, Mr President.

I welcome the comments by the Hon. Member for Middle, Mr Shimmins, and share all of them; and indeed the comments from the Member for Douglas Central, Mr Thomas. Except for one thing, and that is the issue of the adjournment.

3190 I want Members to consider, when they are deciding which way they want to vote on this, that there is a real sense of unity around this Court about 'we need to get stuff done' – and your

Committee understands that and will work as hard as they possibly can to achieve that to enable the debate that the Minister has just mentioned. But we also need to signal, as the sub-post office network is collapsing now –

3195 **Mr Cregeen:** Mr President, has the adjournment been seconded?

A Member: Yes; Mr Thomas.

3200 **The President:** It has, sir, yes. (*Interjections*) Mr Thomas seconded it.

Mr Robertshaw: Thank you.

And we need to give some temporary reassurance between now and when we come back in May with our laid-before, and then subsequently the debate in July, that this Court means business. If you just simply adjourn this, from the outside you may have a perfectly valid reason for saying, 'Well, yes, what they are saying is correct'. But actually we are on the rack now as a Court with regard to the whole sub-post office network and we need to show as much positivity now as we possibly can.

3205 The way to do that is to say, 'Look, we're putting a hold on certain things which are important to you. We are going to consider these things. We are going to deliver a laid-before in May and debate it in July'. And any reasonable and rational person would say Tynwald is getting a grip of this.

If the message goes out from here today that they have adjourned something, having already said we wash our hands of it, or having pushed the Post Office back – that is going to be misread. I promise you it will be misunderstood and misread.

3215 So I urge Members not to support the adjournment proposed before us.
Thank you, Mr President.

The President: Hon. Member for Ayre and Michael, Mr Baker.

3220 **Mr Baker:** Thank you very much, Mr President.

I too urge Hon. Members not to support the adjournment motion. There has been no sign of this mythical emotional outpouring that Mr Shimmins has referred to; so far it has been very calm and measured. I would expect that to continue.

3225 Mr Shimmins' imagination seems to think that magically, out of somewhere, a report is going to appear – possibly he thinks it is going to come from the Economic Policy Review Committee to inform this debate in June. The best way of Tynwald getting the views of the Economic Policy Review Committee is for Tynwald to instruct the Economic Policy Review Committee to do this work.

3230 Mr Thomas thinks it is going to be considered, but who is going to consider this over the coming months? Again it is suddenly, magically, going to happen on top of everything else that is ongoing and either is on track or is not on track, as was talked about earlier in this sitting of this Hon. Court.

3235 Where is the information going to come from to inform that debate in June? This very much looks like the Council of Ministers, aided by Mr Shimmins, kicking this down the road. It looks like this is too hard for this Hon. Court to deal with. That is not the message that this administration is trying to send out. It looks like we are trying to duck the issues or cover our eyes over and hope it is going to go away. It is not. It is going to get worse before it gets better, and it will only get better if we are intentional about addressing it.

3240 If this Hon. Court wants to just duck the issues then that is fine, but what is the point? We need Tynwald to make its voice heard, to give that steer that my hon. friend, Mr Robertshaw talked about to inform the Economic Policy Review Committee. The Economic Policy Review

Committee will continue to do its work and it will come back with a sound basis for a discussion in its report, tabled by May, updated in July.

We must be really mindful, Hon. Members, that the public is watching us here and if we cannot deal with this, what is that going to do when the confidence measures come out next year?

Thank you, Mr President.

The President: Hon. Member, Mr Harmer.

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

I just rise on a couple of things, really just to clarify some facts, which is why I actually do support the adjournment debate. I do think there are a number of things that are coming up with community, with what the Hon. Member from Policy and Reform said, and also what has been taught ... One of the things that does concern me is particularly some of the conversations around vehicle duty, because I think I do take very much the point around MiCard and in terms of Social Security, that that cash can again go back into the Post Office, and so forth.

It is just to inform Members really, that there is a difference between vehicle duty being an issue for the Post Office and being an issue for a sub-post office. They are completely different.

I will explain why: 80% of all revenue in terms of vehicle duty ... Actually, what goes to the sub-post office is basically either online, in Douglas or in Onchan, and a large centre in Port Erin and Peel. But the vast majority of all the other sub-post offices make up that remaining 20%.

Also, what should be factored in is that the revenue of those smaller sub-post offices, how much revenue they get is really small – in some cases it is as low as £500 or £600 per year. So in not dealing with vehicle duty and modernising that, we are not saving sub-post offices. And I think that is really clear.

The other point I would like to make about vehicle duty is it is not a social inclusion issue. If you can drive and you need a tax disc, you can drive to a different location. So I just want to put that on the table. I think that has been misunderstood.

We talked yesterday about digitalisation and about being efficient, and then very much the next moment we are not talking about that.

Now, having said all that, there could be an opportunity to support sub post-offices in those rural areas in a different way, with perhaps helping them to go online, or whatever. And that is why, what I am trying to say is that there is more information and I would support an adjournment debate.

But what I wanted to do was just split this issue that if people said we are not going to do anything on the tax disc – even though we have passed the Bill and so forth – we will not do anything on the tax disc that is going to save sub-post offices in rural areas. That is absolutely *not* the case, so I just wanted to make that clear. That may not be clear, people have wrapped the two issues together so they think if you remove the tax disc, what you then do is you then make the sub-post offices suffer in the rural areas. That is not true, so I want to make that clear.

The President: Hon. Member, Mr Moorhouse to speak to the adjournment.

Mr Moorhouse: Thank you, Mr President.

I really worry that we are on dangerous ground here. The aim of my motion is not to challenge the strategy. I want to simply allow a Committee to step back and have the opportunity for a really limited time – around 100 days, as I said before – to evaluate the impact on the vulnerable of these closures. It is a really important issue.

We have got two things here: we have got the business strategy, which was being dealt with; and we have got the issue of the vulnerable. We are representing the people and, as representatives of the people, I think that should be looked at.

3295 In 2016, the key election issues were TV licences and heritage rail – issues that should have been dealt with before the election. With issues here we are just pushing things down the road until June, and then what happens? In June, we are effectively stepping into the final year, because we are not going to be making progress there. If a report is decided on it is going to be expected to be produced in our final year.

3300 We already know there is a tremendous amount of legislation coming through and a tremendous number of other issues to be dealt with. But I fear that this is a short-term, temporary issue, way that this key decision can be made in July.

3305 If the Committee comes back with a series of recommendations that are not appropriate or are not seen as being constructive, then maybe we can move on. At the moment we are simply putting on a short-term stop and we are getting nowhere. We could have other sub-post offices that are closing and we could have other issues. But I feel the whole motion is time-specific and it is aiming to do as little damage as possible to the Post Office. I want to work with them and the Committee wants to work with them.

3310 All the other things that Mr Robertshaw raised are important and useful, but the key essence of the motion is to look at the vulnerable and to identify a possible solution before the end of this Government year. That is all I want to focus on, those two things: the timeframe and the emphasis on the vulnerable.

Thank you, Mr President.

The President: Hon. Member, Mr Speaker.

3315 **The Speaker:** Thank you, Mr President.

I am also concerned about the adjournment.

3320 A motion with amendments gives direction, it gives direction to the Post Office; it gives direction to the EPRC; it can give direction to the Cabinet Office; it gives us a way forward. I want Members to just cast their minds back to when we had the statement on nursing care, and how that left us in limbo. And that is exactly where we would be between now and June; we would be in limbo.

3325 I accept Minister Harmer's points about the facts around vehicle licensing and that was very interesting, that is the first time I have heard that I think. But bear in mind that we will not be in the same place in June that we are now. I know for a fact that the sub-postmaster in Port St Mary has given in his notice. So there is one that will also potentially have gone by the time we return in June.

3330 I fear, Hon. Members, that by voting for the adjournment you are standing on the oxygen pipe of the sub-post office network. That is what you are doing. That is leaving us, leaving the Post Office, leaving the sub-post offices and leaving communities in limbo; whereas we could have a motion that provides at least a stay of execution, that provides support, that gives a little bit of certainty to bridge that gap whilst we do that homework and come back with a vision for the future.

So I really, really am concerned about the prospect of an adjournment.

3335 **The President:** Hon. Member of Council, Mrs Poole-Wilson.

Mrs Poole-Wilson: Thank you, Mr President.

3340 Speaking to the adjournment motion. My view actually, having listened to contributions so far, is that an adjournment would actually be helpful on this matter. My reason for that is that when I first read the motion I was concerned it looked like it was trying to impose a solution to issues that, to my mind, are much broader and need to be much better considered and understood.

People have already articulated the wide range of issues that are at play here. Everything from social inclusion; the vulnerable; digital inclusion; vibrant communities; what it means for

3345 the rest of the High Street; should we go cashless and when? These are *really* big, significant issues that are way beyond the immediate role of the Post Office. As Mr Robertshaw, the Member for Douglas East articulated, these are strategic issues not operational issues. And for that reason they do require proper consideration and not to be voted on in this Court without full information, in my personal view.

3350 I think the other significant thing though in favour of an adjournment today, as opposed to a vote on any of the original motion, is the other point that Mr Robertshaw made which is that the EPRC cannot make policy. It is Government that makes policy. That is why we are struggling with this issue, I suggest, Hon. Members, that these different strands have not yet been articulated: what is the role of community spaces? How do we meet the needs of our vulnerable? How do we provide side-by-side assistance for digital inclusion for people who, like me, had to fill in a 30-plus page form to help my Mum claim attendance allowance?

3355 My experience of using our post offices, as wonderful as they are, our sub-retail network, is you stand in a queue and you have a transaction. It is a very transactional relationship. I am not convinced that we are thinking about how best we meet the needs of our most vulnerable. I believe that requires a much more thought-out, cross-Government coherent strategy embracing a wide number of issues. And, as a member of the Libraries Working Group, I would say that is another area where we are in danger of duplicating a lot and not bringing things together in a coherent manner.

3360 Adjourning today would not stop the Economic Policy Review Committee from pursuing its work, which I believe is important, and taking evidence and providing information can absolutely feed into the critical work that I believe Government must grasp on this.

The timing issue I do not believe is a problem because the Hon. Member for Middle has suggested that the debate be resumed in June. But I would expect, and I would hope to hear from the Council of Ministers, that there will be meaningful information in order to have that debate in June. **(Several Members: Hear, hear.)**

3370 The information that is available in the Economic Policy Review Committee, if it is published in May, will also be available at that point although I accept that any recommendations made would not be capable of being debated until July.

3375 But my concern is that we are in danger of voting in different ways today without full information and I believe it is a Government responsibility to provide that full information to make full coherent, thought-out strategic decisions.

Thank you, Mr President.

Mr Thomas and another Member: Hear, hear.

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The President: Hon. Member for Ramsey, Mr Hooper.

Mr Hooper: Thank you very much, Mr President.

3385 I am actually really glad to be able to follow the Hon. Member of Council because I think in some ways she is spot on. It is Government's responsibility to provide the information to make sure this debate can be fully informed, and that really should have happened before the Post Office presented its first strategy, that only dealt with a very small area in this.

3390 Adjourning the debate – and that is all I want to talk about right now – is actually a mistake in a lot of ways because we will have to pick up this exact debate where we left off. So if we adjourn this debate to June, which is what is being proposed, we will probably have an EPRC report, because I have faith in that Committee to deliver something by May. I really do not think we will have a Government report with Government information and a Government strategy by that point, because I do not think there is enough time for them to start and finish all of that work in time for June. So we will end up in June maybe debating an EPRC report and also debating this exact motion that is in front of us today with exactly the same amount of

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information that we have today. We will not have achieved anything except to have delayed the inevitable.

3400 This is the long no. Again, this is us deciding we do not really want to make a decision; we want to push it back a little bit and see what happens. Whereas actually if you look at the motions that are in front of us, all it is asking us to do is to say actually we should have a review and that review should report with some recommendations – because it is absolutely right, the EPRC cannot make policy and those recommendations should be debated in June. That is what I get from the original motion and that is what I get from the amendments.

3405 So, by adjourning this you are not really achieving anything other than making a very public statement that Tynwald does not really want this reviewed. Whereas if you are actually voting on the motions in front of you, at least you can be expressing an opinion and expressing that you do think actually we want something looked at – we want the EPRC to go away and do this piece of work. It is inevitable that they will do the work anyway. Whatever Tynwald decides today, the EPRC will go away and do this piece of work. I for one would very much like to be able to plant
3410 my stake in the ground and say, yes, actually I do want the EPRC to do that piece of work; that is my decision at this point in time. Please go away and do that piece of work so we are better informed when we are being asked to make this decision in June or July.

3415 Adjourning the debate is exactly the opposite, it is saying I do not want to put my stake in the ground, I do not want to make a decision; please take the decision out of my hands. That is not a position that I am particularly comfortable with. So the adjournment, I appreciate it was well-intentioned, but I think actually it serves to not be a positive thing at all.

Thank you.

The President: Chief Minister.

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The Chief Minister (Mr Quayle): Thank you, Mr President.

I rise just to clear up a couple of issues that have arisen by comments made by a number of Hon. Members and just to discuss the adjournment, if I may?

3425 If I can quickly point out ‘community hubs’ was a comment raised by my hon. colleague and good neighbour, the Hon. Member for Douglas East, Mr Robertshaw. When I set up the community group to look into community, it was not to set up hubs. I think I mentioned at the time that we have young people who are not getting out and about, they are storing up mental health issues. We have got elderly people who cannot get out of their houses, and we have trialled projects where some of our secondary school young people are going out and visiting
3430 people who are housebound, and they are both finding it a fantastic operation.

In my own constituency, if half a dozen of the hard-working residents of that constituency were to move off Island or sadly die, 50% of everything that happens in the community would virtually go. We need to get people volunteering more in the community, to get people together to mums and tots groups, and coffee mornings, and bridge and all the things that take place in
3435 my constituency which I am really worried could die. So it was not about creating hubs, it was how we can improve the community because we have got a ticking time bomb of mental health issues with our younger generation who are not learning those skills of going out to events and meeting friends – it is all done electronically.

3440 It is not me saying that we have got a ticking time bomb, it is our mental health services saying that with the amount of self-harm, etc. in our young people. So that is what the community is about just to clarify, if I can, that situation for the Hon. Member.

Now, I was not going to discuss anything, but I would like to look at the Post Office, if I may? Does everyone in this Hon. Court want a post office? The answer is yes, isn’t it?

Can we afford to heavily subsidise a post office? And the answer is no.

3445 If nothing is done with its losses, could we lose the majority of the post offices? And the answer is yes.

Just to put figures in, in the last 10 years the number of letters posted has gone from 30 million letters to 16 million letters, and we are currently seeing a 7% to 8% reduction in volumes in our post offices.

3450 If you run a business – and I am not saying it is a business that is not a caring business –

The President: Chief Minister, you have a minute and a half.

3455 **The Chief Minister:** All right, okay. Well, what I will try and say is that we cannot continue along the line.

Did the Post Office come to Tynwald with a plan to take the business forward? Yes.

Did Tynwald approve this plan? Yes.

I think that says it all, really.

Thank you.

3460

The President: Mr Cregeen, Hon. Member.

Mr Cregeen: Thank you, Mr President.

3465 Speaking on the adjournment, I see absolutely no point of this adjournment because the motion in front of us is actually saying that a report should come by May; so the adjournment will come back after the report. Quite frankly, if you are not in favour of either the motion or the amendment, vote against it because you will be coming back in June to talk about it from the same position as we are now.

3470 I have really never come across an adjournment debate where a report is offering to come back before an adjournment. We will have that discussion in May rather than June and the Committee will be talking and I really feel the adjournment is pointless, Mr President.

The President: Mr Cannan, Hon. Member.

3475 **Mr Cannan:** Thank you very much, Mr President.

I do not share the view of the hon. speaker before me. The first thing I want to say is I understand why the Hon. Member for Arbory, Castletown and Malew has come forward with this motion today. I understand the pressure that he is under. I also absolutely understand why the Member for Douglas East has brought forward, or seen this as an opportunity to bring forward an amendment. I acknowledge that he was not the instigator of the motion.

3480 One thing that has been clear so far from what has been said, Mr President, is that we are going to have a report from the EPRC to be laid before this Court in May, and that has been made absolutely clear, so far it is on the record and I accept the assurances from the hon. mover of that amendment that that will indeed be the case.

3485 Now, the problem that I have with this – and I have some sentimental attachment to everything that is being said, but a lot of what is being said really is sentimental. What we are not doing today is making evidence-based policy decision-making. What we have done in October, when we debated this matter, when we had a report before us and a clear strategy laid out which Tynwald by a majority decision decided to support. So let's be clear, we have been absolutely crystal clear of the direction of travel. I can understand, because of the nature of what has happened since then, that Tynwald has started to feel emotionally confused, and so confused also about whether it is or is not fulfilling its social obligations.

3490 I think the problem that I have with, not only Mr Robertshaw's amendment, which is reasonable enough by itself, but there are other amendments as well flying around which would to me potentially end up effectively instructing the Post Office at this stage to change a course that Tynwald had clearly set out for them in October, and we would be doing that without the proper evidence in front of us. So I think we have to detach ourselves slightly from the emotion of this, step back and ask ourselves as national politicians: do we have the evidence in front of

3500 us? Do we have the reports? Do we have the collation of the evidence? And, do we have an appropriate response from the Government or the Post Office as to the proposals so that we are in a position to make an absolutely crystal clear judgment about which should be and what should be our way forward if we are to take in all these issues that everybody is now seriously concerned about as a result of what is happening?

3505 So I would support the adjournment, Mr President. I am for the evidence-based policy making.

A Member: Hear, hear.

3510 **The President:** Does any other Member wish to speak to the adjournment?
Mr Peake.

Mr Peake: Thank you very much, Mr President.

I will be supporting the adjournment. I do think a report from the Committee in May will be a useful thing to look at and debate.

3515 Community is important. I do think community, environment and health are important and I think evidence does need to be taken.

Thank you very much, Mr Cregeen, for your comments.

Thank you, Mr President.

3520 **The President:** Ms Edge, to speak –

Ms Edge: Mr President, just speak on the adjournment. I am just wondering would it satisfy Members in here if the date was changed to May for the adjournment, so that the report could be laid at the same time as the adjournment?

3525 **The President:** Are you moving an amendment, whereas the motion currently would say that the debate be adjourned to the June sitting, you are moving an amendment to adjourn to the May sitting. Would that be correct?

3530 **Mr Skelly:** I am happy to second.

The President: Is that correct, Hon. Member?

Ms Edge: Sorry, yes, Mr President, that is correct. I beg to move:

Amendment:

- to leave out 'June' and substitute 'May'.

3535 **The President:** So you are so moving.
Is that seconded, Mr Skelly?

Mr Skelly: Happy to second.

3540 **The President:** Does any Member wish to speak on the amendment? Mr Baker, it is prolonging this debate – still the five-minute rule.

3545 **Mr Baker:** I would like clarity on the amendment to the adjournment as to what bringing it forward to the same time as this Economic Policy Review Committee report, which Tynwald is not actually asking the Economic Policy Review Committee to actually do a report. But if it is doing it is going to come forward at the same time as the debate is going to happen, which is

going to give Hon. Members even less time to actually digest what that report says as a result of the Chairman of the Post Office bringing forward that adjournment motion.

3550 So we just seem to be going round and round in circles. We are having an adjournment debate because we cannot face up to the issues. (**A Member:** Hear, hear.) We are heading downhill at an accelerated rate, making a bigger and bigger mess; and the public –

Ms Edge: Point of order, Mr President.

3555 **Mr Baker:** Sorry, I have got the floor.

The President: It is a point of order. Ms Edge, you had a point of order. What is your point of order?

3560 **Ms Edge:** The only purpose for that is because some people had concerns with regard to the date.

The President: That is not a point of order.

3565 **Mr Baker:** Thank you, Mr President; I appreciate you clarifying that was not a point of order. We are heading downhill at an accelerating pace here. This Hon. Court is ducking the issue; we are messing around by talking about exactly how long we kick this down the road for. There is no clarity around where this extra information that is going to suddenly inform a far better debate is going to come from.

3570 So, Hon. Members, I would suggest that we dismiss the adjournment of both the original motion to adjourn and this suggested amendment to the adjournment.

The President: Thank you.
Mr Cregeen.

3575 **Mr Cregeen:** Thank you, Mr President.
It has become a bit of a farce of adjournments. (*Interjection by Ms Edge*)

The people moving the adjournments are saying that we are going to discuss what possibly the amendment from Mr Robertshaw is going to come forward with from the Committee, so
3580 why do we not just vote on the Committee and then we can have that one discussion?

I do not understand. If you are against the Committee, vote against the Committee, if –

Ms Edge: Would the Hon. Member give way?

3585 Mr President, I will withdraw the May adjournment and leave it as it stands in June.
Thank you, Mr President.

The President: Thank you. That has been withdrawn with the consent of the Court?
(**Members:** Agreed.) Thank you.

I call on the mover of the adjournment to exercise the right of reply.

3590 **Mr Shimmins:** Thank you, Mr President
All I would like to say is I think very many good points have been made by many people. I

think they just demonstrate the need for additional facts.

I very much look forward to the report which has been promised by the Chair of the
3595 Economic Policy Review Committee; and I beg to move.

Thank you very much.

The President: We go now to a vote. The motion is that the debate be adjourned to June. Those in favour, say aye; against, no. The ayes have it. The ayes have it.

A division was called for and electronic voting resulted as follows:

In the Keys – Ayes 13, Noes 10

FOR

Mr Ashford
Dr Allinson
Mrs Barber
Mr Boot
Mrs Caine
Mr Cannan
Mrs Corlett
Ms Edge
Mr Harmer
Mr Peake
Mr Quayle
Mr Shimmins
Mr Thomas

AGAINST

Mr Moorhouse
Mr Baker
Mr Callister
Miss Costain
Mr Cregeen
Mr Hooper
Mr Perkins
Mr Robertshaw
Mr Skelly
Mr Speaker

The Speaker: Mr President, in the House of Keys, 13 votes for, 10 against.

In the Council – Ayes 6, Noes 3

FOR

Miss August-Hanson
Mr Henderson
The Lord Bishop
Mrs Maska
Mrs Poole-Wilson
Mrs Sharpe

AGAINST

Mr Cretney
Mr Crookall
Mrs Lord-Brennan

3600 **The President:** And in the Council 6 votes for and 3 against. The motion to adjourn therefore carries.

The motion that will be considered will be the motion as printed and the amendment in the name of Mr Robertshaw that has been tabled, and seconded; and Mr Shimmins, as the mover of the adjournment, has the right to speak first in that debate.

3605 Thank you, Hon. Members.

That concludes the Order Paper.

Tribute to outgoing Members of the Legislative Council –

Thanks and good wishes to Mr Henderson, Mr Crookall, Mrs Sharpe and Mr Cretney

The President: As we know, Hon. Members, this is the last sitting before the election of four Members of Legislative Council takes place next month, and the term of office has expired for Mr Henderson, Mr Crookall, Mrs Sharpe and Mr Cretney.

3610 First of all I would say that a debt of gratitude is owed by this Court, and indeed by the people of the Isle of Man, to those four Members for their public service in Tynwald, (**Several Members:** Hear, hear.) which is much appreciated.

We know in the case of Mr Henderson, Mr Crookall and Mrs Sharpe that their return is – I was going to say ‘in the lap of the gods’ – (*Laughter*) but in the lap of the Keys might be more accurate.

3615

Mr Robertshaw: Mr President, on the basis that we know of one definite departure could I just express my own personal – No?

The President: No, I have the floor, sir!

3620 I anticipate what the Hon. Member wants to say and I might say it on his behalf, if I may?

Tribute to Mr David Cretney MLC on retirement

The President: Hon. Members, there is no such official position as Father of the House or Father of the Court, but if there were such a position the gentleman that is the most qualified to fill that post is the Hon. Member of Council, David Cretney. (**Several Members:** Hear, hear.)

3625 We know that David is not seeking re-election and this therefore is his last sitting, and as such his retirement marks something of the end of a political era, quite remarkably: 35 years continuous service in Tynwald; 30 years as a Member of the House of Keys, proudly representing his constituents and South Douglas; and for the last five years Member of Legislative Council.

3630 He is by far the longest serving Member of Tynwald, whose political career started a political lifetime ago, before that of anyone else in this Court; and indeed when one looks round possibly before the *actual* lifetime of some people in this Court! (*Laughter*) And if you think 35 years is some sort of record you would be almost right because it is a fact that since the Second World War, over the last 75 years only two other Members have served for at least 35 years.

3635 So David Cretney joins that few. I will not say 'elite' few because David is not an elitist person (*Laughter*) as we know, but that is a fact; and of course Sir Charles Kerruish we think of and Eddie Lowey, who is still very much with us, of course. So David Cretney has, let us say, seen it all in this place and outside.

3640 David Clifford Cretney was born and grew up in Douglas. His education began – and we are going right back to the start here- with the Collegiate nursery class, and moved on to Murray's Road Primary School; and then came Ballakermeen and St Ninian's High School, which in those days were not co-educational schools.

After leaving school he worked in the retail industry – and also I think for a spell in the building industry – and he became a shop manager in Douglas. He eventually took over the business when his boss moved away, and he continued to employ staff to run that business for many years, in fact a business that was somewhat of a milestone in the Strand Street area.

3645 David Cretney entered public life on 1st November 1983 when he was elected to Douglas Corporation as a member of St George's Ward, and it was local issues that drew him into politics. At that time there was the building of the breakwater extension, and the contractors were having the intention of moving stone in wagons 24 hours a day along past Leigh Terrace, where David was resident at the time. He joined the campaign to have the hours of movement reduced, along with neighbours, to stop the disturbance to the residents of heavy lorries rumbling past. This campaign was successful, as the hours were reduced to 7 a.m. to 7 p.m.

3650 There was also an issue at that time with the location of the new incinerator, and where it should be built. At any rate, he joined the action committee and also joined the Labour Party. He was adopted as the official Labour Party candidate for St George's Ward and he became a member of Douglas Corporation. He won the election against two independents and immediately continued his interest in social matters and began fighting for a new house-building programme.

3660 After two years in Douglas Town Council, a vacancy occurred in the House of Keys. David Cretney fought the South Douglas seat and was successful. He was one vote behind Adrian Duggan, I think, who was a long-standing Member; but in the six elections since then, David Cretney has topped the poll each time in what might be called 'landslide' conditions, which is something we can all aspire to.

3665 *Hansard* is very interesting because it records a number of things. David Cretney was sworn in for the first time on 30th April 1985, and his maiden speech was a contribution to debate at the same sitting with regard to the Shops Bill. His first tabled Question in Tynwald was on 22nd May 1985 regarding the refurbishment of Douglas Corporation properties.

A Member: He is still waiting for an answer!

3670 **The President:** He first presented a Petition to Tynwald in April 1986 concerning the Rural Library, and moved that it be referred to a Select Committee. *(Laughter and interjections)*

The first Committee he chaired was on the Petition of Joseph Karma which led to the Hypnotism Bill. *(Laughter)* This was the first Bill that he took through, as a result of a Petition of Grievance, which regulates the public performances of stage hypnotism and is still in force!
3675 *(Laughter)*

Mr Robertshaw: That is how he got his landslides, I think! *(Laughter)*

The President: One could ask the extent to which it has expired – hypnosis in Tynwald!
3680 The first Government Bill he was in charge of was the Non-Resident Company Duty Bill in 1986; and his first Private Member's motion in Tynwald was in January 1987 regarding the winter heating supplement. So the range of political interests was becoming apparent at a very early stage.

If we fast-forward a bit, after those six more general elections to the present day we find
3685 *Hansard* records a number of things, not least the numerous humorous asides and quips and witty remarks that have enlivened our sittings over the years, for which he is renowned.

David Cretney has asked a total of 216 Questions which, considering he was a Minister for 18 years is pretty good; 209 motions in his name – and if one counts the one on fireworks today it is 210. He has been in charge of 19 Bills, including such Government Bills as the Bees Bill of
3690 1988, the Prevention of Terrorism Bill, the Equality Bill through Council in 2016 and a number of Private Member's Bills – including the Chronically Sick and Disabled Persons (Amendment) Bill of 1991, which placed an obligation on Government to provide services for the chronically sick and disabled people, and David has taken a particular interest in the work of that Committee for many years. Also the Representation of the People (Amendment) Bill 2006 which brought
3695 forward the timing of the elections to September from November, and introduced absent voting on demand.

Also quite importantly, at an early stage an important amendment in the Keys was made by David to the Criminal Justice Bill. This was some 30 years ago, which allowed the videotaping of children's evidence, which was ahead of the United Kingdom. So he pioneered that sort of
3700 progressive thinking as well.

One of David Cretney's first big constituency issues was the Anagh Coar Douglas First-Time Buyers' House Scheme which was a Douglas Corporation scheme started in the mid-1980s to assist local residents, when there was a desperate shortage of first-time house purchase properties. Unfortunately in the later part of the 1980s things were going badly wrong. Serious
3705 structural problems due to bad workmanship, lack of proper inspection and the UK developer trying to abrogate its responsibility to correct the problems; and the NHBC, which was a sort of housebuilding building insurance scheme, gave only limited cover to those properties homeowners. So in desperation really, living in houses that were not in a proper state of construction, David stepped in and led the fight to have the problems rectified. Working with
3710 the Department and also subsequently, after a Select Committee of Tynwald investigation, major problems were identified and rectified at no cost to the homeowners who were given special assistance by Government.

But without his tenacity, involving a number of years of total commitment and considerable support to his constituents, for which of course they were very grateful indeed, he achieved his

3715 goal to have the issue properly dealt with, without which very serious building issues would have gone unresolved.

As I say, service, a commitment to social issues in particular and the interest of improving the quality of life of those in society most in need of assistance, improving workers' rights, safety at work and persons with disabilities have always been at the forefront. And he has had the opportunity of course to pursue those interests at parliamentary and at Government level.

3720 He was 18 years a Minister, serving as Minister for Tourism and Leisure between 1996 and 2006, which included many high-level responsibilities, particularly for TT organisation. And thanks to his efforts largely, as well as others within the Departments of course, this led to two highly successful events: the 2007 Centenary of the TT, and the 2011 Mountain Course Centenary. And it was around this period of course he became self-styled 'Minister of Fun' and was well-respected in that particular role which fitted his skill set.

3725 A Manx Grand Prix rider himself in the past, and as one of the not too many who became one of the TT course 100-plus miles an hour riders, he will forgive me if I recount a story of him told to me by his old friend Tony Brown, who himself served many years in this Court. I am told it is a true story but not widely known.

3730 It was when David Cretney bought his first bike. He bought a brand new 250cc Honda in the early 1970s, his first motorbike, a top of the range bike at the time, from Neil Kelly Motorcycles. His ambition and first thought was to ride around the TT course. He collected his new bike and, after very limited instructions from Neil about the bike, he put the L-plates on and David set off from Neil Kelly Motorcycles in Douglas. He rode along the TT course at speed and after getting part way round the course the bike seized and came to an abrupt stop. He could not understand what had happened, after all it was a brand new bike; but he soon found that he had ridden all the way from Douglas to Ballaugh in first gear (*Laughter*) and did not realise he had to change up through the gears! He thought the screaming engine was normal! (*Laughter*)

3740 So he has come a bit of a long way: Minister for the TT; and then of course between 2006 and 2010 a vitally important role as Minister for Trade and Industry before its reorganisation to Economic Development. He was the first Minister for Community, Culture and Leisure between 2010 and 2011; and after the 2011 General Election he took charge of the huge Department of Infrastructure.

3745 Amongst the things he has been most involved in, and has enjoyed being involved in, is the development of the National Sports Centre, where he was involved from the concept stage and was, with the help of colleagues, able to see it through to a successful fruition – from laying the foundation stone of the NSC to opening the all-weather and totally refurbished Bowl. Also the Villa Marina, and that facility we enjoy today is largely thanks to the efforts of David Cretney.

3750 He enjoyed his time before, becoming a Minister, as Chairman of Isle of Man Post Office from 1992 to 1996, and as Chairman of the Planning Committee. Many of us over the years have been chairmen of the Planning Committee and he will probably agree it is one of the most interesting jobs in Government – Mr Baker, believe it or not. (**A Member:** Hear, hear.)

3755 He has also been a long-standing member, as I mentioned, of the Manx Labour Party and has served as its Chairman. And he has served us well in Tynwald as a member of the Tynwald Management Committee; the Standards and Interests Committee; Emoluments; and the Tynwald Ceremonies Committee.

3760 If I may say so, I particularly enjoyed ... I had not served with him on a lot of committees, I certainly served with him as a Minister and enjoyed my period with him in CoMin, but particularly on the Social Affairs Policy Review Committee of which he is now Chairman and from which he will be greatly missed, I know, because the care and attention and concern he gave particularly to witnesses and the issues being considered, was of great benefit not only to them but to the Committee.

3765 I have also appreciated his particular interest in hosting visitors to the Island – Tynwald Day visitors or CPA visitors for Tynwald. David went out of his way and put himself out a bit to come

and help host those visitors and make sure they left the Island with a good impression. So, all in all, the Isle of Man has a lot to thank you for.

I will just close with a little piece that was printed in the *Manx Life* in 1990. There was quite a long article – and that is where I got some of my material, by the way – but it ended up with the reporter, Jennifer Leece, who reported in 1990: ‘With so many social issues left to fight for, constituents to visit and a local newsletter to run there is little free time. But David Cretney does not see a lifetime in politics’ ... (*Laughter*) And he is quoted as saying: ‘I must decide the right time to get out of politics’ – he said, 30 years ago! (*Laughter*)

I think now is the right time! (*Laughter*)

At least now you will have more time to spend with Dee, your daughters Sarah and Julie and your two new grandchildren, Ivy and Stanley. May you have many happy years, David; and you are a Member who will be missed.

Members: Hear, hear.

Members stood and applauded.

The Speaker: Speech! (*Laughter*)

Mr Cretney: If I may, Mr President, with your permission?

The President: Indeed, yes.

Mr Cretney: Thank you, and first of all thank you for your kind remarks.

I will always be very grateful to the people of South Douglas and before that St George’s Ward in Douglas Town Council, who placed their trust in a relatively inexperienced 31-year-old Manx Labour Party candidate in 1985, and for the following six elections to the Keys. Thanks to them over five elections and 25 years. More people voted for me than any other Douglas Member elected – I like to boast about that! (*Laughter*)

There were no induction sessions in those days – straight in at the deep end – which led the late John J Bell to quip on the election platform in St George’s Hall that ‘It will take you five years to find the toilets, son.’ He was wrong, I found them in about 18 months! (*Laughter*)

In 1985 we had the misery of 3,500 people out of work from a lower working population and virtually no reserves to speak of, but working alongside some of the Isle of Man political giants from the last century and in co-operation with business and trade unions, things were turned around.

But some things never change. The Isle of Man has always had to reinvent itself and our diversity and stability has always been a strength. In a challenging, ever-changing and competitive world where no one owes us a living, we must demonstrate innovation, co-operation and the use of our parliamentary and fiscal independence.

In the time since 1985 much investment has taken place in the infrastructure of the Island, and I am glad to have played my part as a Member and a Minister for 18 years. From the development of the new Post Office Headquarters at the Cooil during my time as chair, to my own constituency together with the people from the area of Pulrose – where the housing was prefabricated and time-expired, with asbestos construction and with windows that froze on the inside, and forced some older people to sleep by the coal fires downstairs – we persuaded the then Minister, Tony Brown, to support demolition and rebuild, and together with the Council achieved a significant improvement.

I also enjoyed leading the team, as Mr President said, in terms of the National Sports Centre, the Bowl, the Ballafletcher pitches, the refurbished and the rebuilt Villa Marina; and was very happy to welcome the Island Games back home in 2001, and the Commonwealth Youth Games, as the first small jurisdiction to do so in 2011. I thank everyone involved.

As a former Manx Grand Prix competitor and lifelong fan of the TT, it was an honour to chair that organisation for 10 years, where the foundations for the success after the Centenary in 2007 were laid. My involvement in the TT goes back to my Mum and Dad's divorce when I was a baby and part of the settlement paperwork gave my father access to me on Senior Race Day and the Manx Grand Prix. *(Laughter)* As the then 'Minister of Fun', even now I am still in touch with many people around the world who share my passion for this important part of the social history of our Island.

After the untimely loss of Joey Dunlop in 2000 – is it really 20 years ago? – together with a small team but in particular with the 'Voice of the TT', the late Peter Kneale, we organised the Isle of Man response which comprised the first and still largest-ever lap of honour, a service of celebration, a plaque next to Mike Hailwood's at the TT Grandstand and renaming the 26th Milestone – Joey's. Alongside ministers of sport from all the home nations I represented the Island at his funeral and was the only one invited to play a part in the proceedings – which was a recognition, I think, of our special links.

Our over 1,000-year-old parliament continues to develop and although my suggestion to Lord Lisvane of direct public elections on an Island-wide basis to Legislative Council did not find favour, I have to say the changes in composition of the best candidates reflecting our society, and the significant amount of research and scrutiny led by some of the new Members is a really positive development. **(A Member: Hear, hear.)** A mature parliamentary assembly and Government should welcome positive challenge and scrutiny of developing policies and legislation, and I will watch with interest how this progresses in the times ahead.

Mr President, I think it is fairly obvious that I will always be a House of Keys man. The direct relationship on a daily basis with those you have the honour to represent in here – and to me there is no greater honour as a Manxman – and who have placed their trust in you, is very rewarding, if sometimes very time consuming! However, I want to place on record my thanks to Tynwald Court for electing me to chair the Social Affairs Policy Review Committee, and I thank Tynwald and the Government for generally accepting our recommendations in a positive way in a number of very important and sensitive areas.

I deeply regret that some work upon which we spent considerable time remains unfinished, and I trust those who previously felt ignored by various authorities will at last see justice. I wish the new chair well in this, when elected, and I am sure that a close eye will be kept on our recommendations in the several reports to ensure that they are carried through.

In the work of that Committee and in other areas I applaud the initiative of the Office of the Clerk of Tynwald in the provision of opportunities for a number of talented young people who have gained invaluable experience, which will serve them well for the future.

I am a supporter of evidence-based policy decision making, with the proviso that timely action must follow. So for all my friends who like a few statistics, I will conclude with them.

When I started in here the Governor still presided over Tynwald and I consider it a very important constitutional development that one of our own now presides.

I have been here under two Governors and four Presidents; and in that time we have had eight Governors and five Bishops, and the House of Keys has had eight Speakers.

I have spent more than half my life as a Member, so I do not what I was thinking about in 1990! And, not including the present House of Keys, in that time more than 60 Members of that Branch have come and gone.

So, following my policy of generally embracing change, I have always felt that the last shrewd decision for a politician is when to call it a day.

Before I finish, Hon. Members, be under no illusion: while great progress has been achieved, much remains and many challenges lie ahead in order to address some of the inequalities in our society. We live on a beautiful Island with a proud history and heritage, but for those in poverty or on fixed incomes, homeless, or vulnerable in whichever way, or those suffering ill health, in inadequate housing, or who are reliant on a foodbank – beauty and history is simply not enough.

As a long-term supporter of our first Chief Minister, Sir Miles Walker, who saw the need to heal social division and promote a more equal society, not one of haves and have-nots, I once again recommend an ongoing commitment to the development of a prosperous and caring society. I welcome measures in this year's Budget. I always had a particular interest in social legislation and I welcome recent positive progress in that regard.

Mr President, I recently visited my good friend the former Member for North Douglas, Bernie May, and he reminded me about that meeting in St George's Hall back in 1985. He reminded me that I held up a photo of my daughter, Sarah, then aged three months, to the gathered audience, and said my motivation was to try and make a better future on our Island for our young people. Here it is. *(Laughter)*

Mr Thomas: Put that in *Hansard*!

Mr Cretney: That is her in green up there; she looks a bit different now!

The most important legacy we can leave our future generations is to try and leave our Island and world in a better state than we inherited it. Much work is required to be done, as we see on a daily basis via the media, but it is a most worthy cause and I commend it to all on our Island and in this Hon. Court.

Thanks to everyone who I have worked with in whatever capacity: be it political Members, volunteers, civil servants, organisations or individuals. Nothing is achieved without a team ethic. **(A Member:** Hear, hear.)

Thanks to my agent, Stephen Pitts, and his family including Debbie who sadly passed away recently, and who helped me at every election. I think I worked out that she first helped me when she was aged 12. *(Laughter)* And to my proposers and seconders and to all my team over seven elections. Thanks to all those people in South Douglas who trusted me at the ballot box in such great numbers. I will never forget you.

And to my very patient and understanding family who accepted, because of my commitment, that I was not always there when I should have been. I hope in the time ahead you do not come to regret my decision when I am around all the time! *(Laughter)*

Thank you, Mr President. *(Applause)*

The President: Thank you, Hon. Members, a memorable sitting in many ways.

Council will now withdraw and leave the Keys to transact such business as remains before it.

The Council withdrew.

House of Keys

The Speaker: Hon. Members, there is no other business for the Keys to transact so we stand adjourned until 25th February at 10 o'clock in our own Chamber.

Thank you.

The House adjourned at 4.27 p.m.