



ENERGY POLICY BOARD

TERMS OF REFERENCE

1. BACKGROUND & PURPOSE

- 1.1 Across Government there are multiple policy and operational decisions linked to the Island's energy strategy.
- 1.2 There are many different projects across multiple departments and the position, particularly in relation to funding, is complex. It is therefore important to ensure that governance and approval processes are clear and straightforward.
- 1.3 The purpose of the Energy Policy Board ("The Board") is to take responsibility for the overall strategic direction and policy coordination for all matters relating to the Island's on and offshore energy strategy.

2. ROLE OF THE BOARD

- 2.1 The role of the Board is to:
 - take responsibility for the overall strategic direction and policy for all matters relating to the Island's on and offshore energy strategy, including coordinating the delivery of offshore renewable energy projects, hydrocarbon extraction, onshore renewable energy delivery and home energy policy and delivery
 - give visibility to the decision making of each of the Departments and Boards who are involved in energy policy and ensure that their policy decisions align with wider government policy.
 - advise the Council of Ministers on the co-ordination of energy policy and decision making across Government.

- 2.2 The Board has sufficient authority that no Minister is authorised to act on matters relating to “energy policy (power) areas” without first consulting with the Board and receiving its authority to proceed.
- 2.3 Day-to-day operational matters relating to energy policy do not fall within the Board’s remit.

3. GOVERNANCE

- 3.1 The Board was established by the Council of Ministers on 17th October 2023 by way of the Energy Policy and Decision Making Direction 2023.
- 3.2 This Direction established the Energy Policy Sub-Committee of the Council of Ministers (the Energy Policy Board), noting that the effective co-ordination of energy policy and decision making across Government affects the public interest.
- 3.3 Under this Direction, all Department and Statutory Boards are required, prior to exercising their respective functions in relation to any energy policy area, to:
- (a) ensure that the Board has all information necessary to enable it to advise the Council of Ministers on the co-ordination of energy policy and decision making across Government;
 - (b) provide such information to the Board relating to policy development and decision making in relation to any of the energy policy areas as the Board or the Council of Ministers may from time to time require; and
 - (c) render such further assistance to the Board as the Board or the Council of Ministers may from time to time require in relation to energy policy and decision making.
- 3.4 The direction defines “energy policy areas” as being:
- (a) the decarbonisation of the energy supply;
 - (b) onshore and offshore windfarm development;
 - (c) hydrocarbon licensing;
 - (d) the provision of energy to the Island by means of the Interconnector;
 - (e) tidal, onshore or offshore solar power development or any other renewables;
 - (f) the taxation of energy companies;
 - (g) energy policy development generally
- 3.5 Contracts and Finance
- To be determined.

4. MEMBERSHIP

4.1 Political Members

The Board shall comprise the following:

- Chief Minister (Chair)
- Minister for Treasury
- Minister for Department of Infrastructure
- Minister for Environment, Food and Agriculture
- Chair of Manx Utilities

4.2 The Board will be administered by Cabinet Office who will provide secretariat and research support to the Board.

4.3 The Chair may invite individuals or groups to attend the Board from other areas of Government. The Board may, from time to time, seek input from the Climate Change Board, the third sector and other stakeholders as appropriate.

4.4 Quorum: The Board shall be quorate when a majority of Ministers (or Department Members delegated to attend in place of Ministers) are present. This represents three (out of five) political members, which must include the Chair or nominated deputy.

Where a meeting does not have three out of five political members present, the Board cannot be said to be "quorate" and may only consider and note papers – deferring any requests for approval until the next meeting.

4.5 Decisions will be normally arrived at by consensus. Nonetheless, at the request of any political member present, and with the consent of the Chair, a vote can be taken on any matter.

5. LEAD OFFICER GROUP AND ENERGY TEAM

5.1 The Board will be supported by a Lead Officer Group comprising Chief Officers or departmental representatives from those Departments and Boards that are involved in energy policy and also the Attorney General's Chambers

5.2 The Lead Officer Group is directed by the Board and will ensure appropriate actions are carried out and appropriate information is provided to the Board.

5.3 The Lead Officer group will meet at least one week before the full Board and at other times as required to ensure effective management of Board papers and actions.

5.4 An "Energy Team" of specialist officers within Cabinet Office will manage and oversee all aspects related to this area.

5.5 Where expert external resources are required, these would be commissioned and controlled by the Energy Team.

6. MEETINGS AND MINUTES

- 6.1 Meetings of the Board will occur every month with additional meetings arranged at the agreement of the Chair. If a Member is unable to attend they should submit apologies for absence to the secretariat in advance.
- 6.2 Agendas are compiled with the assistance of the Lead Officer Group. A request for an item to be included on the agenda should have been progressed through the Lead Officer Group.
- 6.3 The agenda and papers will, wherever possible, be distributed to members at least one week before each meeting by the secretariat. In exceptional circumstances approval for late papers to be circulated must be obtained from the Chair.
- 6.4 Minutes will be prepared in accordance with the [Minute Taking Guidance](#) by Cabinet Office and should be circulated to the Board for amendments and approval no later than ten working days following each meeting or as soon as practicable.
- 6.5 All documentation issued in relation to the Board including proceedings and papers are subject to the same statutory confidentiality as applies to the meetings and procedures of the Council of Ministers, and should be treated accordingly.
- 6.6 Documents should not be circulated for wider distribution other than to nominated officers without the necessary permission which will be agreed by the relevant document owner (which may be at political level).
- 6.7 Once circulated for out of Board approval, the minutes will be provided to the Council of Ministers Papers mailbox for noting on the Council of Ministers agenda as soon as practicable.

7. COLLECTIVE RESPONSIBILITY

- 7.1 All political members of the Board are required to abide by collective responsibility.
- 7.2 Department members attending in place of a Minister shall have in place the appropriate delegation from the respective Minister.
- 7.3 Ministers (or their delegated Members) should take particular care to avoid any perceived conflicts of interest and declare this.