



Isle of Man
Government

Reilrys Ellan Vannin

PUBLICATION

**Extract of Proceedings:
Council of Ministers February 2024**

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Extract of Proceedings in the Council of Ministers during February 2024

Part I Decisions made by Council

Manx Utilities Island Plan Annual Report – December 2023

Council considered and **agreed** a paper submitted by Manx Utilities seeking approval for the submission of Manx Utilities' Island Plan Annual Report as at December 2023 to be moved by its Chair at the February sitting of Tynwald.

Statutory Boards and Public Bodies Political Appointments

Council considered a paper submitted by the Cabinet Office seeking approval for political appointments to Statutory Boards and Bodies. After consideration Council **agreed**:

- i) Appointees to the roles Vice-Chair and Employers' Representative for the Public Sector Pensions Authority, as follows:

Vice-Chair: Hon K Lord-Brennan MHK

Employers' Representative: Mr Mercer MLC

- ii) To nominate Tynwald Members for appointment at the February 2024 sitting of Tynwald to the following posts:

- Isle of Man Office of Fair Trading – Chair: Mr Glover MHK
Isle of Man Office of Fair Trading – Vice-Chair: Mr Glover be invited to nominate a Member for the position [not confirmed at this time]
- Isle of Man Post Office – Chair: Mr Peters MHK
- Isle of Man Post Office – Vice-Chair: Mrs Kelsey MLC
- Manx Utilities – Chair: Mr Wannenburgh MHK
- Manx Utilities – Vice-Chair: Mr Greenhill MLC
- Communications and Utilities Regulatory Authority – Board Member: Mrs Corlett MHK
- Chair of the Manx Heritage Foundation (trading as Culture Vannin) – Mr Thomas MHK
- Member of the Manx Heritage Foundation (trading as Culture Vannin) – Mrs Caine MHK

Manx Care Complaints and Duty of Candour Annual Report

Council considered and **agreed** a paper submitted by the Department of Health and Social Care seeking approval for the Department's Scrutiny and Oversight Report concerning the Manx Care Complaints and Duty of Candour Annual Report 2022-2023, for onward laying before the February 2024 sitting of Tynwald.

List of Items of Government Business – February 2024 (Fast-Track)

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the List of Items of Government Business for the February 2024 (Fast-Track) sitting of Tynwald.

Air Services Policy

Council considered and **agreed** a paper submitted by the Department for Enterprise seeking approval that a strategic air services policy be developed and brought back to Council for discussion and approval.

The Communications (Television Licensing) (Amendment) Regulations 2024

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the Communications (Television Licensing) (Amendment) Regulations 2024 to extend to the Isle of Man.

Harbour (Dues and Charges) (Amendment) Regulations 2024

Council considered and **agreed** a paper submitted by the Department of Infrastructure seeking approval for the Harbour (Dues and Charges) (Amendment) Regulations 2024 to be moved at the March 2024 sitting of Tynwald.

Harbour (Miscellaneous Provisions) (Amendment) Bye-laws 2024

Council considered and **agreed** a paper submitted by the Department of Infrastructure seeking approval for the Harbour (Miscellaneous Provisions) (Amendment) Bye-laws 2024 to be moved at the March 2024 sitting of Tynwald.

Harbour (Fees) Order 2024

Council considered and **agreed** a paper submitted by the Department of Infrastructure seeking approval for the Harbour (Fees) Order 2024 to be moved at the March 2024 sitting of Tynwald.

Registration of Pleasure Craft (No.2) (Amendment) Regulations 2024

Council considered and **agreed** a paper submitted by the Department of Infrastructure seeking approval for the Registration of Pleasure Craft (No.2) (Amendment) Regulations 2024 to be moved at the March 2024 sitting of Tynwald.

Response to the Standing Committee of Tynwald on Public Accounts, First Report for the Session 2023-24 on Isle of Man Ferry Terminal

Following consideration of an initial draft at a previous meeting, Council **agreed** a paper submitted by the Treasury seeking approval for the response to the recommendations laid out in the Standing Committee of Tynwald on Public Accounts First Report for the Session 2023-24 on Isle of Man Ferry Terminal Project. This would be for laying on a new Supplementary Order Paper at the February 2024 sitting of Tynwald.

Safeguarding Board Annual Report

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the Safeguarding Board Annual Report to be laid before the March 2024 sitting of Tynwald.

Merchant Shipping (Fees) Regulations 2024

Council considered and **agreed** a paper submitted by the Department for Enterprise seeking approval for the Merchant Shipping (Fees) Regulations 2024 to be moved at the March 2024 sitting of Tynwald.

Electoral Commission Report

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the Electoral Commission Report to be received and moved by Mrs Kelsey MLC at the March 2024 sitting of Tynwald.

Income Support (General) (Isle of Man) (Amendment) (No.2) Regulations 2024

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Income Support (General) (Isle of Man) (Amendment) (No.2) to be moved at the March 2024 sitting of Tynwald.

Employed Person's Allowance (General) (Amendment) (No.2) Regulations 2024

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Employed Person's Allowance (General) (Amendment) (No.2) Regulations 2024 to be moved at the March 2024 sitting of Tynwald.

Social Security Legislation (Benefits) (Application) (Amendment) (No.2) Order 2024

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Social Security Legislation (Benefits) (Application) (Amendment) (No.2) Order 2024 to be moved at the March 2024 sitting of Tynwald.

State Pension Revaluation for Transitional Pensions Order 2024

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the State Pension Revaluation for Transitional Pensions Order 2024 to be moved at the March 2024 sitting of Tynwald.

State Pension Debits and Credits (Revaluation) Order 2024

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the State Pension Debits and Credits (Revaluation) Order 2024 to be moved at the March 2024 sitting of Tynwald.

Income Tax (Common Reporting Standard) (Amendment) Regulations 2024

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Income Tax (Common Reporting Standard) (Amendment) Regulations 2024 to be moved at the March 2024 sitting of Tynwald.

Income Tax (Disclosure of Information) (Enforcing Authority) Order 2024

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Income Tax (Disclosure of Information) (Enforcing Authority) Order 2024 to be moved at the March 2024 sitting of Tynwald.

Restoration and Recovery (R&R) Phase 2 – Third Progress Report to Tynwald – January 2024

Council considered a paper submitted by the Department of Health and Social Care with an update on progress against the approved Business Case for Restoration and Recovery (R&R) work being undertaken by Manx Care and seeking approval for the appended update to be

laid before the March sitting of Tynwald in line with the amendment moved in Tynwald on 18 October 2022.

After consideration Council:

- i) **Noted** the progress against the approved Business Case for R&R work being undertaken by Manx Care; and
- ii) **Agreed** for the appended update to be laid before the March 2024 sitting of Tynwald in line with the amendment moved in Tynwald on 18th October 2022.

Adult Social Care Services (Charges) (Amendment) Regulations 2024

Council considered and **agreed** a paper submitted by the Department of Health and Social Care seeking approval for the Adult Social Care Services (Charges) (Amendment) Regulations 2024 to be moved at the March 2024 sitting of Tynwald.

Regulation of Care (Care Services and Registration) (Amendment) Regulations 2024

Council considered and **agreed** a paper submitted by the Department of Health and Social Care seeking approval for the Regulation of Care (Care Services and Registration) (Amendment) Regulations 2024, which are subject to the negative procedure, to be laid before the March 2024 sitting of Tynwald.

Secondary Instruments and Guidance under the Sexual Offences and Obscene Publications Act 2021

Council considered a paper submitted by the Department of Home Affairs. After consideration Council **agreed**:

That the Sexual Offences and Obscene Publications (Notification Requirements) Regulations 2024 (SD 2024/0063) be submitted for approval at the March 2024 sitting of Tynwald; and

That the draft Criminal Evidence (Categories of Offences) Order 2024 (Bad Character Order) be approved, and;

That the Sexual Offences and Obscene Publications Act 2021 (Appointed Day) (No.2) Order 2024 be laid before the March 2024 sitting of Tynwald.

[Post meeting note 22/02/2024: the ADO referred to above would be made after March Tynwald and laid before the April 2024 sitting, not laid before the March 2024 sitting].

Mandate to Manx Care

Council considered and **agreed** a paper submitted by the Department of Health and Social Care that the Mandate to Manx Care is laid before the March 2024 sitting of Tynwald, **subject** to amendments.

Draft Orders under the Justice Reform Act 2021

Council considered and **agreed** a paper submitted by the Department of Home Affairs seeking approval for the following Orders to be laid before the March 2024 sitting of Tynwald:

- Justice Reform (Criminal Justice Board Membership) Order 2024
- Justice Reform Act 2021 (Appointed Day) (No. 2) Order 2024

List of Items of Government Business – March 2024

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval that the List of Items of Government Business for the March 2024 sitting of Tynwald.

Island Plan

Council considered a paper submitted by the Cabinet Office seeking approval for the updated Island Plan and approval for the Plan to be laid before Tynwald in February for debate in March 2024. After consideration Council **agreed**:

1. In principle the refreshed Island Plan 2024-25;
2. The final approved version of the document is placed on the Register of Business by 19 February for the March sitting of Tynwald;
3. That member briefings to be offered in advance of the Island Plan debate, and;
4. A briefing on the revised Legislation Plan be provided to Ministers at the workshop on 7 March 2024, setting out the scope and rationale of updates to the plan. .

Medicines (Prescription and General Sale) (Amendment) Regulations 2024

Council considered and **agreed** a paper submitted by the Department of Health and Social Care seeking approval for the Minister to move that the Medicines (Prescription) and General Sale) (Amendment) Regulations be moved at the March 2024 sitting of Tynwald.

CoMin Response to the Select Committee on Built Heritage

Council considered a paper submitted by the Cabinet Office seeking approval for the draft response to the Tynwald Select Committee's Report on Built Heritage 2022-23 to be laid before the March 2024 sitting of Tynwald. After consideration Council **agreed** its approach to putting forward proposed amendments to the report.

Liquor Licensing and Public Entertainments (Fees) Regulations 2024

Council considered and **agreed** a paper submitted by the Department of Home Affairs seeking approval that the Liquor Licensing and Public Entertainments (Fees) Regulations 2024 be tabled for the March 2024 sitting of Tynwald, subject to negative resolution.

Courts and General Registry (Miscellaneous Fees) Order 2024

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Courts and General Registry (Miscellaneous Fees) Order 2024 be laid before the March 2024 sitting of Tynwald, subject to the negative Tynwald procedure.

Water Fluoridation Paper and Report

Council considered a paper submitted by the Cabinet Office seeking approval of the Council of Ministers' Response to the Social Affairs Policy Review Committee First Report for the Session 2022-2023, Oral Health in Children, published in April 2023.

Council noted the research paper and report, acknowledged that further work would be required prior to the consideration of any progression on water fluoridisation, concluded that no decision be taken on water fluoridisation at this time and **agreed** that the research paper and report be laid before Tynwald.

List of Items of Government Business – March 2024 Fast-Track

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval of the List of Items of Fast-Track Government Business for the March 2024 sitting of Tynwald.

Treasury (Miscellaneous Provisions) Bill 2024

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval to submit the appended drafting instructions to Chambers for the preparation of legislation to amend or repeal various items of Treasury related law.

Children's Champion Terms of Reference – Amendments

Council considered and **agreed** a paper submitted by the Treasury seeking approval of the amended Terms of Reference for the Children's Champion.

Part II

Council noted the following Matters

Responses regarding the Manx Development Corporation questions in November Tynwald

Council **noted** a paper submitted by the Treasury informing of a statement which will be made by the Treasury Minister at the February 2024 sitting of Tynwald to clarify and correct responses made regarding the Manx Development Corporation in the November 2023 sitting of Tynwald.

National Infrastructure Security Bill

Council **noted** a paper submitted by Department of Home Affairs prior to the publication of a Consultation on the National Infrastructure Security Bill.

Isle of Man Inflation Report – January 2024

Council **noted** a paper submitted by the Cabinet Office with an update on the January 2024 Isle of Man Inflation Report prior to release on Monday 12 February 2024.

Buchan School Site

Council **noted** a paper submitted by the Department of Education, Sport and Culture in relation to the Buchan School site.

Department of Infrastructure Reform Update

Council **noted** a paper submitted by the Department of Infrastructure on the reform programme.

Isle of Man Labour Market Report – January 2024

Council **noted** a paper submitted by the Cabinet Office with information on the Isle of Man Labour Market Report – January 2024, prior to release on 19 February 2024.

Securing Our Island

Council **noted** a paper submitted by the Department of Home Affairs informing of progress in the approach to securing the Island's borders, following on from its agreement to policy principles in November 2023.

Enterprise Support Scheme Funding for the remainder of 2023/2024

Council **noted** a paper submitted by the Department for Enterprise on the funding allocation for the Enterprise Support Schemes for the remainder of 2023/24 from the Economic Strategy Fund.

Health and Care Transformation Programme – Quarterly Update and Transition Programme

Council **noted** a paper submitted by the Cabinet Office and Department of Health and Social Care with the regular Quarterly Update on the Health and Care Transformation Programme for the period September to December 2023 inclusive, and an update on the formal transfer of the Programme from the Cabinet Office to the Department of Health and Social Care.

Extension of Appointment of the Chair of the Public Sector Pensions Authority

Council **noted** a paper submitted by the Cabinet Office to advise that the Chair of the Public Sector Pensions Authority will continue in post until a successor is appointed. After consideration, Council **requested an update** on matters raised following review.

Isle of Man National Income Report 2021/22

Council **noted** a paper submitted by the Cabinet Office with the results of the latest National Income calculations prior to publication on 04 March 2024.

Overview of Public Health Children's Oral Health work, ongoing and planned

Council **noted** a paper submitted by the Cabinet Office with an overview of the Public Health work planned and ongoing in respect of Children's Oral Health that was submitted to Health, Learning and Social Policy Board for its December meeting.

Planning and Building Control: Update

Council **noted** a paper submitted by the Department of Environment, Food and Agriculture in respect of current resources and workload of the Planning and Building Control Team within DEFA.

Clarification of Immigration Policy Responsibility

Council **noted** a paper submitted by the Cabinet Office to clarify where policy responsibility for immigration and related matters will sit following transfer of Passports, Immigration and Nationality division to Treasury in January 2024. Council noted that the paper provided the clarification sought, in broad terms that responsibility for developing legislation relating to operational matters sat with Treasury, policy with Cabinet Office.

Part III
Council determined the following Planning Applications

Erection of Camping Facilities at Glen Wyllin, Kirk Michael

Council considered a paper submitted by the Cabinet Office seeking direction on the erection of new facilities and upgrades at the Glen Wyllin Camp Site, Glen Wyllin, Kirk Michael; and an extension of the camping period for the five cabins on the upper section until the end of December in any year. After consideration Council **agreed to approve** planning permission in respect of this application by Glen Wyllin Camping (2016) Limited.

Referral of Application of General Importance – Construction of 92 dwellings and redevelopment of existing farm buildings – Land at Peel

Council considered a paper from the Department of Environment, Food and Agriculture seeking direction on whether it wishes to determine the application referred under Section 11 of the Town and Country Planning Act 1999. After consideration Council **agreed not to** call the application in for its determination.

Planning Application 23/01168/C – Archallagan Plantation

Council considered a paper submitted by the Cabinet Office seeking approval for the temporary accommodation of a food vending facility for a period of five years at Archallagan Plantation, Eairy. After consideration Council **agreed to approve** planning permission in respect of this application by the Department of Environment, Food and Agriculture.

Planning Application 23/01140C – Chibbanagh Plantation

Council considered a paper submitted by the Cabinet Office seeking approval for a car park, Chibbanagh Plantation, Cooil Road, Braaid. After consideration Council **agreed to approve** planning permission in respect of this application by the Department of Environment, Food and Agriculture.

Planning Application 23/01138C – Conrhenny Plantation

Council considered a paper submitted by the Cabinet Office seeking approval of the extension of the existing car park and temporary accommodation of a food vending facility for a period not exceeding five years within the existing car park, Conrhenny Car Park, Conrhenny Plantation/Community Woodland, Creg-ny-baa, Back Road, Creg Ny Baa, Onchan. After consideration Council **agreed to approve** planning permission in respect of this application by the Department of Environment, Food and Agriculture.

Applications are referred to the Council of Ministers on a number of specific grounds which are set out in the Town and Country Planning Act 1999. These relate broadly to land use zoning, the size of the proposed development and environmental matters, and are explained more fully on the Planning and Building Control pages of the Government website.

The Decision Notice for applications and the Inspector's reports can be searched online at <https://www.gov.im/onlineservices>.