



COUNCIL OF MINISTERS WORKING GROUP

CONSULTATION ON

THE ESTABLISHMENT OF A SUITABLE BODY OR A BOARD OF CUSTODIANS FOR THE PRESERVATION OF THE ISLAND'S WAR MEMORIALS

Council of Ministers Division
Chief Secretary's Office
Government Office
Bucks Road
Douglas, Isle of Man
IM1 3PN

JUNE 2008

1. Introduction

- 1.1 Following a resolution at the November 2007 sitting of Tynwald the Council of Ministers established a Working Group to consider the proposed establishment of a suitable body or a Board of Custodians for the preservation of War Memorials.
- 1.2 The Working Group consists of the Chief Minister as Chair, Mr Q B Gill MHK, Mr J R Houghton MHK and Mr H M H Duff (Military Medal) attending as a Member.
- 1.3 The Council of Ministers Working Group is carrying out this Consultation to seek views on the findings and recommendations made by the Group and contained within this document.

2. Background

- 2.1 The Council of Ministers Working Group has carefully considered a number of issues regarding War Memorials and noted in particular that whilst many Memorials are beautifully maintained by Local Authorities, Royal British Legion branches and other organisations, often no one person or body is responsible for their upkeep.
- 2.2 The Working Group also noted that currently the Isle of Man War Memorial Preservation Society, which is a voluntary group consisting of 4 Trustees who are all distinguished Ex-Servicemen, works hard to keep the Island's Memorials in good order however the Group recognised the need for a more official body to take on this role.
- 2.3 It was further noted that under the War Memorials (Local Authorities' Powers) Act 1927 Local Authorities have the power, though not a duty to maintain, repair and protect war memorials in their district. The Group considered that it was important for this power to remain with Local Authorities and therefore do not recommend that there should be any change in this position.

3. Consultation

- 3.1 This consultation exercise is designed to invite comments on the Consultation document produced by the Council of Ministers Working Group on the establishment of a suitable body or Board of Custodians for the preservation of the Island's War Memorials.
- 3.2 A list of Consultees can be found at Appendix B of this document. If there is anyone not on the list who you think should be consulted please contact the Officer named below.
- 3.3 The Working Group would welcome your views on the Report.

Consultation on the Preservation of the Island's War Memorials

- 3.4 Views should be sent by e-mail to rosemarie.dawson@gov.im or by post to Rose Dawson, Policy and Research Officer, Council of Ministers Division, Chief Secretary's Office, Government Offices, Douglas, Isle of Man. The deadline for the receipt of views is Friday 8th August 2008.
- 3.5 When submitting your views please can you indicate whether you are responding on behalf of an organisation.
- 3.6 For additional hard copies please contact the Chief Secretary's Office by telephoning 01624 687066. Hard copies will also be available from the Central Reference Library, Government Offices, Bucks Road, Douglas.
- 3.7 Electronic copies of this document are also available at www.gov.im/cso
- 3.8 To ensure that the process is open and honest and in line with the Government's Code of Conduct on Consultation, as attached at Appendix C, responses can only be accepted if you provide your name with your response.
- 3.9 Please mark your response clearly if you wish your response and name to be kept confidential. Confidential responses will be included in any statistical summary, numbers of comments received and views expressed.
- 3.10 A summary of the responses received will be published within 3 months of the closing date for this consultation, and will be made available on the Government website or by contacting the above named Officer.

Hon J A Brown, Chief Minister, Chair
Mr Q B Gill MHK
Mr J R Houghton MHK
Mr H M H Duff (Military Medal)

Council of Ministers Working Group

Issued on 25th June 2008

The Establishment of a Suitable Body or a Board of Custodians for the Preservation of the Island's War Memorials

Background

At the November 2007 sitting Tynwald resolved that the Council of Ministers consider the establishment of a suitable body or a Board of Custodians for the preservation of War Memorials and for the following purposes –

- (a) the registration of War Memorials throughout the Isle of Man;
- (b) ensuring the proper maintenance and upkeep of such Memorials;
- (c) preventing the removal or destruction of such Memorials without the consent of the Board of Custodians or suitable body.

The Council of Ministers set up a Working Group to consider the request from Tynwald consisting of the Chief Minister as Chair, Mr Q B Gill MHK, Mr J R Houghton MHK and Mr H M H Duff (Military Medal) attending as a Member.

Recommendation

The Working Group recommends that the Council of Ministers establishes an Isle of Man Government Preservation of War Memorials Committee to encourage the appropriate preservation and the safekeeping of all HM Forces, Merchant Navy and other War Memorials within the individual areas across the Island and to keep a register of those Memorials.

Definitions

- Ownership of a War Memorial may vary according to circumstances. Some Memorials may remain in the ownership of the person, Local Authority, community, association, regiment or other body that erected them, or the legal successors of that person or body. In practice, however, maintenance may be carried out by another body.
- All Memorials commemorating those who died as a result of conflict should be included, whether the death was in action, as a result of wounds or disease, or as a result of an accident. Memorials include plaques, free-standing monuments such as crosses, obelisks or statues, and also paper records where these are framed and on display. Some Memorials include lists of names, often with much information concerning the persons named, but some refer to groups without individual names.
- War Memorials to those who served and returned alive as well as civilian casualties and animals should also be included. Most, but not all War Memorials, relate to the First and Second World Wars.
- Graves are not included nor are Memorials to military persons who did not die as a result of War or conflict.

1. Introduction

- 1.1 There are around 500 War Memorials in the Isle of Man. Many of them are publicly recognised and in a good state of repair, but concern has been expressed to Tynwald that a lack of awareness and regard for certain War Memorials has resulted in their neglect, inappropriate disposal or destruction.
- 1.2 Although War Memorials in public places may suffer in this way, it is those which are on or in private property, not publicly accessible and not recorded, which are most likely to be lost through oversight or ignorance.
- 1.3 War Memorials take a wide variety of forms most consisting of an inscribed free-standing or wall-mounted commemorative structure made of stone, metal or wood. But Wartime casualties have also been commemorated in many other ways such as by windows, lychgates, benches, gardens and complete buildings such as community halls.
- 1.4 This report represents the findings of the Working Group as to whether it would be appropriate to have a suitable body or a Board of Custodians for the preservation of the Island's many War Memorials.

2. Suitable Body or a Board of Custodians

- 2.1 The Working Group carefully considered firstly whether there is a need for a body or board for the preservation of War Memorials and, if so, how that body or board should be set up.
- 2.2 The Working Group was very supportive of the need for a body to protect and conserve War Memorials on the Isle of Man.
- 2.3 The Working Group was concerned that if the body was Statutory there could be an unacceptable delay to progressing this matter due to the requirement of Primary legislation and that, through legislation, there was a danger that it could become overly bureaucratic.
- 2.4 The Working Group was of the opinion that a Board of Custodians may face similar difficulties faced by the ¹War Memorial Preservation Society in that it would carry no legal authority when it tried to influence organisations or individuals.
- 2.5 The Working Group considered that it would be more appropriate to set up a non-statutory Government Committee similar to the Overseas Aid Committee which is not a Statutory Committee of the Council of Ministers but whose Members are appointed by the Council of Ministers. This would mean that although the Committee would have no legal authority and could not enforce the preservation of Memorials as a Council of Ministers Committee it would have more influence to encourage the owners or custodians to preserve the Memorial.

¹ The Isle of Man War Memorial Preservation Society is a voluntary group consisting of 4 Trustees who are all distinguished Ex-Servicemen.

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- 2.6 The objective of the Committee would be to work with relevant organisations and individuals in ownership of Memorials to promote their acceptance as owners or custodians and to encourage them to recognise the need to maintain the Memorial in a fitting condition. The Committee may use publicity to encourage community spirit and pride with regards to War Memorials.
- 2.7 Under the War Memorials (Local Authorities' Powers) Act 1927 Local Authorities have the power, though not a duty, to maintain, repair and protect War Memorials in their district. The Working Group does not recommend that there should be any change in this position and therefore the power should remain with the Local Authorities.
- 2.8 In reaching its conclusions the Working Group records its appreciation of the voluntary and invaluable work that had been undertaken by the members of the War Memorial Preservation Society.

3. Establishment of a Committee

- 3.1 The Council of Ministers would establish a Committee of the Council of Ministers to be known as the Isle of Man Government Preservation of War Memorials Committee.
- 3.2 The Committee would be established to encourage the appropriate preservation and the safekeeping of all HM Forces, Merchant Navy and other War Memorials within the individual areas across the Island and to keep a register of those Memorials.

3.3 Membership

- 3.3.1 The Committee would consist of up to seven members who would be appointed by the Council of Ministers.
- 3.3.2 The Chair would be a Minister and the Vice Chair would be a Member of Tynwald.
- 3.3.3 Five members would be non-Tynwald members, four of whom ideally would have had a period of service in HM Forces or the Merchant Navy. One member ideally would have experience in building construction.
- 3.3.4 Secretariat services would be provided by the Chief Secretary's Office.
- 3.3.5 The tenure of the membership of the Committee would be appointment following every General Election at the pleasure of the Council of Ministers.

3.4 Reporting requirements

- 3.4.1 The Committee would submit a Report to the Council of Ministers annually who would lay the Report, with or without comment, before Tynwald in July of every year.

3.4.2 The Annual Report would –

- detail all the projects the Committee has been involved with during the year;
- advise of any issues or problems the Committee have faced during the year;
- provide an update as to the progress of the database.

3.4.3 Copies of the Report would be made available to the public on the Government Website and, on request, a paper copy would be available from the Secretary.

3.5 Remit of the Committee

3.5.1 The Isle of Man Government Preservation of War Memorials Committee, as established by the Council of Ministers, would be responsible for -

- (a) ensuring a proper registration of War Memorials throughout the Isle of Man;
- (b) encouraging the proper maintenance and upkeep of such Memorials;
- (c) avoiding the destruction of, or overseeing the removal of, such Memorials by encouraging the owners or custodians to advise the Committee that such is likely prior to such actions being taken so as to enable the Committee to ascertain any actions that may be appropriate for them to safeguard the Memorial.

3.5.2 The establishment of the Committee would not remove the responsibility for War Memorials from Local Authorities.

3.5.3 The Committee would be expected to meet at least once a year and on other occasions as felt necessary by the Committee.

3.5.4 The Council of Ministers may from time to time and after consultation with the Committee amend the Terms of Reference for the Committee.

4. Database/Identification and Recording

4.1 To ensure War Memorials are recognised as such and are cared for in the future, the Committee would compile a database using those already registered by the War Memorial Preservation Society, who have agreed to this proposal, and publicly accessible records from the database of the UK National Inventory of War Memorials.

4.2 The Committee would undertake the systematic recording of the details of War Memorials and would include the following information on the database –

- location;

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- brief description;
 - photographs showing the War Memorial and its location;
 - (where known) the War, campaign, action or unit commemorated;
 - the date of erection and/or dedication;
 - transcript of inscriptions and names so that a permanent record exists in case of future damage or loss;
 - (where known) the designer/maker/craftsperson who created the War Memorial.
- 4.3 At the same time as compiling the database the Committee would identify the physical condition and vulnerability to damage of each War Memorial in order to assess the need for conservation works.
- 4.4 The Committee would then be in a position to contact the owners or custodians of the Memorial to recommend that the work is carried out.
- 4.5 The database would be publicly accessible for research on the Government Website and, on request, a paper copy would be available from the Secretary.
- 4.6 The Committee should consider undertaking a publicity campaign to invite organisations and individuals to contact it if they believe that they know of a War Memorial that is not included on the database.
- 4.7 Once the initial database has been established it should be held by Manx National Heritage with updates being forwarded to them by the Committee.

5. Relocation of Memorials

- 5.1 The Committee would be responsible for overseeing the removal and relocation of War Memorials where necessary. It may be that the ownership of the building and land in which the Memorial is situated changes hands or the building is, in exceptional circumstances, to be demolished.
- 5.2 The Committee would ensure that all efforts are made to relocate the Memorial within the Parish for example either within a town hall or a local school. The ownership of the Memorial should be offered to the care of the Local Authority if not already within their care. However if the Memorial is primarily associated with a particular organisation then it may be appropriate for it to be relocated to that organisation's land or building.
- 5.3 Once a War Memorial has been relocated the Committee should advise the UK National Inventory of War Memorials to enable them to update their records.

Appendix B

List of Direct Consultees

All Tynwald Members
Departments, Statutory Boards and Offices
Attorney General's Chambers
Local Authorities
Law Society
The Public

Ex Services Associations

Burma Star Association
Secretary: Mrs S Healey, 25 Wybourne Drive, Onchan

IoM Local War Pensions Committee
Secretary: Mrs Caroline Beattie, Markwell House, Market Street

IoM Standard Bearers Association
Secretary John H Washington R.N.A., R.B.L. Fernleigh, Marine Parade, Peel
IM5 1PB

Normandy Veterans Association (IoM Branch)
Secretary Mr S Earnshaw, 23 Alberta Drive, Onchan

Royal Artillery Association (IoM Branch)
Secretary Mr W Kneale, 7 Hillside Terrace, Douglas IM1 4NA

Royal British Legion (IoM County)
Hon Secretary Mrs Audrey Brown, Casa Mia, Main Road, Glen Vine, IM4 4AZ

Royal Air Force Association
Secretary D Griffiths, 6 Hutchinson Square, Douglas IM2 4 HU

Royal Naval Association (Peel Branch)
Secretary Mr R Quirk, 14 North View, Peel

Manx Disabled Sailors', Soldiers' and Airmens' Fund
Secretary Mrs Caroline Beattie, Markwell House, Market Street

Joint Ex-Services Association
Secretary Mr G Hooton, Cronk-ny-Gheay, Lonan

Consultation Code of Practice

This consultation follows the Code of Practice on Consultation the criteria for which are set below.

The Six Consultation Criteria

1. Consult widely throughout the process, allowing a minimum of 6 weeks for a minimum of one written consultation at least once during the development of the legislation or policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your Department's effectiveness at consultation.
6. Ensure your consultation follows best practice, including carrying out an Impact Assessment if appropriate.

The full Code of Practice is available at www.gov.im/cso

The information in this booklet can be provided in large print on request

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