



## **Isle of Man Government**

*Reiltys Ellan Vannin*

### **SUMMARY OF PROCEEDINGS IN THE COUNCIL OF MINISTERS JUNE 2008**

#### **PART I**

#### **DECISIONS MADE BY COUNCIL**

#### **1. THE POLICY AND FUNDING OF OVERSEAS AID ON THE ISLE OF MAN**

Council considered a paper submitted by the Chief Secretary seeking approval to a report on the future policy and funding of Overseas Aid for submission to the July 2008 sitting of Tynwald.

Council discussed the Report and noted that the Isle of Man Government's ultimate goal was to achieve the internationally recognised standard for overseas aid contributions as a percentage of national income as and when it was practical to do so, this standard could only be achieved in stages. In the first instance the Council of Ministers had set a target of achieving a funding level of 0.7% of Gross Government Income by 2015.

Arising out of the discussion Council agreed:-

- a) to the proposals for reform of the policy and funding of overseas aid on the Isle of Man as contained in the attached report,
- b) to the draft report being circulated to the Overseas Aid Committee for comment,
- c) to a final report being brought to Council following the comments of the Overseas Aid Committee being received and
- d) to the report being laid before Tynwald in July 2008 for the information of Members

#### **2. GENDER RECOGNITION BILL 2008**

Council considered a paper submitted by the Chief Secretary and agreed that the Gender Recognition Bill be introduced into the Branches, for 1st Reading in the Keys on 24 June 2008.

Council agreed that the Chief Minister would take the Bill through the House of Keys and Mr Lowey MLC should be invited by the Chief Minister to take the Bill through Legislative Council.

3. **PROPOSAL TO ESTABLISH AND PROMOTE THE ISLE OF MAN AS A CENTRE OF EXCELLENCE FOR INTERNATIONAL ARBITRATION**

Council considered a paper submitted by the Chief Secretary asking Council to consider whether the Isle of Man should seek to develop as a Centre for Excellence for International Arbitration in areas such as maritime, aviation and commercial matters.

Council discussed the implications of developing a centre of excellence for international arbitration in terms of the additional human resources that would be required, the level of legal fees pertaining in the Island and the proximity of London which would be the nearest competitor for arbitration.

Council agreed that as the potential implications of establishing a centre were resource intensive and with other more urgent and challenging priorities, the proposal should not be pursued at this time.

4. **A REPORT FROM THE CONSTITUTIONAL AND EXTERNAL RELATIONS COMMITTEE ON THE EFFECTS OF THE LISBON TREATY ON THE ISLE OF MAN, INCLUDING ANY CHANGES TO THE ROYAL ASSENT**

Council considered a paper submitted by the Chief Secretary regarding the report from the Constitutional and External Relations Committee on the Lisbon Treaty including any changes to the Royal Assent.

The Chief Minister advised that in his view each new administration would benefit from a detailed Report of this nature which enabled a greater understanding of the relationship of the Island with the EU and the impact on the Isle of Man's constitutional relationship with the UK and the effect on this relationship from the UK's membership of the EU. The Director of External Relations advised Council that the results of the current referendum on the Treaty taking place in Ireland may have an impact on the future of the Treaty, but that it was likely the changes embodied in the Treaty would progress. The situation was being monitored to assess the implications or amendments which would be required to the Report as a result of the outcome of the referendum.

The Chief Minister thanked the officers concerned for their considerable work in producing such a comprehensive and useful Report and this was endorsed by Council.

Council agreed that the Report should be included on the July Tynwald Order Paper.

5. **CRIMINAL INJURIES COMPENSATION TRIBUNAL REPORT FOR 2007/08**

Council considered a paper submitted by the Chief Secretary and gave approval that the Criminal Injuries Compensation Tribunal Report for 2007/08 be laid before the July 2008 sitting of Tynwald.

6. **FLUORIDATION OF WATER SUPPLIES – CONSULTATION**

Council considered a paper submitted by the Department of Health and Social Security [DHSS] reporting on the outcome of a recent public consultation exercise in

respect of attitudes to the possible fluoridation of water supplies and providing additional relevant observations.

In view of the lack of support for fluoridation of the Island's water supplies DHSS had decided that fluoridation was not the most appropriate measure at this time to reduce tooth decay but had identified other options for doing so.

Council agreed:-

- i. The DHSS now consider alternative interventions to attempt to reduce tooth decay rates on the Isle of Man
- ii. The DHSS commission a survey of oral health in children in 2012/13 and if tooth decay rates still show no sign of decline, the Department then consider appropriate actions in the light of that information. This should include giving due consideration to developments in other jurisdictions.
- iii. The DHSS maintain a focussed public information process about good oral hygiene and healthy diets for children to prevent tooth decay and to better inform the Isle of Man public about the poor state of dental health.
- iv. That a report on the telephone poll be issued to Tynwald Members and the media. The Report to outline the reasons for undertaking the public consultation, the actions that the Department will now take to attempt to reduce tooth decay rates, and to emphasis that the debate on fluoridation is now ended.

## **7. STATEMENT OF CHANGE IN IMMIGRATION RULES**

Council considered a paper submitted by the Chief Secretary detailing proposed changes to the Immigration Rules.

Council approved the changes to the Immigration Rules and agreed that Statutory Document No 500/08 entitled "Statement of Changes in Immigration Rules" be laid before the July 2008 sitting of Tynwald.

## **8. TRANSFER OF ONLINE GAMBLING REGULATORY FUNCTIONS TO THE TREASURY**

Council considered a paper submitted by the Chief Secretary seeking agreement that the Transfer of Functions (Online Gambling Regulations) Order 2008 be made by the Governor in Council under the Government Departments Act 1987.

Council agreed that, subject to the concurrence of His Excellency the Lieutenant Governor, it is content for the Transfer of Functions (Online Gambling Regulations) Order 2008 to be made and for it to be moved for approval by the Chief Minister at the July 2008 sitting of Tynwald

## **9. IRIS REGIONAL SEWAGE TREATMENT STRATEGY**

Council considered a paper submitted by the Department of Transport regarding proposed capital works in connection with the IRIS Regional Sewage Treatment Strategy.

Council noted the installation of the IRIS Main within the Bowring Road, Ramsey area. The Department of Transport was requested to consider innovative solutions to deal with Ramsey traffic circulation during the works.

Council gave consent for the Minister for Transport to move a Financial Motion at the July 2008 sitting of Tynwald for the Department of Transport to incur expenditure not exceeding the sum of £1,964,000 in respect of:-

- (a) consultant's fees for 2008/09;
- (b) installation of IRIS main from Onchan to Baldrine as part of the Isle of Man Water Authority's main laying scheme; and
- (c) installation of IRIS main in Bowring Road, Ramsey during road re-construction.

#### **10. WAR PENSIONS COMMITTEE**

Council considered a paper submitted by the Chief Secretary in connection with the need to appoint of a member of the War Pensions Committee as a consequence of the resignation of Mrs Frances Killey, one of the Committee Members nominated by the Royal British Legion in April 2008.

Council endorsed the Royal British Legion nomination of Mr John Cleverley to be a Member of the War Pensions Committee and agreed that the Chief Minister move a Motion at the July 2008 sitting of Tynwald to seek Tynwald's approval to such appointment.

#### **11. ESTABLISHMENT OF AN EVENT ORGANISATION GROUP**

Council considered a paper submitted jointly by the Departments of Home Affairs, Transport and Tourism and Leisure following a request by Council at its meeting on 12 June 2008 for refined proposals in connection with the temporary establishment of an event organisation group.

Council agreed the temporary establishment of an events organisation group in order to address the requirements of running motor sport and other similar events and establishing Road Closures on the Isle of Man. The group to be made up from officers of the Departments of Home Affairs, Transport and Tourism and Leisure, seconded for a minimum period of 15 months following which there would be a review of the work of the group and any requirement to establish it on a more permanent basis.

Council agreed that additional costs incurred in 2008/9 will have to be met from within the existing budgets of the Departments of Tourism and Leisure, Transport and Home Affairs.

Costs falling in 2009/10 may be subject to a bid for additional funds, but in the absence of such additional funds being agreed, it would be necessary for any additional costs to be met from the three Departments existing budgets.

**12. THE FINANCIAL SERVICES REVIEW REGULATIONS 2001 REVIEW COMMITTEE**

Council considered a paper submitted by the Chief Secretary following receipt of a request for a review of a decision of the Financial Supervision Commission under the Corporate Service Providers Act 2000.

As required by the Act, Council agreed to establish a committee of three persons from an approved list being persons appointed in accordance with the Tribunals Act 2006.

**13. PROPOSAL FOR A NEUTRAL EMISSIONS GRAND PRIX RACE (TTxGP) JUNE 2009**

Council considered a paper submitted by the Treasury in connection with a proposal to organise and run a neutral emissions TT Grand Prix Race in 2009.

Council discussed the implications of a proposed neutral emissions Grand Prix Race TT 2009 in terms of the benefits of launching an eco-friendly motorbike race, the innovative aspects of the proposals, the potential to enhance or damage the reputation of the Island, the practicalities of staging a race of this nature and the risk of undertaking or not undertaking the proposal.

Council agreed to endorse the principle of the proposal for a neutral emissions Grand Prix Race (TTXGP) June 2009, it agreed to the matter being referred to the Political Team chaired by the Minister for Tourism and Leisure (with the additional co-option of the Minister for Local Government and the Environment to that Team) for further investigation.

**14. GLENFABA HOARD OF VIKING SILVER – EX GRATIA PAYMENT AS A REWARD**

Council considered a paper tabled by the Treasury seeking a decision from Council as to whether the objective and independent basis of professional valuation should determine the value of the reward payable to the finder of the Glenfaba Viking Silver Hoards or whether a subjective process of negotiation should supersede that process.

It was noted that this issue has been difficult to resolve as a consequence of the age of the current legislation governing the determination of ex-gratia payments in respect of Treasure Trove.

It was agreed that the Treasury Motion for consideration at the July 2008 Tynwald should seek authority to apply to General Revenue to meet the proposed ex-gratia payment of £300,000.

It was further agreed that Treasury after consultation with Manx National Heritage would bring forward new legislation to govern ex-gratia payments in respect of Treasure Trove.

## **15. PLANNING APPEALS INSPECTORS – FEES**

Council considered a paper submitted by the Chief Secretary seeking approval for proposed increases in fees paid to Planning Appeals Inspectors following a review of the same.

Council agreed:-

- (a) that the fees for Independent Planning Appeals Inspectors be increased in line with the Civil Service pay awards for 2007 and 2008 respectively;
- (b) that the arrears of pay for 2007 and for part of 2008 be approved;
- (c) that fees for written representation cases should be increased to bring them further into line with fees paid in Northern Ireland;
- (d) that Crown Division should produce for Council a paper concerning the introduction of a 2 tier payment structure to include a proposed formula for determining the criteria for appeals which would attract an enhanced fee;
- (e) to increase the fees payable for written representations to the level of those paid in Northern Ireland (£240 per case).

## **16. ISLE OF MAN ENGAGEMENT IN THE E-BORDERS PROGRAMME**

Council considered a paper submitted by the Chief Secretary proposing principles under which engagement with the e-Borders programme can move forward.

Council agreed the following principles:-

- (i) that Government will respond positively to the e-Borders agenda;
- (ii) that ease of access for travellers to and from the Island will be a primary goal;
- (iii) that Government will seek to raise awareness of the programme with the Island community, individuals and business;
- (iv) that Government will actively engage with those commercial bodies and private individuals directly affected by e-Borders;
- (v) that Government will actively engage with the UK and the IOM commercial carriers in relation to the information required for collection and transmission for e-Borders.
- (vi) that Government will seek, following consultation, to maximise the benefits of e-Borders participation for the Isle of Man.

It was further agreed that a presentation regarding e-Borders be made to Members on Wednesday 16 July at 1.00 pm.

**17. TYNWALD MOTION REGARDING MEDICAL TESTS AND COMPENSATION FOR VETERANS EXPOSED TO NUCLEAR TESTS IN THE 1950s AND THE 1960s**

Council considered a paper submitted by the Chief Secretary seeking a decision from Council in respect of medical tests and compensation for veterans exposed to nuclear tests in the 1950s and 1960s.

Council agreed:

- (a) That the Department of Health & Social Security take action to identify those nuclear test veterans who wish to receive support;
- (b) To make one off tax free ex-gratia payments of £8,000 be made to each of those veterans exposed to nuclear tests in 1950s and 1960s to recognise their contribution and the consequent mental anxiety they experienced, who are resident in the Isle of Man and in respect of whom sufficient evidence is produced to verify their claim and subject to agreement to making an ex-gratia payment no further assessment is to be made of circumstances or need to qualify for the ex-gratia payment;
- (g) That as there is no financial provision for these payments, a Motion for a Supplementary Vote should be submitted to July 2008 Tynwald authorising Treasury to apply from the General Revenue for the year ending 31 March 2009, a sum not exceeding £96,000, being the amount the required for the purpose of making 12 *ex gratia* payments of £8,000 per person to the individuals already identified or other higher amount if additional individuals become known as a consequence of enquiries to identify individuals who qualify under the terms of the *ex gratia* payment award;
- (h) That a report of the Council of Ministers on this matter should be included for debate at July 2008 Tynwald;
- (i) Any ex-gratia payments will not affect entitlement to benefits.

**18. IRIS REGIONAL SEWAGE TREATMENT STRATEGY**

Council agreed that the Chief Secretary's Office would discuss the opportunity provided by the installation of the Iris main from Onchan to Baldrine, to extend the provision of natural gas in the East of the Isle of Man to the Baldrine area.

## **PART II**

### **COUNCIL ALSO CONSIDERED OR NOTED THE FOLLOWING MATTERS**

#### **1. DHSS briefing for Tynwald Members – 18 July 2008**

Council considered a paper submitted by the Department of Health and Social Security informing Council of an intended briefing for Tynwald Members to set out the various issues and options facing the Department in respect of demographic pressures, cost and sustainability of services and the principles within which the Department would be working.

Council noted the content of the briefing and the need for Tynwald Members to have the opportunity to express their views and opinions.

Council concurred with the purpose and approach of the briefing to Members and agreed that this should be a half day event starting at 9 am on 18 July with lunch. The Department was advised to write to all Members outlining the purpose and content of the half day and inviting them to attend the briefing

#### **2. Complaints made against Departments of Government and Statutory Boards during the year ended 31 December 2007**

Council considered a paper submitted by the Chief Secretary and noted the Report by the Chief Secretary on "Complaints Made Against Departments of Government and Statutory Boards During the Year ended 31 December 2007" which would be laid before the July 2008 sitting of Tynwald.

#### **3. Fair Trade Island and National Day**

The Minister for Agriculture Fisheries and Forestry advised that the Chief Minister would be meeting with the Fair Trade delegation on Tynwald Day.

#### **4. Airport Security Contract**

The Minister for Transport advised that a new company had been awarded the contract for airport security following an open and transparent tendering process. The company would establish in the Island and would seek to recruit as many as possible of the former contractor's (Securicor) workers.

#### **5. Unemployment Statistics May 2008**

Council noted the Unemployment Statistics for May 2008 submitted by the Treasury, and that the Department of Trade and Industry is still actively seeking to assist the long-term unemployed in returning to employment.

#### **6. Neolithic Settlement, Ronaldsway Airport**

The Minister for Transport reported that there are currently twelve archaeologists working at the newly-discovered Neolithic site at Ronaldsway Airport. The Minister further reported that this additional cost would be met from the contingency contained within the budget for the RESA Scheme.