Isle of Man
Government
Reiltys Ellan Vannin

SUMMARY OF PROCEEDINGS IN THE COUNCIL OF MINISTERS
FEBRUARY 2009

1. KAUPTHING SINGER AND FRIEDLANDER (ISLE OF MAN) LIMITED EARLY PAYMENT (NO 2) SCHEME

Council agreed that the Kaupthing Singer and Friedlander (Isle of Man) Limited Early Payment (No 2) Scheme be placed on a Supplementary Order Paper for consideration at the February 2009 sitting of Tynwald.

2. QUEENS PIER RAMSEY – APPOINTMENT OF STEERING COMMITTEE

Council considered a paper submitted by the Chief Secretary regarding the appointment of a Steering Group to progress the recommendations approved at the January 2009 sitting of Tynwald for the progression of consideration of the options contained in the Report.

Following consideration Council agreed the following Membership:

Hon P A Gawne MHK - Chairman
Mr A E Downie MLC
Mr D Quirk MHK

3. QUARTERLY REPORT ON THE ECONOMY – 1 OCTOBER 2008 TO 31 DECEMBER 2008

Council considered the Quarterly Report for the period 1 October to 31 December 2008.

One of the major issues highlighted was the increase in unemployment. The three sectors most hit by the increase were retail, construction and hospitality.

Council noted that the main growth areas had been in the relatively new sectors of aircraft registration, space and e-gaming.

4. THE COMMUNICATIONS (TELEVISION LICENSING)(AMENDMENT) REGULATIONS 2009 AND THE EASY ENTRY TV LICENCE PAYMENT SCHEME

Council considered a Paper submitted by the Chief Secretary seeking approval for the Communications (Television Licensing)(Amendment) Regulations 2009 to apply to the Isle of Man to provide for the easy entry payment scheme to be made available to Island television licence payers.

Following consideration Council agreed that the regulations be applied to the Isle of Man.

5. APPLICATION FOR FUNDS IN SUPPORT OF THE CREATION OF AN ISLE OF MAN SHOPPING WEBSITE FOR LOCAL RETAILERS

The Minister for Trade and Industry advised Council of his interest in this matter and confirmed that he had received no benefit from any Government Department or the Douglas Development Partnership.

Council considered a Paper submitted by the Department of Trade and Industry regarding the creation of an Isle of Man shopping website for local retailers.

Following consideration Council agreed to allocate £300,000 from the Marketing Initiatives Fund to allow the Department of Trade and Industry to proceed with a new Isle of Man retail website for a period of two years.

6. APPLICATION TO MARKETING INITIATIVE FUND FOR ENHANCED PROMOTION OF THE CAPTIVE INSURANCE INDUSTRY FROM 2009 TO 2011

Council considered a Paper submitted by the Treasury regarding plans for the enhanced promotion of the Captive Insurance Industry.

Following consideration of the matter, Council agreed that £194,000 be allocated from the Marketing Initiatives Fund to be used through the two year period 2009 – 2011 for enhanced promotion and development of the Captive Insurance Industry.

7. THE APPOINTMENTS COMMISSION – 2ND PROGRESS REPORT

Council considered a Paper submitted by the Chief Secretary presenting the Second Progress Report of the Appointments Commission.

Following consideration Council:-

(i) noted the contents of the Second Progress Report of the Appointments Commission;

(ii) agreed to thank the Commission for its useful and informative Report, and request that a Third Progress Report be produced in due course.

8. DATA PROTECTION ISSUES

Council agreed that Departments, Boards and Offices of Government be advised the Data Protection (Processing of Sensitive Personal Data)(Elected Representatives) Order 2003 provided Departments with protection when disclosing sensitive personal data to a Member of Tynwald. The Data Protection Act could not be used to prevent sensitive personal data relating to a particular constituent being disclosed to a Member who had been requested to act on his or her behalf by a constituent.

9. EUROPEAN COMMUNITY SANCTIONS AGAINST IRAN

Council agreed to make the European Communities (Iran Sanctions) (Application) Order 2009 and the Iran Sanctions Regulations 2009 and that the Order then be moved for approval by the Chief Minister at the March 2009 sitting of Tynwald and the Regulations laid before the same sitting.

10. HUMAN RIGHTS (AMENDMENT) BILL

Council considered a paper submitted by the Chief Secretary seeking Council's approval for the Human Rights (Amendment) Bill to be issued for public consultation in line with the Code of Practice on Consultation.

After consideration Council agreed:-

(a) that the draft Impact Assessment submitted with the paper fairly represented the Bill and its financial and resource implications, and should be signed off; and

(b) that the Bill, together with its Explanatory Notes and Impact Assessment, be issued for public consultation in line with the Code of Practice on Consultation.

11. FAIR TRADING ACT 1996: INVESTIGATION OF PRICES CHARGED FOR FERRY SERVICES

Council noted a paper submitted by the Office of Fair Trading advising Council that the Office of Fair Trading had decided to investigate the prices charged for roll on/roll off ferry services on the Island. Council further noted a letter from the Chairman of the Office of Fair Trading to the Chief Minister in light of the re-constitution of the Tynwald Select Committee on the Steam Packet Company at the February 2009 sitting of Tynwald.

12. OVERSEAS AID COMMITTEE ANNUAL REPORT FOR 2007-2008

Council considered a paper submitted by the Chief Secretary and gave approval for the Annual Report of the Overseas Aid Committee for the 2007/08 financial year to be laid before the March 2009 sitting of Tynwald.

13. INDEPENDENT REVIEW BY MR MICHAEL FOOT

The Chief Secretary, Chief Financial Officer and the Attorney General advised they had met with Mr Michael Foot and his team in London on Monday 23 February 2009. The main areas of discussion had been:-

- Clarification had been sought as to how data provided by the Island would be treated by HM Treasury
- The setting of the process and the timetable.

The Review Team had been invited to visit the Island and representatives of the financial and manufacturing sectors would be invited to meet the Review Team. The Chief Minister advised that a letter had been drafted to Tynwald Members regarding this matter.

14. CHURCH MATTERS: FEMALE BISHOPS – CONSULTATION WITH THE ECCLESIASTICAL COMMITTEE

Council considered a paper submitted by the Attorney General informing Council of the outcome of consultation with the Ecclesiastical Committee and, in the light of it, seeking Council's agreement to permissive application of the draft Consecration and Ordination of Women Measures of the General Synod of the Church of England to the Isle of Man.

Council agreed that the Legislative Drafter should now report to Church House that Government was content for the draft Measure to provide for permissive extension to the Isle of Man.

15. REQUEST FOR APPROVAL FOR MILITARY TRAINING ON PRIVATE LAND ON ISLE OF MAN

Council considered a paper submitted by the Chief Secretary and gave approval for a military exercise on private land using weapons and blank ammunition on Wednesday 25 March 2009.

16. REPORT ON THE CONSULTATION ON THE EFFECTS OF THE PROPOSED ROAD TRANSPORT ACT 2001 SCHEDULE 2 REVOCATION ORDER

Council considered a paper submitted by the Department of Transport in connection with the Report on the Consultation on the Effects of the Proposed Road Transport Act 2001 Schedule 2 Revocation Order (the Report).

The Minister for Transport outlined the extensive consultation that had taken place and the recommendations of the Panel.

Council discussed the Panel's recommendations and concluded that they were substantial and as such should be the subject of a public consultation. Council agreed that the Report should be included in the List of Items of Government Business for March 2009 sitting of Tynwald and the Department should recommend that Tynwald notes the Report on the Consultation on the Effects of the Proposed Road Transport Act 2001 Schedule 2 Revocation Order and requests that the Department undertakes consultation in line with the Code of Practice on Consultation and reports to Tynwald by June 2009.

17. SOCIAL SERVICES BILL 2009

Council considered a paper submitted by the Department of Health and Social Security seeking approval for the introduction of the Social Services Bill 2009 into the Branches.

The Minister for Health and Social Security outlined the main clauses of the Bill and in particular:

- the proposed change to the conditions of eligibility for Social Care Services and Carer Support,

- the provision for a carer to be assessed in their own right and to provide services to support the carers on the basis of their assessed need.

Council agreed to progress the Social Services Bill 2009 into the Branches after consultation.

18. RESPONSE TO UK CONSULTATION EXERCISE ON THE NOMINATION OF SITE OF WORLD HERITAGE STATUS

Council considered a paper submitted by the Chief Secretary seeking Council's approval for a proposed response to the UK Government's consultation exercise on its policies and procedures in relation to the nomination of sites for World Heritage Status (WHS); and to advise Council on various matters concerning statutory protection for Tynwald Hill and its possible nomination for WHS.

Council discussed the proposed formal response and noted that there was no current protection for Tynwald Hill either as a scheduled ancient monument or as a listed building.

Council considered that it was important to protect this unique site in its own right and agreed to note the recommendations contained in the Paper but not to progress them at the current time.

Council further agreed that the Chief Minister, on behalf of Council, would undertake to discuss the matter with Mr President and Mr Speaker to consider whether specific legislation could be progressed to protect Tynwald Hill.

Council extended its thanks to Manx National Heritage for their work on this matter.

19. TOWN AND COUNTRY PLANNING (DEVELOPMENT PROCEDURE) ORDER 2005 – CEMEX ISLAND AGGREGATES LTD – APPLICATION 08/00002/CI – 07/01841/B – RESTORATION AND EXTENSION OF DREEMSKERRY QUARRY, DREEMSKERRY HILL, DREEMSKERRY, RAMSEY, ISLE OF MAN IM7 1BE

The following Ministers declared a conflict of interest in relation to this matter:-

Hon A V Craine MHK
Hon D C Cretney MHK
Hon J P Shimmin MHK

Council considered a paper submitted by the Chief Secretary seeking a decision regarding the recommendation in the Report from the Planning Appeals Inspector concerning the application by Cemex Island Aggregates Ltd for restoration and extension of Dreemskerry Quarry, Maughold.

Council noted the considerations and conclusions of the Planning Inspector. Council noted in particular the lack of a land use plan to identify the most appropriate location, or locations, for mineral extraction. Council also noted the Inspector's view that it would be unfair to local residents and contrary to the proper planning of the Island's land uses to grant planning permission at this stage.

After discussion Council agreed with the recommendation of the Planning Inspector that planning permission be refused for the reasons stated in the Inspector's Report.

PART II
COUNCIL ALSO CONSIDERED OR NOTED THE FOLLOWING MATTERS

1. Tax Information Exchange Agreement - TIEAs

The Minister for the Treasury announced that he had recently signed a TIEA with Australia.

He further advised that the German TIEA would be signed off on 3 March and the French TIEA on 26 March. The French signing was to take place on the Island, attended by a senior representative of the French Government.

2. Airport Runway Extension

The Minister for Transport advised Council of an archaeological discovery at the Airport.

3. Tuberculosis

The Minister for Education advised Council that it had been confirmed to her Department that an Isle of Man pupil had been diagnosed with Tuberculosis.

The Minister advised that this was a Public Health matter and the Director of Public Health had been advised accordingly.

4. Fair Trade Products

The Minister for Agriculture Fisheries and Forestry advised Council of the opportunity to re-visit Government's commitment to Fair Trade products during the forthcoming Fair Trade fortnight.

Ministers were asked to ensure that wherever possible individual Departments were using Fair Trade products. The Minister alerted Council to the use of "Rain Forest Alliance" products and he reminded Council that such products while worthy, they were not Fair Trade products.

5. Unemployment Statistics January 2009

Council noted the Unemployment Statistics for January 2009 submitted by the Treasury.

6. Request for permission to use Department of Agriculture Fisheries and Forestry logo in addition to Government Crest Department of Transport proposed corporate logo

Council considered papers submitted by the Department of Agriculture Fisheries and Forestry and the Department of Transport and agreed that both Departments may use their own logo in conjunction with the Government Crest on official papers and signage.

Following discussion Council reiterated that logos should comply with the Isle of Man Government Corporate Identity Guidelines.