



Extract of Proceedings in the Council of Ministers during April 2020

Part I Decisions made by Council

Coronavirus Pandemic Response

The challenges posed by the Coronavirus [SARS-CoV-2] [COVID-19] pandemic requires a clear and joined up response

Emergency Powers Act 1936

Council considered and agreed that the following documents under the Emergency Powers Act 1936 be made and submitted to Tynwald:

- Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) (Amendment) (No.3) Regulations 2020
- Emergency Powers (Coronavirus) (Provision of Temporary Accommodation) Regulations 2020
- Emergency Powers (Coronavirus) (Fixed Penalty) (Amendment) Regulations 2020
- Emergency Powers (Prohibitions on Movement) (Amendment) (No. 3) Regulations 2020
- Emergency Powers (Coronavirus) (Events and Gatherings) (Amendment No. 2) Regulations 2020
- Emergency Powers (Coronavirus) (Closure of Businesses and Other Premises) (Amendment No. 2) Regulations 2020
- Emergency Powers (Coronavirus) (Electronic Transmission of Information - Enterprises) Regulations 2020
- Emergency Powers (Coronavirus) (Courts etc.) Regulations 2020
- Emergency Powers (Coronavirus)(Emergency Assistance by Member of the Keys) Regulations 2020
- Emergency Powers (Prohibitions on Movement) (Amendment) (No.2) Regulations 2020
- Emergency Powers (Coronavirus) (Fixed Penalty) Regulations 2020
- Proclamation by the Governor in Council
- Emergency Powers (Coronavirus) (Events and Gatherings) (Amendment) Regulations 2020
- Emergency Powers (Coronavirus) (Suspension of Regular Service Licences) Regulations 2020
- Emergency Powers (Amendment) Act 2020 (Appointed Day) Order 2020
- Emergency Powers (Coronavirus) (Planning Committee) Regulations 2020
- Emergency Powers (Coronavirus) (Information Sharing) Regulations 2020
- Emergency Powers (Coronavirus) (Infrastructure Support) Regulations 2020
- Emergency Powers (Coronavirus) (Entry Restrictions) (Amendment No. 2) Regulations 2020

- Emergency Powers (Coronavirus) (Public Sector Employees) (Travel Restrictions) (Revocation) Regulations 2020
- Emergency Powers (Coronavirus) (Suspension of the Road Transport Licensing Committee) Regulations 2020
- Emergency Powers (Coronavirus) (Vacation of Departmental Facilities) Regulations 2020
- Emergency Powers (Coronavirus) (Sale or Supply of Medicinal Products and Appliances) Protocol 2020
- Emergency Powers (Coronavirus) (Mental Health Modifications) Regulations 2020
- Emergency Powers (Medical Evidence for Cremation) (Coronavirus) Regulations 2020
- Emergency Powers (Coronavirus) (Births and Deaths Modifications) Regulations 2020
- Emergency Powers (Coronavirus) (Control of Employment) Regulations 2020
- Emergency Powers (Coronavirus) (Child Care Services) (Amendment) Regulations 2020
- Emergency Powers (Road Transport) (No.2) Regulations 2020
- Emergency Powers (Coronavirus) (Public Sector Employees) (Travel Restrictions) Regulations 2020
- Emergency Powers (Coronavirus) (Road Vehicles Carrying Dangerous Goods) Regulations 2020
- Emergency Powers (Coronavirus) (Special Constables) (No.2) Regulations 2020
- Emergency Powers (Coronavirus) (Competition) Regulations 2020
- Emergency Powers (Coronavirus) (Speed Limits) (No.2) Regulations 2020

Coronavirus measures – Extension of “Stay at Home” restrictions

Council considered a presentation, in relation to the outbreak and the emergency measures in place, and agreed that the current measures in response to COVID-19 be extended for one week until 23 April 2020.

Coronavirus measures – “Stay Safe” Medium Term Response

Council considered papers and presentations in relation to the medium-term planning surrounding the Island’s response to the global pandemic and, noting that the implementation of the recovery framework would be phased, carefully controlled and managed and be cognisant of the need to manage risk, agreed “Stay Safe” principles, objectives and approach:

Principles:

- Preservation of life;
- Maintain critical national infrastructure;
- Maintain public safety and confidence; and
- Support a controlled return to normality, balancing social and economic impacts against the risk to health.

Council further considered and agreed the development and evolution of the “Stay Safe Strategy – Isle of Man Government Medium Term Response to COVID-19” document, for future publication.

Coronavirus measures – “Stay Safe” Phased Approach

Council considered papers and presentations in relation to the phased implementation of the Stay Safe response, from 24 April 2020:

- Legislative Framework – new Regulations be developed that provide clarity on what is mandated and legal when outside the household, whether at work, shopping, exercising or recreation
- Border controls to continue – arrivals continue to be limited to controlled numbers of pre-approved residents or limited numbers of pre-approved key workers;
- Social Distancing – maintain the requirement that individuals must stay a minimum of two metres from other individuals not from the same household;
- Events and Gatherings – maintain the limitation on public gatherings of over two people outside a household grouping and that associated venues which hold gatherings remain closed;
- Legislative framework and associated guidance – to allow house moves to take place in very specific circumstances where both parties are unable to agree to delay;
- Amendments to the Prohibition of Movement Regulations – to allow for non-essential journeys from 24 April 2020;
- Provisions for the reopening of sectors – construction, trades and horticulture from 24 April 2020, including the inclusion of such employees on the Key Worker List for Educational Purposes;
- Provisions for the reopening of churchyards and cemeteries
- Provisions for the reopening of Civic Amenity Sites
- Proposals to recommence specific sports via a phased approach, beginning with golf and recreational fishing from early May 2020
- Staggered approach to the reopening and expansion of nursery, school and University College IoM provision to specific pupil/student groups
- Proposed financial measures to ensure the continuation of the preschool and children’s day-care sector; and
- Provisions for childcare be extended to allow all parents to take their children to a member of their immediate family for childcare purposes, with appropriate guidance to be issued.

Border Framework – Repatriation Process for Isle of Man Residents

Council considered various papers in respect of the approach to allow people, ordinarily resident in the Isle of Man who are currently in the UK, to return on a phased basis.

Council agreed:

- The criteria, exemptions and prioritisation for returning residents, and amendments to such;
- The commencement and process for repatriation sailings;
- The need for mandatory 14 day hotel quarantine, including the cap on transport and accommodation costs for this regime;
- The legislative framework; and
- The vires for the Department of Infrastructure to operate the repatriation scheme.

Coronavirus Financial Strategy 3-6 Months

Council considered a paper submitted by the Treasury providing the proposed financial strategy for the next 3 to 6 months and supported the proposed next steps.

Public Sector Pay Awards

Council considered a paper submitted by the Cabinet Office, and agreed that public service pay awards for 2020/2021 should not be withheld, and that the Ministers would not accept such pay award for 2020/2021.

Wearing of Face Coverings

Council considered papers submitted by the Cabinet Office, and noting that the wearing of face masks was ultimately a personal and individual decision, agreed that advice on the possible value of non-medical masks [non-standardised home-made or commercial masks or face covers made of cloth, other textiles or paper] in reducing transmission of COVID-19 and Guidelines on the Wearing of Face Masks for Public Sector Employees be published.

Amendment to Town and Country Planning (Development Procedure) Orders

Council considered a paper submitted by the Department for Environment, Food and Agriculture and agreed the amendment to the Town and Country Planning (Development Procedure) Orders 2013 and 2019, under the Emergency Powers Act 1936, to allow appeals and applications determined by Council, to be progressed through a written hearing process instead of by public inquiry during the emergency proclamation period.

Senior Race Day Bank Holiday

Council considered a paper submitted by the Treasury and agreed the proposed approach to the 2020 Senior Race Day Bank Holiday.

*Enterprise and Opportunity Island
We have an infrastructure which supports social and economic wellbeing*

Douglas Promenade Refurbishment Scheme

Council considered papers submitted by the Department for Infrastructure and agreed the proposals that aimed to have the accelerated project delivered by 31 March 2021.

Securing Sea Services

Council considered a paper submitted by the Department of Infrastructure and supported the proposed approach in relation to securing sea services to meet the Island's immediate travel and freight needs.

Enterprise and Opportunity Island
We have utilities that support our Island communities and businesses

Gas Voluntary Agreement

Council considered papers submitted by the Cabinet Office, and agreed the approach and proposals in respect of the negotiations with Manx Gas Limited.

Responsible Island
We have public services which are fit for purpose, modern and provided in the right place

Political Appointments – Statutory Boards and Public Bodies

Council considered a paper submitted by the Cabinet Office, and noting that positions had become vacant as a result of the recent Legislative Council elections, agreed the following appointments:

- Member for the Cabinet Office – Mr L L Hooper MHK;
- Chair of the Isle of Man Preservation of War Memorials Committee – Mrs D H P Caine MHK;
- Chair of the Manx Utilities Authority – Mr T S Baker MHK;
- Vice Chair of the Manx Utilities Authority – Mr P A Greenhill MLC;
- Chair of the Planning Committee – Mr M J Perkins MHK; and
- Vice Chair of the Isle of Man Office of Fair Trading – Mr J R Moorhouse MHK.

Responsible Island
We have more responsive legislation and regulation

Statutory Instruments

Council considered and agreed that the following Statutory Instruments be made and submitted to Tynwald:

- Coronavirus Fisheries Industry Support Scheme 2020
- COVID 19 Salary Support (Amendment) (No.2) Scheme
- COVID 19 Salary Support (Amendment) Scheme
- COVID-19 Salary Support (Amendment) (No.3) Scheme
- Enterprise Development (Amendment) Scheme 2020
- European Union (Yemen Sanctions) (Amendment) Order 2020
- European Union and Trade Act 2019 (Deficiencies) (Sanctions) Regulations 2020
- Financial Provisions and Currency (Amendment of Section 3) Order 2020
- Income Tax (Disclosure of Information)(Temporary Taxation) Order 2020
- Official Controls (Plant Health) (No. 2) Regulations 2020
- Social Security Administration Act 1992 (Application) (Amendment) (No. 3) Order 2020
- Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 4) Order 2020
- Social Security Legislation (Benefits) (Application) (Amendment) (No.7) Order 2020
- Social Security Legislation (Benefits) (Application) (No. 2) Order 2020
- Somalia Sanctions (Arms Embargo, Etc.) (Amendment) (No. 2) Regulations 2020
- Yemen Sanctions (Amendment) Regulations 2020

Primary Legislation – Introduction to Branches

Council considered and agreed that the following pieces of primary legislation be introduced into the Branches:

- Emergency Powers (Amendment) (No2) Bill 2020
- Isle of Man Loans (Amendment) Bill 2020

Legislation Programme Recommencement

Council considered a paper submitted by the Cabinet Office and agreed the proposed approach to recommence the Legislation Programme.

Responsible Island

We engage, participate and are respected internationally

UK/EU Trade Negotiations

Council considered papers submitted by the Cabinet Office providing overviews in respect of UK/EU negotiations, and agreed the Isle of Man's initial position on Services Reservations, the Open and Fair Competition Chapters of the UK text of the draft UK/EU Free Trade Agreement, and on aspects of the UK/US Free Trade Agreement.

Sustainable Island

We have a planning system which supports sustainable growth

Referral of Application of General Importance: Approval in principle for the erection of a sewage treatment plant - Fields 311785, 311787 and 311835, between Glenfaba Road and former Douglas to Peel railway line, Peel

Council considered a paper submitted by the Department for Environment, Food and Agriculture and directed that application [20/00344/A], by the Manx Utilities Authority, be determined by the Department of Environment, Food and Agriculture.

Referral of Application of General Importance: Erection of a cold store warehouse with ancillary office/welfare facilities, extension and reorganisation of site car parking, extension of cycle way to Cooil Road and associated landscaping works

Council considered papers submitted by the Department of Environment, Food and Agriculture and directed that application [20/00170/B], by Robinsons Ltd, be determined by the Department of Environment, Food and Agriculture.

Inclusive and Caring Island

We have open and transparent Government which engages effectively with Tynwald and the public

Lists of Items of Government Business – Tynwald sittings

Council considered papers submitted by the Cabinet Office and approved the Lists of Items of Government Business for the following sittings of Tynwald: 7 April 2020, 14 April 2020, April 2020, 28 April 2020 and May 2020.

Part II

Council noted the following Matters

Coronavirus Pandemic Response

The challenges posed by the Coronavirus [SARS-CoV-2] [COVID-19] pandemic requires a clear and joined up response

Classic TT and Manx Grand Prix 2020 Cancellation

Council noted a paper submitted by the Department for Enterprise advising of the joint agreement with the Manx Motor Cycle Club for the cancellation of 2020 Classic TT and Manx Grand Prix events.

Policy on Off-Island Travel for Public Servants

Council noted a paper submitted by the Cabinet Office providing the Temporary COVID-19 Policy on Off-Island Travel for Public Servants.

Contingency Management Plan – Food Supply and Delivery

Council noted a paper submitted by Department for Environment, Food and Agriculture outlining the current position regarding food supply and distribution, and the Contingency Management Food Supply Plan.

Money Laundering Risk Assessment – Isle of Man

Council noted a paper submitted by the Financial Intelligence Unit outlining the risk to the Isle of Man from financial crime and money laundering, as a direct result of the pandemic.

Free School Meals Voucher Scheme

Council noted a paper submitted by the Department of Education, Sport and Culture in relation to the proposed Free School Meals Voucher Scheme, including commencement, provision and value.

Enterprise and Opportunity Island

We have utilities that support our Island communities and businesses

UK Flood Reinsurance Scheme

Council noted a paper submitted by the Treasury in relation to correspondence from UK Government in respect of the Flood Reinsurance Scheme.

Inclusive and Caring Island

We have open and transparent Government which engages effectively with Tynwald and the public

Tynwald Standing Orders Committee First Report for the Session 2019-20: Evolving Practice

Council noted a paper submitted by the Cabinet Office providing the proposed approach to the recommendations of Tynwald Standing Orders Committee First Report for the Session 2019-20: Evolving Practice.

Commemoration of 75th anniversary of VE Day

Council noted a paper submitted by Cabinet Office in respect of the amended plans to commemorate the 75th anniversary of VE Day.

Inflation Report – March 2020

Council noted a paper submitted by the Cabinet Office providing the March 2020 Inflation Report prior to publication.

Healthy and Safe Island

We live longer, healthier lives

Health and Care Transformation Programme – Quarterly Update

Council noted a paper submitted by the Cabinet Office providing the quarterly report on the Health and Care Transformation Programme.