



**Isle of Man
Government**

Reilrys Ellan Vannin

PUBLICATION

**Extract of Proceedings:
Council of Ministers September 2022**

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Extract of Proceedings in the Council of Ministers during September 2022

Part I Decisions made by Council

List of Items of Government Business – October Tynwald

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the List of Items of Government Business for the October 2022 sitting of Tynwald.

Council of Ministers' Response to Social Affairs Policy Review Committee Follow-Up Report on Mental Health

Council considered a draft Response to the SAPRC Follow-Up Report on Mental Health. After consideration, Council **agreed** that representatives from Departments and teams providing input to the Response meet to review its content and provide the Council of Ministers with a revised Response draft.

Outer Space Act

Council considered and **agreed** a paper submitted by the Cabinet Office providing an update on the existing exchange of letters with the UK on the level of third party liability insurance required by licensees for activities under the Outer Space Act 1986 and seeking approval for the Island's letter to be signed by the Interim Chief Secretary.

Health and Care Transformation Programme – Stocktake and Quarterly Report

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval of a change of approach to the Health and Care Transformation Programme for the remainder of this financial year and providing an update to Council on progress during the last quarter.

Department of Health and Social Care Department Plan 2022/23

Council considered and **agreed** a paper submitted by the Department of Health and Social Care seeking approval for the Department's Delivery Plan to be published on the Register of Business alongside the following motion: That Tynwald receives the Department of Health and Social Care Delivery Plan for 2022/23.

DHSC £18m Supplementary Vote for Elective Care Recovery

Council considered and **agreed** a paper submitted by the Department of Health and Social Care seeking approval for the Minister to move the following motion for approval at the sitting of Tynwald in October 2022:

That Tynwald authorises the Treasury, in respect of the year ended 31st March 2023, to apply from General Revenue a sum not exceeding £18,300,000 being the additional amount required by the Department of Health and Social Care to commission Manx Care to

undertake a programme of elective restoration and recovery, currently not affordable within the existing Tynwald approved budget.

Braddan (Noble's Hospital) (No.2) Byelaws 2022

Council considered a paper submitted by the Department of Infrastructure seeking approval to move the Braddan (Noble's Hospital) (No.2) Byelaws 2022 at the October sitting of Tynwald.

After consideration, Council **agreed** that the Braddan (Noble's Hospital) (No.2) Byelaws 2022 are *not* moved the October 2022 sitting of Tynwald.

Highway Closure (U162, Mayfield, Ramsey) Order 2022

Council considered and **agreed** a paper submitted by the Department of Infrastructure seeking approval for the Minister to move the following motion at the October sitting of Tynwald:

That the whole of the U162, within the site called "Mayfield" is extinguished on the grounds that it is not needed for public use

Mooragh Park (Public Right of Way No 453, Ramsey) Public Path Order 2022

Council considered and **agreed** a paper submitted by the Department of Infrastructure seeking approval for the Minister, DOI to move the following motion at the October sitting of Tynwald:

That Public Right of Way No. 453, Mooragh Park, Ramsey be widened from 1 metre to 2.5 metres.

Highway Diversion (Public Right Of Way No.21 The Ayres) Order 2022

Council considered, and **agreed** a paper submitted by the Department of Infrastructure seeking approval for the Minister, DOI to move the following motion at the October sitting of Tynwald:

That Public Right of Way No.21, The Ayres, be diverted, by extinguishing part of the existing highway and creating a new length of highway, for the purpose of providing a more commodious route for traffic entitled to use the highway.

Copyright Secondary Legislation

Council considered a paper submitted by the Department for Enterprise seeking approval for the Copyright and Duration in Performances Regulations 2022; the Copyright and Performers' Protection (Quotation and Parody) Regulations 2022; and the Copyright and Performances (Application to Other Countries) (Amendment) Order 2022 to be made and moved for approval at the October sitting of Tynwald.

IOM Government Unified Scheme (Amendment) Scheme 2022

Council considered and agreed a paper submitted by the Public Sector Pensions Authority seeking approval for the Isle of Man Government Unified Scheme (Amendment) Scheme 2022 to be laid before the October sitting of Tynwald.

Russia Sanctions (Application) (No.11) Regulations 2022

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Russia Sanctions (Application) (No. 11) Regulations 2022 to be made and moved for approval at the October sitting of Tynwald.

Sanctions (Application) (Miscellaneous Amendments) Regulations

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Sanctions (Application) (Miscellaneous Amendments) Regulations 2022 to be made and moved for approval at the October sitting of Tynwald.

Appointment of Planning Committee Lay Members

Council considered a paper submitted by the Department of Environment, Food and Agriculture seeking approval for the preferred approach for the appointment of Planning Committee Lay Members.

After consideration, Council **agreed**:

- Recruitment to the two posts (which are shortly to become vacant) commences, with a second recruitment process to begin next year for the third post;
- Delegation be given to DEFA for the administration of the recruitment process to (including production of Interview Packs, updating Job Description/Person Specification and undertaking appropriate publicity); and
- Delegation be given to DEFA to undertake the shortlisting and interview process and to make recommendations on appointments to Council of Ministers, with the Minister, DEFA to determine the appropriate persons to undertake the shortlisting and interviews.

Harbour (Dues and Charges) (Amendment) (No.2) Regulations 2022

Council considered and **agreed** a paper submitted by the Department of Infrastructure seeking approval for the Harbour (Dues and Charges) (Amendment) (No.2) Regulations 2022 to be moved for approval at the October sitting of Tynwald.

Isle of Man Government Defined Contribution Scheme

Council considered and **agreed** a paper submitted by the Public Sector Pensions Authority seeking approval for the Isle of Man Government Defined Contributions Scheme to be introduced from 01 October 2022.

Appointment of Electoral Commission Members

Council considered a paper submitted by the Cabinet Office seeking approval for the Governor in Council to consider recommendations for appointment to the Electoral Commission.

After consideration, Council **agreed**:

1. That the Governor in Council agrees that anyone who has previously stood for election to the House of Keys or the Legislative Council, whether elected or not, and has a pre declared or widely known position on any of the elements that the Commission has been tasked to consider will be considered to be ineligible to be appointed to the Electoral Commission
2. That the Governor in Council appoints Mrs Sally Bolton; Mrs Karen Ramsey; Mr Peter Whiteway; Mr Nigel Davis; and Mrs Michelle Norman as members of the Electoral Commission
3. That the Governor in Council invites those appointed to the Electoral Commission to appoint a Chair from their number
4. That the Governor in Council confirms appropriate reserve candidates, as required

Modern Slavery Bill – Consideration for a Permissive Extent Clause

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the inclusion of a Permissive Extent Clause in the upcoming Modern Slavery Bill.

Economic Strategy Board – Terms of Reference

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval to alter the Terms of Reference of the Economic Strategy Board to add the Deputy Chief Minister as a sitting member, and other minor amends.

Appointment of Successful Candidate to the Role of Chief Constable

Council considered and **agreed** a paper submitted by the Department of Home Affairs on the appointment of the new Chief Constable.

Isle of Man Preservation of War Memorials – Annual Report 2022

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the Annual Report of the Isle of Man Government Preservation of War Memorials Committee to be laid before the October 2022 sitting of Tynwald.

Access to the Beneficial Ownership Database

Council considered a paper submitted by the Cabinet Office seeking approval to reaffirm Government's commitment to allowing obliged entities and the public access to the Beneficial Ownership Database (BOD).

After consideration Council **agreed** to:

1. Reaffirm the political commitment to allow Obligated Entities full access to the Beneficial Ownership Database by the end of 2022 for the sole purpose of carrying out their required customer due diligence checks;
2. Reaffirm the 2019 political commitment to allow the public access to the Beneficial Ownership Database by the end of 2023 in conjunction with other Crown Dependencies; and
3. Task officers to work with the other Crown Dependencies on a public statement reaffirming this position

Joint Initiative on Services Domestic Regulation (WTO)

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval that formal confirmation be given to UK Government Officials that the Isle of Man can comply with the requirement of the Joint Initiative on Services Domestic Regulation and that the Isle of Man can be included within the scope of subsequent changes to the UK's GATS schedule (General Agreement on Trade in Services of the World Trade Organization).

Cost of Living Response: Energy Support Payment and Family Support Payment – Round 2

Council considered and **agreed** a paper submitted by Treasury seeking consent for the Social Security Contributions and Pensions Act 1992 (Application) (Amendment) (No.3) Order 2022 and the Social Security Contributions and Pensions Act 1992 (Application) (Amendment) (No.5) Order 2022 to be moved for approval at the October sitting of Tynwald.

Plant Breeders' Rights Legislation

Council considered and **agreed** a paper submitted by the Department for Environment, Food and Agriculture seeking approval for the Council of Ministers to make the Plant

Breeders' Rights (Amendment) (EU Exit) Regulations 2022 and for those Regulations to be moved for approval at the next available sitting of Tynwald.

Maternity and Funeral Expenses (General) (Isle of Man) (Amendment) Regulations 2022

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Maternity and Funeral Expenses (General) (Isle of Man) (Amendment) Regulations 2022 to be moved for approval at the November sitting of Tynwald.

Employed Person's Allowance (General) (Amendment) (No.3) Regulations 2022

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Employed Person's Allowance (General) (Amendment) (No.3) Regulations 2022 to be moved for approval at the November sitting of Tynwald.

Department of Education, Sport and Culture Department Plan 2022/2023

Council considered and **agreed** a paper submitted by the Department for Education, Sport and Culture seeking approval for the Department's Plan 2022/2023 to be tabled at the November sitting of Tynwald.

Public Appointments – Isle of Man War Pension Committee

Council considered and **agreed** a paper submitted by the Cabinet Office recommending the nomination of Major William Lawrence and Mr John Walker to the Isle of Man War Pensions Committee, to be moved for approval at the November 2022 sitting of Tynwald.

Pension Schemes Legislation (Application) (No.2) Order 2022

Council considered and **agreed** a paper submitted by the Treasury seeking approval to move the Pension Schemes Legislation (Application) (No.2) Order 2022 for approval at the November sitting of Tynwald.

Liquor Licensing and Public Entertainments Act 2021

Council considered and **agreed** a paper submitted by the DHA providing the Summary of Responses document to the consultation on secondary legislation and codes of practice under the Liquor Licencing and Public Entertainments Act 2021, and proposed legislation package. The Liquor Licencing and Public Entertainments Regulations 2022 will be moved for approval at the November sitting of Tynwald.

List of Items of Government Business – November 2022

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the List of Items of Government Business for the November 2022 sitting of Tynwald.

Part II

Council noted the following Matters

Governance and Integrity Committee

Council **noted** a paper submitted by the Cabinet Office seeking approval for the appointment of Non-Executive Directors to Departmental Boards and the establishment of an Integrity and Governance Oversight Committee.

End of Lateral Flow Tests

Council **noted** a paper submitted by the Cabinet Office providing information in relation to the cessation of the Public Health Weekly Surveillance Report. Council further **noted** that a new Winter Surveillance Report is being developed which will capture data relating to a number of viruses, including Covid-19.

Lateral Flow Test Update

Council **noted** a paper provided by the Department of Health and Social Care, providing Council with reassurance that the Department has a mechanism in place to source and procure adequate supplies of Lateral Flow Tests should Council resume universal free testing if required.

Debt Counselling Service

Council **noted** a paper submitted by the Office of Fair Trading providing information in relation to a relevant statistical analysis of the Debt Counselling Service provided by the OFT for the quarter from 1st April 2022 to 30th June 2022 inclusive.

Bill of Rights

Council **noted** a paper submitted by the Cabinet Office providing information in relation to the Bill of Rights Bill (UK Legislation).

Public Sector Payments Bill 2022

Council **noted** a paper submitted by the Treasury providing information in relation to the progress towards the delivery of the Public Sector Payments Bill to the Legislative Branches.

Sustainable Financing Framework Impact and Allocation Report

Council **noted** a paper submitted by Treasury providing information in relation to the first annual impact and allocation report to be published in accordance with the commitments made at the issuance of the Sustainable Financing Framework.

Built Environment

Council **noted** a paper submitted by the Department of Environment, Food and Agriculture providing an update on the Built Environment Reform Programme.

Capital Programme Update

Council **noted** a paper submitted by the Treasury with an update on capital spending for the period to July 2022 and capital scheme forecast outturns.

Isle of Man Inflation Report – August 2022

Council **noted** a paper submitted by the Cabinet Office providing information in relation to the Isle of Man Inflation Report – August 2022, prior to public release.

Cost of Living Update

Council **noted** a paper submitted by the Interim Chief Secretary providing a brief update on progress across the six work streams in response to the cost of living threats posed by the ongoing inflationary cycle.

Government Estate Warm Spaces

Council **noted** a paper submitted by the Cabinet Office providing information in relation to the Government Warm Spaces initiative.

IOM-UK Fisheries Agreement

Council **noted** a paper submitted by the Department of Environment, Food and Agriculture providing information in relation to their notification to the UK Government that the Island will withdraw from the Fisheries Management Agreement 2012 with effect from 23 November 2023.

Isle of Man Labour Market Report – August 2022

Council **noted** a paper submitted by the Cabinet Office providing information in relation to the Isle of Man Labour Market Report – August 2022, prior to release on Monday 19 September 2022.

Isle of Man Post Office Annual Accounts

Council **noted** a paper submitted by the Isle of Man Post Office providing information in relation to the audited Report and Financial Statements for the period ended 27 March 2022. The Chairman intends to lay the Report and Financial Statements before the November sitting of Tynwald.

Policing Plan

Council **noted** a paper submitted by the Department of Home Affairs providing information in relation to the Policing Plan 2022-23, to be laid before the October sitting of Tynwald.

Isle of Man Post Office Annual Report

Council **noted** a paper submitted by the Isle of Man Post Office containing its Annual Report 2022-2023, to be tabled at the November sitting of Tynwald.

DOI Vehicle Licencing Requirements from Isle of Man Post Office

Council **noted** a paper informing Council of the Department's Road Map for Vehicle and Driver Online Services Provision.

MiCard Service Requirements from Isle of Man Post Office

Council **noted** a paper informing the Council of Ministers of the service needs that the Social Security Division has for MiCard payments from the Isle of Man Post Office Retail Network.

Care Quality Commission Report

Council **noted** a paper provided by the Department of Health and Social Care providing an overview of the findings of the CQC base line assessment for Adult Social Care and Dental Practices prior to publication on the Department website.

Part III
Council determined the following Planning Applications

Council was not required to determine any planning applications in September 2022.

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 Report are available online at <https://www.gov.im/onlineservices>.