



Isle of Man Government

Reilrys Ellan Vannin

PUBLICATION

Extract of Proceedings: Council of Ministers October 2022

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Extract of Proceedings in the Council of Ministers during October 2022

Part I Decisions made by Council

Communications Act 2021 (Appointed Day) (No.3) Order 2022

Council considered and **agreed** a paper submitted by the Communications and Utilities Regulatory Authority with an overview of the Communications Act 2021 (Appointed Day) (No.3) Order 2022, to be laid before the next available sitting of Tynwald.

Fire Precautions (Licensed Premises and Entertainments Premises) Order 2022

Council considered and **agreed** a paper submitted by the Department of Home Affairs seeking approval for the Fire Precautions (Licensed Premises and Entertainment Premises) Order 2022, which will be placed on the Register of Business in draft for consideration at November Tynwald. Council was asked to note that the Department would then seek to move this Order, within a supplementary Order Paper, subject to the prior approval of Tynwald for the Liquor Licensing and Public Entertainments Regulations 2022.

Non-Executive Directors

Council considered a paper submitted by the Cabinet Office seeking approval of the appointment of Non-Executive Directors to Departmental Boards and functioning of Departmental Boards to enhance Governance.

After consideration, and in response to Tynwald's resolution 'that Tynwald supports the appointment of Non-Executive Directors to Departments and that before any further appointments are made, Government must publish a detailed code of practice covering the appointment, rights and responsibilities of any Non-Executive Directors of Departments', Council **agreed** the updated Chapter Seven of the Government Code, intended to act as 'code of practice'; the summary appointment process for Non-Executive Directors; the draft job description for Non-Executive Directors; and their subsequent publication and enactment.

TT 2023 Schedule

Council considered and **agreed** a paper submitted by the Department for Enterprise seeking approval for the race schedule for the 2023 TT Races. A review of the new schedule will take place after the 2023 event.

Future Direction of the Energy Bill

Council considered a paper submitted by the Department of Environment, Food and Agriculture seeking direction on the future direction of the Energy Bill, and **agreed** the option to be progressed.

Revised Whistleblowing Policy

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval and endorsement of the revised Whistleblowing Policy.

The Review of Swimming Pools

Council considered a paper submitted by the Department of Education, Sport and Culture to consider the review of Swimming Pools undertaken by Knight, Kavanagh & Page consultants and seek direction for next steps.

After consideration, Council **agreed** to set up a dedicated workshop on regional swimming pools; return a strengthened paper with additional analysis of the NSC, as per the terms of reference and conditions of the Review; and interact with DOI and DHSC re: regional swimming pools

Merchant Shipping (SOLAS VII – Carriage of Dangerous Goods) Regulations 2022

Council considered and **agreed** a paper submitted by the Department for Enterprise seeking approval for the Merchant Shipping (SOLAS VII – Carriage of Dangerous Goods) Regulations 2022 to be laid before Tynwald at the November sitting.

Avian Influenza and Influenza of Avian Origin in Mammals Order 2022

Council considered and **agreed** a paper submitted by the Department of Environment, Food and Agriculture seeking approval for the Avian Influenza and Influenza of Avian Origin in Mammals Order 2022, to be made and moved for approval at the next available sitting of Tynwald.

Council of Ministers' Response to the Select Committee on Footpaths

Council considered and **agreed** a paper submitted by the Department of Infrastructure seeking approval to submit its response to the report presented by the Select Committee of Tynwald on Public Footpaths, Bridleways and Green Lanes (Petition for Redress of Grievance) to November 2022 Tynwald.

Recruitment of Planning Committee Members

Council considered a paper submitted by the Department of Environment, Food and Agriculture seeking approval to add the Chair of the Planning Committee as a person authorised to undertake shortlisting and interviews in respect of recruitment to the Planning Committee.

After consideration Council **agreed** to delegate the recruitment of lay planning committee members to the Department of Environment Food and Agriculture, including the Chair of Planning Committee, and to make recommendations on appointments to the Council of Ministers. The condition of the delegation is that there are at least three persons involved in the shortlisting and interview, with the panel comprising the Minister and/or Chair, another being the Head of Development Management and/or Director of Planning and Building Control, and another being either the Chief Executive Officer and/or Deputy Chief Executive Officer or a civil servant nominated by OHR.

Economic Strategy

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for 'Our Island, Our Future – Isle of Man Economic Strategy' to be moved for approval by the Chief Minister at the November Tynwald sitting. Council **noted** the intention to lay before Tynwald the Consultation response and published KPMG reports (Phases 1, 2 and 3).

Green Living Grant Amendment Scheme

Council considered and **agreed** a paper submitted by the Department for Enterprise seeking approval for the Green Living Grant (Amendment) (No.2) Scheme 2022 to be moved at the November 2022 sitting of Tynwald.

Interception of Communications Commissioner Report

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval to recommend to His Excellency, the Lieutenant Governor that the report of the Interception of Communications Commissioner for the year ended 31 December 2021 be laid before December Tynwald without amendment.

Social Security Contributions and Benefits Act 1962

Council considered and **agreed** a paper submitted by the Treasury seeking approval to move the Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No.4) Order 2022 at the December sitting of Tynwald.

Beneficial Ownership (Obligated Entities Access) Order 2022

Council considered and agreed a paper submitted by the Treasury seeking approval to move the Beneficial Ownership (Obligated Entities Access) Order 2022 at the December 2022 sitting of Tynwald.

Isle of Man Financial Services Authority Annual Report 2021-22

Council considered and **agreed** a paper submitted by the Isle of Man Financial Services Authority, noting that that the Isle of Man Financial Services Authority Annual Report for 2021-22 will be laid before the December sitting of Tynwald.

Dormant Assets Distribution Report 2021-22

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Dormant Assets Distribution Report 2021-22 be laid before the November 2022 sitting of Tynwald and thereafter published on the Dormant Assets section of the Government website.

Public Appointments – Appointments Commission

Council considered a paper submitted by the Cabinet Office seeking approval for the appointment of a lay member to the Appointments Commission, subject to the approval of Tynwald.

After consideration, Council **agreed** the appointment of Mr Paul Coppell to the Appointments Commission for a term of five years ending 1 January 2028, in accordance with the Tribunals Act 2006, subject to the approval of Tynwald; and that the appointment be added to the list of Government Business for the December 2022 sitting of Tynwald.

Public Right of Way – Castletown

Council considered and **agreed** a paper submitted by the Department of Infrastructure seeking approval for the Highway Diversion (PROW No.624, Castletown) Order 2022, to be tabled at the December sitting of Tynwald.

Manx Care Annual Report and Annual Letter of Assessment

Council noted a paper submitted by the Department of Health and Social Care and **agreed** that the Department move a resolution that Manx Care's Annual Report and the Department's Annual Letter of Assessment of Manx Care be received by Tynwald.

Part II

Council noted the following Matters

Government Management Accounts August 2022

Council **noted** a paper submitted by the Treasury providing information in relation to the financial budget position as at the end of August 2022.

Modern Slavery Bill

Council **noted** a paper submitted by the Cabinet Office providing information in relation to issues raised during Council of Ministers sitting on 15 September 2022 relating to the approval of a permissive extent clause within Modern Slavery Bill.

New Governance Arrangements for the Public Services Commission

Council **noted** a paper submitted by the Cabinet Office outlining the case for revision of the current operations and governance arrangements in the Public Services Commission and to making recommendations on how such revisions should be undertaken.

Isle of Man Inflation Report – September 2022

Council **noted** a paper submitted by the Cabinet Office providing information on the Isle of Man Inflation Report – September 2022, prior to release on Monday 17 October 2022.

Isle of Man Labour Market Report – September 2022

Council **noted** a paper submitted by the Cabinet Office providing information on the Isle of Man Labour Market Report – September 2022, prior to release on Monday 17 October 2022.

Bank Holidays 2022

Council **noted** a paper submitted by the Treasury providing information in relation to the Bank Holidays in the Isle of Man in 2023 and advice of the proposed press release.

Part III

Council determined the following Planning Applications

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>.

Trail Lodge Ltd Silverdale

After consideration, Council **agreed** that planning approval be granted for the change of use of the lower ground floor to tourist accommodation at Cregg Mill, Silverdale Road, Ballasalla, Isle of Man, IM9 3DS, in accordance with drawings, documents and conditions outlined.