



Isle of Man
Government

Reilrys Ellan Vannin

PUBLICATION

**Extract of Proceedings:
Council of Ministers September 2023**

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Extract of Proceedings in the Council of Ministers during September 2023

Part I Decisions made by Council

Statement of Changes in Immigration Rules

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the Statement of Changes in Immigration Rules to be laid before the October 2023 sitting of Tynwald.

Passport Fees (Amendment) Order 2023

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the Passport Fees (Amendment) Order 2023 to be laid before the October 2023 sitting of Tynwald.

Social Affairs Policy Review Committee Report on Children's Oral Health

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the amalgamated oral health implementation plan, as referred to in recommendation 1 from the Social Affairs Policy Review Committee of Tynwald (SAPRC) report on children's oral health, to be laid before Tynwald in the October 2023 sitting.

Damages (Personal Injury) (Assumed Rate of Return) Order 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Damages (Personal Injury)(Assumed Rate of Return) Order 2023 to be moved for approval at the October 2023 sitting of Tynwald.

Emergency Planning, Response and Recovery Direction 2023

Council considered and **agreed** a paper submitted by the Department of Home Affairs seeking approval for the draft Emergency Planning, Response and Recovery Direction 2023 for use in a 2 week consultation period, ahead of receiving the final Direction, which is to be laid before the November 2023 sitting of Tynwald.

Sanctions Bill 2023 – Amendment to Clauses in Bill

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the amendments to the Sanctions Bill 2023 to be moved at the Consideration of Clauses Stage in the Legislative Council.

Summary Fines and Penalties Bill 2023

Council considered and **agreed** a paper submitted by the Department of Home Affairs seeking approval of the following:

1. Approve the introduction of the Summary Fines and Penalties Bill 2023 into the House of Keys for first reading on 14 November 2023;
2. Invite Mr John Wannenburg, MHK, to move the Bill in the House of Keys; and
3. Invite Mr Rob Mercer, MLC, to move the Bill in the Legislative Council.

National Infrastructure Security Bill 2023

Council considered and **agreed** a paper submitted by the Department of Home Affairs seeking approval to progress a National Infrastructure Security Bill to consultation and drafting.

Integrity Line

Council considered a paper submitted by the Cabinet Office seeking direction on the performance of the Integrity Line one year after it went live, and to consider policy options. After consideration, Council **agreed** to the continuation of the Integrity Line for a further year.

Creation of a Housing Association on the Isle of Man

Council considered a paper submitted by the Department of Infrastructure seeking approval for the creation of a Housing Association on the Isle of Man. After consideration, Council **agreed** that Option 1 – creation of a Housing Association for Department of Infrastructure Housing stock - as recommended in the report is adopted as a preferred option, for wider consultation and further, more detailed examination following the work phases outlined in this paper.

Island Infrastructure Scheme – Round 1 Applications

Council considered a paper submitted by the Department for Enterprise seeking approval, in principle, for applications to the Island Infrastructure Scheme, following the approval of the Economic Strategy Board.

After consideration, Council noted and **agreed** the following:

- **Approve** the allocation of up to £25,011,412 from the Economic Strategy Fund (inclusive of the £10m already ring-fenced for the Scheme);
- Note the following conditions which would be included in the agreements in principle:
 - Agreement for an appraisal by an independent Quantity Surveyor as chosen by the Department, to be paid for by the Department from the IIS budget;
 - An application for planning to be made within 12 months, acceptable to the Department for Enterprise;
- Note that, subject to Council approval of the agreements in principle, the Department will enter into further detailed discussions and negotiations with the developers and that final grant amounts will be further clarified and refined prior to returning to Economic Strategy Board (and Treasury/Council where required) for final approval of formal offers of financial assistance.

Child Abduction and Custody (Parties to Conventions) (Amendment) Order 2023

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the Child Abduction and Custody (Parties to Conventions) (Amendment) Order 2023 to be made and laid before the October 2023 sitting of Tynwald.

Alcohol Duty (Application) Order 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister for Treasury to move the Alcohol Duty (Application) Order 2023 for approval at the October 2023 sitting of Tynwald.

Customs and Excise Acts (Application) (Amendment) Order 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister for Treasury to move the Customs and Excise Acts (Application) (Amendment) Order 2023 for approval at the October 2023 sitting of Tynwald.

Customs and Excise Acts (Application) (Amendment) (No.2) Order 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister for Treasury to move the Customs and Excise Acts (Application) (Amendment) (No. 2) Order 2023 for approval at the October 2023 sitting of Tynwald.

Audit Working Papers Regulations 2023

Council considered and **agreed** a paper submitted by the Isle of Man Financial Services Authority seeking approval for the Minister for Treasury to move the Audit Working Papers Regulations 2023 for approval at the October 2023 sitting of Tynwald.

Value Added Tax Act 1996 (Amendment) Order 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister for Treasury to move the Value Added Tax Act 1996 (Amendment) Order 2023 for approval at the October 2023 sitting of Tynwald.

Hydrocarbon Oil Duties Act 1986 (Amendment) Order 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister for Treasury to move the Hydrocarbon Oils Duties Act 1986 (Amendment) Order 2023 for approval at the October 2023 sitting of Tynwald.

Customs and Excise Acts 1986 (Amendment) Order 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister for Treasury to move the Customs and Excise Acts 1986 (Amendment) Order 2023 for approval at the October 2023 sitting of Tynwald.

Retirement Benefits Schemes (Excepted Schemes) (Amendment) Regulations 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister for Treasury to move the Retirement Benefits Schemes (Excepted Schemes) (Amendment) Regulations 2023 for approval at the October 2023 sitting of Tynwald.

Alcoholic Liquor Duties Act 1986 (Savings and Repeal) Order 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister for Treasury to move the Alcoholic Liquor Duties Act 1986 (Savings and Repeal) Order 2023 for approval at the October 2023 sitting of Tynwald.

Transfer of Health and Transformation Programme

Council considered a paper submitted by the Cabinet Office and Department of Health and Social Care seeking approval for the transfer of the Transformation Programme from Cabinet Office to DHSC.

After consideration, Council agreed to:

1. Re-confirm Government's commitment to Sir Jonathan Michael's Recommendations and the continuation of the Transformation Programme;
2. Agree to the transfer of the Transformation Programme to DHSC;
3. Agree to the intended approaches to the governance, funding and continued delivery of the Programme;
4. Agree that a motion be tabled by the Minister as Chair of the Transformation Board, , at the November 2023 sitting of Tynwald, amending Recommendation 6 of Sir Jonathan Michael's report to reflect the changes proposed in this paper;
5. Agree a Tynwald Members' Presentation to explain the rationale for the transfer; and
6. Note the likely transition period post Tynwald's approval.

Council of Ministers' Response to the Independent Review on the Provision of Legal Services

Council considered a paper submitted by the Department of Home Affairs seeking approval of the next steps in respect of the Garnier Report on the Review of Legal Services.

After consideration, Council **agreed**:

- i. That a Tynwald Members' Briefing be held to give members an overview of the report and its recommendations; and
- ii. That the Garnier Report on the Review of Legal Services be tabled for the October 2023 sitting of Tynwald.

Appointment of Non-Executive Member of Manx Care Board

Council considered and **agreed** a paper submitted by the Department of Health and Social Care seeking approval for the Minister for Health and Social Care to move the appointment of Sandra Caldwell as a non-executive member of Manx Care at the October 2023 sitting of Tynwald.

The Health Services Consultative Committee Constitution (Amendment) Regulations 2023

Council considered and **agreed** a paper submitted by the Department of Health and Social Care seeking approval for the Health Services Consultative Committee Constitution (Amendment) Regulations 2023 to be laid before Tynwald at the October 2023 sitting.

Legal Aid Review

Council considered and **agreed** a paper submitted by the Treasury asking Council to receive and consider the Legal Aid Review Options and Recommendations Report by HM Attorney General; the Legal Aid Committee Response to HM Attorney General's Legal Aid Options and Recommendations Report; and to seek Council approval for a Legal Aid Bill to be added to the legislative calendar 2023/2024.

TV Licence Fee Concession (No 2) Scheme 2020

Council considered a paper submitted by the Treasury seeking approval to extend the age-related TV Licence Fee Concession (No 2) Scheme 2020 to 31 December 2026.

After consideration, Council **agreed** to extend the Age-related TV Licence Fee Concession (No 2) Scheme 2020 for one year to continue to provide free TV licences to people aged 75 and over; and that the Treasury should publish a notice informing the public of the extension of this concession and this notice should be laid before Tynwald at the earliest opportunity.

Strategic Plan for Regional Sports Hubs

Council considered and **agreed** a paper submitted by the Department for Education, Sport and Culture and the Department for Infrastructure seeking approval for the Minister for Education, Sport and Culture to make a statement at the October 2023 sitting of Tynwald regarding the progress made so far on the Strategic Plan for Regional Sports Hubs and as part of this statement, advise Tynwald Members that the final report will be submitted to the January 2024 sitting of Tynwald, rather than the October 2023 sitting of Tynwald.

Customs Cooperation and Mutual Administrative Assistance

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the inclusion of the Isle of Man in future Customs Cooperation and Mutual Administrative Assistance Agreements that the United Kingdom enters into with other parties.

Criminal Injuries Compensation Scheme Report for 2022/23

Council considered and **agreed** a paper submitted by the Treasury seeking approval to lay the Criminal Injuries Compensation Scheme Report for 2022/23 before the next available sitting of Tynwald.

Part II

Council noted the following Matters

Restoration and Recovery Phase 2 – July 2023 Update

Council **noted** a paper submitted by the Department of Health and Social Care to update Council of Ministers on progress against the approved Business Case for restoration and recovery work being undertaken by Manx Care, and the intention for the appended update to be laid before the next available sitting of Tynwald in line with the amendment moved in Tynwald on 18th October 2022.

Isle of Man Steam Packet Company Accounts to 31 December 2022 (circulated via email on 11 August 2023)

Council **noted** a paper submitted by the Treasury on the:

- Director's Report and Consolidated Financial Statements for The Isle of Man Steam Packet Company Limited for the year ended 31 December 2022; and
- Director's Report and Consolidated Financial Statements for the Isle of Man Steam Packet Group Limited for the year ended 31 December 2022.

Isle of Man Post Office Report and Financial Statements for year ended 26 March 2023

Council **noted** a paper submitted by the Isle of Man Post Office on the audited 'Report & Financial Statements' of Isle of Man Post Office for the period ended 26 March 2023. The Chairman intends to lay the 'Report & Financial Statements' before the November 2023 sitting of Tynwald.

Isle of Man Post Office Statutory Board Plan 2023-24

Council **noted** a paper submitted by the Isle of Man Post Office on the Isle of Man Post Office's Statutory Board Plan 2023-24 prior to the Plan being submitted to the November 2023 sitting of Tynwald.

Isle of Man Ferry Terminal, Liverpool

Council **noted** a paper submitted by the Department of Infrastructure to provide Council with a further update on the development of the Isle of Man Ferry Terminal (Liverpool), including costs and ongoing legal disputes.

Inward Migration Policy Options

Council **noted** a paper submitted by the Cabinet Office to provide an overview of the various principles and trade-offs associated with policies related to inward migration.

Council noted a number of points to be considered more fulsomely in the forthcoming workshop on immigration, including:

- Restrictions relating to the Common Travel Area
- Restrictions relating to UK immigration policy

Equality Act Implementation

Council **noted** a paper submitted by the Cabinet Office to provide an update following a cross Department survey on implementation on the Equality Act 2017.

Council noted that:

- More education on Equality is required across Government

- General feedback seems to indicate that it would be useful to have identifiable Officers able to provide advice
- There is scope for training and targeted support, perhaps through existing LEAD pathways
- The role of Political lead for Equality must not be confused with that of an Equality Advisor

Briefing on meeting with Baroness Penn

Council **noted** a paper submitted by the Cabinet Office with a brief on a meeting between the Treasury Minister, his counterparts from Jersey and Guernsey and Baroness Penn (UK Treasury Lords Minister with responsibility for the Crown Dependencies).

Bank Holidays in the Isle of Man 2024

Council **noted** a paper submitted by the Treasury on the Bank Holidays in the Isle of Man in 2024.

Isle of Man Inflation Report – August 2023

Council **noted** a paper submitted by the Cabinet Office on the Isle of Man Inflation Report – August 2023, prior to release on Monday 11 September 2023.

Nursing, Residential and Home Care Public Engagement

Council **noted** a paper submitted by the Cabinet Office about the approach being taken in relation to public engagement and consultation on the future ways for paying for Nursing, Residential and Home Care.

Financial Intelligence Unit Annual Report 2022-2023

Council **noted** the Financial Intelligence Annual Report 2022-2023, to be laid before the October 2023 sitting of Tynwald.

Low Carbon Heat Strategy Scope

Council **noted** the scope of the forthcoming Heat Strategy.

Government Management Accounts – June 2023

Council **noted** the financial position as at the end of June 2023.

Health and Care Transformation Programme – Quarterly Update

Council **noted** the Quarterly Update on the Health and Care Transformation Programme.

Ministerial Decisions Written Question Response

Council **noted** the response to Mr Ashford MHK's Written Question on Ministerial decisions. The Report will be laid before the October 2023 sitting of Tynwald.

Part III
Council determined the following Planning Applications

Planning Application 22/00922B - Billown Quarry, Foxdale Road, Ballasalla

Council considered a paper submitted by the Cabinet Office seeking direction on whether to approve the application by the Department of Infrastructure and is so lay the independent Inspector's report before Tynwald.

After consideration, Council **agreed** for planning permission to be granted in respect of this application by Colas (IOM) Ltd.

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>.