



**Isle of Man**  
**Government**

*Reilrys Ellan Vannin*

PUBLICATION

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

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## **Extract of Proceedings in the Council of Ministers during October 2023**

### **Part I Decisions made by Council**

Council considered and **agreed** a paper seeking approval of the Suicide Prevention Strategy, to be laid before the October 2023 sitting of Tynwald.

#### **Preservation of War Memorials Committee Annual Report**

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the Isle of Man Preservation of War Memorials Committee Annual Report 2022-2023 to be laid before the November 2023 sitting of Tynwald.

#### **Energy Policy Sub-Committee of the Council of Ministers**

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the making of Council of Ministers Energy Policy and Decision Making Direction 2023 allowing the creation of an Energy Board to provide central oversight and co-ordination of all related activities across Government.

#### **Department of Infrastructure Reform**

Council considered and **agreed** a paper submitted by the Cabinet Office proposing a strategy and reform programme in relation to the Department of Infrastructure.

#### **Council of Europe Saint-Denis Convention**

Council considered a paper submitted by the Cabinet Office seeking direction on whether or not the Isle of Man wishes to have the UK's ratification of the Saint Denis Convention – a Council of Europe treaty – extended to cover the Isle of Man.

After consideration Council **agreed** that the Isle of Man should **not** seek extension of the Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events at this time.

#### **Access to Public Records and Council of Ministers' Proceedings**

Council considered and **agreed** a paper submitted by the Department for Enterprise seeking approval for the Access to Public Records and Council of Ministers Proceedings report to be submitted to the November 2023 sitting of Tynwald.

#### **Health and Safety Legislation**

Council considered and **agreed** a paper submitted by the Department of Environment, Food and Agriculture seeking approval for the Health and Safety at Work Order 2023, to be moved for approval at the November 2023 sitting of Tynwald.

#### **Planning Appeal Determination (Development Procedure Order)**

Council considered a paper submitted by the Department of Environment, Food and Agriculture seeking direction on who should determine planning appeals (as part of the updated Development Procedure Order).

After consideration, Council **agreed**:

- That Planning Appeals are determined in the first instance by the Inspector. The Inspector's decision is communicated to a Minister/Body who have a set time period to take back the decision (i.e. alter it) otherwise the Inspector's decision stands and a decision notice must be issued accordingly
- That the Inspector's report/initial decision is provided to a specified Department (DEFA)
- That DEFA applications are determined by Planning Committee with any appeal being determined by Council

### **Legislation Relating to Tattooing**

Council considered and **agreed** a paper submitted by the Department of Environment, Food and Agriculture seeking approval to move minor amendments to the Local Government (Amendment) Bill 2023 at its clauses stage, in order to provide clarity on the scope of existing legislation relating to acupuncture, tattooing, skin piercing etc.

### **Joint Statement on the Crypto-Asset Reporting Framework**

Council considered a paper submitted by the Treasury seeking approval for the Treasury Minister to sign a political statement committing to implement the Crypto-Asset Reporting Framework (CARF).

After consideration, Council **agreed** to:

1. Mandate the Treasury Minister to sign the Collective Engagement on the Implementation of the CARF should this be necessary; and
2. Authorise the Treasury Minister to agree changes to the wording of the above referenced statement should this be required (although this is not anticipated).

### **New Criminal Injuries Compensation Bill**

Council considered and **agreed in principal** a paper submitted by the Treasury seeking approval for a new Criminal Injuries Compensation Bill in the legislative programme 2023/2024, with the timing and prioritisation to be agreed by the Council of Ministers Legislative Sub-Committee.

### **Removal of Tribunal Members (Procedure) Order 2023**

Council considered a paper submitted by the Cabinet Office seeking approval for the Removal of Tribunal Members (Procedure) Order 2023 to be moved for approval at November 2023 sitting of Tynwald.

Council requested that core queries relating to benchmarking and reporting process be confirmed and through liaison with General Registry prior to the item progressing. As such, Council did **not agree** that the Removal of Tribunal Members (Procedure) Order 2023 be added to the list of Government Business at this time.

### **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 submitted to the Register of Business for the November 2023 Tynwald sitting (subject to negative procedure).

### **War Pension Mobility Supplement Scheme**

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister to move the War Pension Mobility Supplement Scheme 2023 for approval at the November 2023 sitting of Tynwald.

### **Social Security (Special Rule for End of Life) Act 2022 (Application) Order 2023**

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister (or a Member of the Treasury) to move for approval the Social Security (Special Rules for End of Life) Act 2022 (Application) Order 2023 at the November 2023 sitting of Tynwald.

### **Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No.2) Order 2023**

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister (or a Member of the Treasury) to move for approval of the Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 2) Order 2023 at the November 2023 sitting of Tynwald.

### **Social Security Legislation (Benefits) (Application) (Amendment) (No.2) Order 2023**

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Minister (or a Member) of the Treasury to move for approval the Social Security Legislation (Benefits) (Application) (Amendment) (No. 2) Order 2023 at the November 2023 sitting of Tynwald.

### **Isle of Man Meat Company Limited Accounts**

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Annual Report and Financial Statements for the Isle of Man Meat Company Limited for the year ended 31 March 2023 to be laid before the November 2023 sitting of Tynwald.

### **Civil Aviation Acts (Application) (Amendment) Order 2023**

Council considered and **agreed** a paper submitted by the Department for Enterprise seeking approval for the Minister for Enterprise to move the Civil Aviation Acts (Application) (Amendment) Order 2023 for approval at the November 2023 sitting of Tynwald.

### **Control of Employment (Restriction of Application) Order 2023**

Council considered and **agreed** a paper submitted by the Department for Enterprise seeking approval for the Control of Employment (Restriction of Application) Order 2023 to be made and moved for approval at the November 2023 sitting of Tynwald.

### **Employment (Written Statements and Itemised Pay Statements) Order and Regulations 2023**

Council considered and **agreed** a paper submitted by the Department for Enterprise seeking approval that the Employment (Written Statements and Itemised Pay Statements) Order 2023 and the Employment (Written Statements and Itemised Pay Statements) Regulations 2023 be made and moved for approval at the November 2023 sitting of Tynwald.

### **Civil Registration Fees**

Council considered and **agreed** a paper submitted by the Department for Enterprise and Central Registry seeking approval on proposed increases to Civil Registration fees, to come into operation on 1 April 2024.

### **Department of Education, Sport and Culture Department Plan**

Council considered and **agreed** a paper submitted by the Department of Education, Sport and Culture seeking approval for the Department of Education, Sport & Culture's Department Plan 2023/24 to be received by Tynwald at the November 2023 sitting.

### **Department of Health and Social Care Department Plan**

Council considered and **agreed** a paper submitted by the Department of Health and Social Care seeking approval for the inclusion of the Department of Health and Social Care Department Plan 2023-24 at the November 2023 sitting of Tynwald.

### **Manx Care Annual Report and Department of Health and Social Care Letter of Assessment 2022-23**

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 that Manx Care's Annual Report and the Department's Annual Letter of Assessment of Manx Care be received by Tynwald at the November 2023 sitting.

### **Report on Informing Policy to Minimise the Harms Associated with Drug Use in the Isle of Man**

Council considered and **agreed** a paper submitted by the Department of Home Affairs seeking approval for the Report on Informing Policy to Minimise the Harms Associated with Drug Use in the Isle of Man to be received by Tynwald at the November 2023 sitting.

### **Highways (Public Right of Way No.65, School Road, Onchan to Little Mill) (Definitive Map Rectification) Order 2023**

Council considered and **agreed** a paper submitted by the Department of Infrastructure seeking approval to rectify the Definitive Map and the associated Statement in relation to Public Right of Way No.625, Onchan via submission of the Highways (Public Right of Way No. 625, School Road, Onchan to Little Mill) (Definitive Map Rectification) Order 2023 to the November 2023 sitting of Tynwald.

### **End of Year Six of the National Development Strategy for Culture & the Arts Progress Report**

Council considered and **agreed** a paper submitted by the Department of Education, Sport and Culture seeking approval of the Annual Report of the Isle of Man Arts Council and Culture Vannin within the National Development Strategy for Culture and the Arts: 2017 – 2027, to be published on the Arts Council and Culture Vannin's websites.

### **Sub-Committee on Justice: Terms of Reference**

Council considered and **agreed** a paper submitted by the Department of Home Affairs seeking approval of the proposed Terms of Reference for the Council of Ministers' Sub-Committee on Justice prior to publication (subject to minor amendment).

### **UK-Singapore Bilateral Investment Treaty**

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the Isle of Man's inclusion within scope of the forthcoming UK-Singapore Bilateral Investment Treaty (BIT).

### **Prescription Charges and Exemptions Policy**

Council considered a paper submitted by the Department of Health and Social Care seeking approval for changes to prescription exemptions charges and seek concurrence from Council to progress with the next steps.

The Minister, DHSC advised Council that it is hoped that prescription charges can be confirmed by February 2024, to come in to force on 01 April 2024.

After consideration, Council **agreed**:

- The Department of Health and Social Care's policy position in respect of Prescription Charges and Exemptions;
- To endorse the Department of Health and Social Care's intended Tynwald Members briefing for the purpose of gauging opinion on the proposed policy before the Department takes forward the policy for Tynwald approval; and  
To note the intended next steps and associated timeline.

### **Major Projects Board Appointments**

Council considered a paper submitted the Treasury seeking approval of the appointment of a Quantity Surveyor (QS) role and the Construction adviser role to the Major Projects Board.

After consideration, Council **agreed** to appoint Mr Barry O'Driscoll for the Construction Adviser role and Chair of the Major Projects Board with an initial term of three years. Council **agreed** that further consideration be given to the appointment for the Quantity Surveyor role on the Major Projects Board.

## **Part II**

### **Council noted the following Matters**

#### **Policy Consultation on 'General Attendance' under the Liquor Licencing and Public Entertainments Act 2021**

Council **noted** a paper submitted by the Department of Home Affairs with the draft consultation document for the policy consultation on 'general attendance' under the Liquor Licencing and Public Entertainments Act 2021.

#### **Isle of Man Inflation Report – September 2023**

Council **noted** a paper submitted by the Cabinet Office with an update on the September 2023 Isle of Man Inflation Report, prior to publication on 9 October 2023.

#### **Economic Impact of Minimum and Living Wages**

Council **noted** a paper submitted by the Treasury providing a report on the Economic Impact of Minimum & Living Wages.

#### **Labour Market Report**

Council **noted** a paper submitted by the Cabinet Office providing an update on the September 2023 Isle of Man Labour Market Report.

#### **Access to Cash Consultation**

Council **noted** a paper submitted by the Treasury to inform of the outcome of the public consultation, and of Treasury's intention to publish the response document as appended.

#### **Central Government Management Accounts 12 Months to 31 March 2023**

Council **noted** a paper submitted by the Treasury providing the central government unaudited management accounts for the financial year ending 31 March 2023, which will be issued to Tynwald members on the 20 October 2023.

#### **Government Management Accounts – August**

Council **noted** a paper providing oversight of the financial position as at the end of August 2023.

**Part III**  
**Council determined the following Planning Applications**

**Planning Application 21/01000/B – Wrights Pit North**

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.

Council noted additional advice provided by HM Attorney General, including advice on additional conditions that Council may wish to impose, should it accept the recommendation of the Inspector that the application be approved. This would entail granting approval subject to (a) the conditions recommended by the Inspector and (b) three additional conditions being that:

1. An appropriate approval under the Public Health Act 1990 shall be issued by DEFA to impose appropriate controls over waste disposal and related operations as soon as reasonably practicable, but in any event by 31 October, **and**
2. The DOI shall provide to DEFA an updated Working Plan (to take account of any relevant conditions recommended by the Inspector) by Friday 20 October 2023
3. Subject at all times to section 11 of the TCPA 1999 and notwithstanding the call in of the application as being one of general importance to the Island, any application to vary the approval hereby granted or any condition attaching shall be made to DEFA in the first instance.

After consideration, Council **agreed to approve** planning permission in respect of this application by the Department of Infrastructure, with additional conditions, in accordance with the Attorney General's recommendations provided on 18 September 2023.

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>.