



**Isle of Man
Government**

Reilrys Ellan Vannin

PUBLICATION

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

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Extract of Proceedings in the Council of Ministers during November 2023

Part I Decisions made by Council

Audit Act 2006 (Inspection) Order 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval to submit the Audit Act 2006 (Inspection) Order 2023 for approval at the November 2023 sitting of Tynwald.

Gas Safety Legislation

Council considered and **agreed** a paper submitted by the Department of Environment, Food and Agriculture seeking approval for the DEFA Minister to make the Gas Safety (Installation, Use and Management) (Application) Order 2023 and for the Order to be moved for approval by the Minister at December 2023 Tynwald.

Energy Efficiency Scheme Amendments

Council considered and **agreed** a paper submitted by the Department of Environment, Food and Agriculture seeking approval for the DEFA Minister to make the Energy Efficiency (Amendment) Scheme 2023 and to move the Scheme for approval at the December 2023 sitting of Tynwald.

Paper to approve separation of policy resource from secondary drafting in Attorney General's Chambers

Council considered and **agreed** the recommendation from the Chief Officer Group that policy officers are separated from secondary legislation officers, with policy officers returning to the Departments from whence they came, and legislation and advisory functions remaining in Chambers.

Operational Performance Board: Terms of Reference

Council considered a paper submitted by the Cabinet Office seeking approval of the proposed Terms of Reference for the Council of Ministers' Operational Performance Board (OPB) prior to publication.

After consideration Council **agreed** the proposed Terms of Reference for the Operational Performance Board to be published on the Council of Ministers' webpage:

<https://www.gov.im/about-the-government/council-of-ministers/the-council-of-ministers/council-committees-sub-committees-and-boards/>

Amendments to Income Tax (No.2) Bill 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval for amendments to the Income Tax (No.2) Bill 2023 to be moved at the Consideration of Clauses stage in the House of Keys.

Transfer of Functions – Immigration (Isle of Man) (Amendment) Order 2023

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the submission of the UK Immigration (Isle of Man) (Amendment) Order 2023 (S.I. 2023/1090), and the Immigration (Isle of Man) (Amendment) Order 2023 (Appointed Day) Order 2023 (SD 2023/0296) to the Register of Business, to be laid before the December 2023 sitting of Tynwald.

Transfer of Functions – GDPR and LED Implementing (Amending) (No.2) Regulations 2023

Council considered and **agreed** a paper submitted by the Cabinet Office and Treasury seeking approval for the GDPR and LED Implementing (Amendment) (No.2) Regulations 2023 to be made and moved for approval at the December 2023 sitting of Tynwald; and The Immigration Exemption Policy Document be submitted to the Register of Business, alongside the Regulations, for laying only.

Sound and Lights Upgrade for the Villa Gaiey

Council considered and **agreed** a paper submitted by the Treasury seeking approval to the DESC request for £1.632 million of capital funding for the sound at lights upgrade for the Villa Marina and Gaiey Theatre to be included in Treasury's financial motion to Tynwald anticipated to be in December 2023.

Collective Investment Schemes (Investor Fund) (Exemption) (Revocations) Order 2023

Council considered and **agreed** a paper submitted by the Financial Services Authority seeking approval for the Collective Investment Schemes (Investor Fund) (Exemption) (Revocation) Order 2023 to be moved for approval at the December 2023 sitting of Tynwald.

Register of Recognised Auditors (Fees) (Amendment) Regulations 2023

Council considered and **agreed** a paper submitted by the Financial Services Authority seeking approval for the Register of Recognised Auditors (Fees) (Amendment) Regulations 2023 to be moved for approval at the December 2023 sitting of Tynwald.

Enterprise Act 2008 Annual Report 2022/23

Council considered and **agreed** a paper submitted by the Department for Enterprise seeking approval to lay the Enterprise Act 2008 Annual Report for 2022/2023 before the December 2023 sitting of Tynwald.

Fossil Fuel Heating System Legislation

Council considered and **agreed** a paper submitted by the Department of Environment, Food and Agriculture seeking approval for the Fossil Fuel Heating System Regulations 2023 and the Climate Change Act 2021 (Appointed Day) (No.2) Order 2023 to be tabled at the December 2023 sitting of Tynwald.

Climate Impact Assessments

Council considered and **agreed** a paper submitted by the Department of Environment, Food and Agriculture seeking approval to draft the Climate Impact Assessment regulations, with commencement to be delayed for one year.

European Union and Trade Act 2019 Food and Feed Regulations

Council considered and **agreed** a paper submitted by the Department of Environment, Food and Agriculture seeking approval to make the European Union and Trade Act 2019 (Amendments) (DEFA) (Food and Feed) Regulations 2023, to be moved for approval at the December 2023 sitting of Tynwald.

Restoration and Recovery Phase 2 – Third progress Report to Tynwald - November 2023

Council considered and **agreed** a paper submitted by the Department of Health and Social Care with an update on progress against the approved Business Case for restoration and recovery work and seeking approval for the report to be laid before the December 2023

UK – Morocco Mutual Legal Assistance Convention

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval for the Convention on Mutual Legal Assistance in Criminal Matters between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Morocco to be extended to the Isle of Man at the time of the UK's ratification.

Wild Animals (Restriction on Importation, Etc.) Act 1980 (Amendment) Order 2023

Council considered and **agreed** a paper submitted by the Department of Environment, Food and Agriculture seeking approval for the DEFA Minister to make the Wild Animals (Restriction on Importation, Etc.) Act 1980 (Amendment) Order 2023 and for the Order to be moved for approval at the November 2023 sitting of Tynwald.

Financial Crime Strategy 2024-2026

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval of the Financial Crime Strategy 2024 – 2026, to be laid before the December 2023 sitting of Tynwald.

Appointment of Non-Executive Chair 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 that Tynwald that the appointment of Wendy Reid as Chair (a non-executive member) of Manx Care at the December 2023 sitting of Tynwald.

Inland Fisheries Licences and Fees Regulations 2023

Council considered and **agreed** a paper submitted by the Department of Environment, Food and Agriculture seeking approval for the DEFA Minister to make the Inland Fisheries (Amendment) Regulations 2023 and for the Regulations to be laid before the December 2023 sitting of Tynwald.

Dormant Assets Act 2019 – Annual Report 2023

Council considered and **agreed** a paper submitted by the Treasury asking Council to note the Dormant Assets Act 2019 Annual Report for the period ended 30 June 2023 and to agree that the Report be laid before the December 2023 sitting of Tynwald.

Council papers for approval – December 2023 Tynwald Fast Track

Council considered and **agreed** an email circulated seeking approval for the Statement of Changes in Immigration Rules and Annual Report of the Manx Industrial Relations Service for the period April 2022 to March 2023 to be submitted to the Register of Business.

Iran Sanctions – Extension of UK Law to the Island

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the Iran (Sanctions) Regulations 2023 (of the United Kingdom Parliament) to be extended to the Isle of Man by the following draft Order in Council: The Iran (Sanctions) (Isle of Man) Order 2023, to be made by the Privy Council.

Media Bill – Permissive Extent Clause

Council considered and **agreed** a paper submitted by the Cabinet Office seeking approval the inclusion of a permissive extent clause for the Isle of Man in the UK Media Bill.

Green Living Grant Scheme 2021 (GLGS) – Scheme Closure

Council considered and **agreed** a paper submitted by the Department for Enterprise seeking approval for the four stage closure of the Green Living Grant Scheme outlined below:

1. 28 June 2024 – Closure of applications for Manx Home Energy Audits.
2. 30 September 2024 – Closure of applications for Green Living Grants.
3. 31 March 2025 – Cut-off for claiming approved grants.
4. 30 June 2025 – Deadline for the completion of follow up Manx Home Energy Audits

Council also **agreed** the extension of funding until the end of quarter 1 of the financial year 2025/26; and the extension of two administrative officer resources to administer the Green Living Grant Scheme until the end of March 2025.

National Insurance Bill 2024

Council considered and **agreed** a paper submitted by the Treasury seeking approval for the National Insurance Bill 2024 to be added to the Legislative Programme.

Gas Regulations (Amendment) Bill 2023

Council considered a paper submitted by the Cabinet Office seeking approval to expedite primary legislation which will give Council of Ministers the power to restrict disconnections by a public gas supplier.

After consideration Council:

1. **Agreed** that the Gas Regulation (Amendment) Bill 2023 does not require public consultation
2. **Noted** that an impact assessment to accompany the Bill will be drafted for submission
3. **Authorised** the Bill for printing and its introduction into the House of Keys on the 19 December, subject to any typographical or minor drafting amends identified prior to submission
4. **Agreed** that the Minister for the Cabinet Office will take the Bill in the House of Keys and nominate a Member of Council to take the Bill in the Legislative Council
5. **Noted** the Minister for the Cabinet Office's intention to suspend standing orders, subject to the will of Members, to accelerate the progress of the Bill.

Part II

Council noted the following Matters

Radio Manx Limited Annual Report

Council **noted** a paper submitted by the Treasury on the Annual Report for 2022/23 for Radio Manx Limited.

Isle of Man Population Report 2023

Council **noted** a paper submitted by the Cabinet Office with the results of the Isle of Man Population Report in advance of publication on the 06 November 2023.

Quarterly Economic and Statistical Update Quarter 3 2023

Council **noted** a paper submitted by the Cabinet Office with the Quarter 3 2023 Quarterly Economic and Statistical Update prior to release on 06 November 2023.

Public Consultation - Proposed changes to the Town and Country (Development Procedure) Order and the Town and Country Planning (Application and Appeal Fees) Order

Council **noted** a paper submitted by Department of Environment, Food and Agriculture on proposed consultation on secondary legislation relating to the determination of planning applications, as part of the Built Environment Reform Programme.

Inflation Report October 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 13 November 2023.

Island Plan and Performance Progress Report – November 2023

Council **noted** a paper submitted the Cabinet Office providing an update on progress of the Island Plan's Strategic Programmes and Departments' performance for the November 2023 reporting period.

Isle of Man Labour Market Report, October 2023

Council **noted** a paper submitted by Cabinet Office providing Council with information on the Isle of Man Labour Market Report – October 2023, prior to publication on 20 November 2023.

Management Accounts – September 2023

Council **noted** a paper submitted by Treasury providing an oversight of the financial position as at the end of September 2023

UK Climate Policy Rollbacks

Council **noted** a paper submitted by the Department for Environment, Food and Agriculture providing information on the Climate Change Transformation Board response and next steps in relation to recent UK climate policy roll backs

Blue Light Strategy – Update

Council **noted** a paper submitted by the Department of Home Affairs providing an update on the current position and next steps with regards to the Blue Light Strategy.

Part III
Council determined the following Planning Applications

Planning Application 23/00510/B - Erection of an open sided timber pavilion at Claghbane Plantation, Ramsey Hairpin, Maughold

Council considered a paper submitted by the Cabinet Office seeking direction on whether to approve or otherwise planning permission in respect of an application by the Manx Wildlife Trust.

Council noted that the Inspector's report was not appended to the paper, therefore could not be considered at this time; the application and Inspector's report were circulated by email after the meeting and the application **approved**.

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>.